

Final EIR/EIS

Volume I

# Folsom South of U.S. Highway 50 Specific Plan Project

SCH #2008092051



**US Army Corps  
of Engineers** ®  
Sacramento District



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



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# Folsom South of U.S. Highway 50 Specific Plan Project



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## ACRONYMS AND ABBREVIATIONS

µg/L	micrograms per liter
AB	Assembly Bill
ADT	average daily traffic
AFY	acre feet per year
ANSI	American National Standards Institute
AQMP	Air Quality Monitoring Plan
ARB	California Air Resources Board
BAAQMD	Bay Area Air Quality Management District
BMP	best management practice
BO	Biological Opinion
BRT	Bus Rapid Transit
CALGreen Code	2010 California Green Building Standards Code
CAMPS	climate action mitigation plan supplement
CAPCOA	California Air Pollution Control Officers Association
CCAR	California Climate Action Registry
CDPH	California Department of Public Health
cfs	cubic feet per second
CH <sub>4</sub>	methane
CNEL	community noise equivalent level
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CRHR	California Register of Historical Resources
CSCGMP	Central Sacramento County Groundwater Management Plan
CVP	Central Valley Project
CVPIA	Central Valley Project Improvement Act
CVRWQCB	Central Valley Regional Water Quality Control Board
dB	decibels
dBA	A-weighted decibel
DEIR/DEIS	draft environmental impact report/draft environmental impact statement
DFG	California Department of Fish and Game
DPM	diesel particulate matter
EBMUD	East Bay Municipal Utility District
EDC DOT	County of El Dorado Department of Transportation
ET	evapotranspiration



ETo	Reference Evapotranspiration
FCUSD	Folsom Cordova Unified School District
FEIR/FEIS	final EIR/final EIS
FHWA	Federal Highway Administration
FOR	Friends of the River
FPASP	Folsom Plan Area Specific Plan
Freeport Project	Freeport Regional Water Project
FRWA	Freeport Regional Water Authority
FSC	Folsom South Canal
GHG	greenhouse gas
gpcd	gallons per capita per day
HDD	heavy duty diesel truck
HRA	Health Risk Assessment
IS/MND	Initial Study/Mitigated Negative Declaration
JPA	Joint Powers Authority
LAFCo	Sacramento Local Agency Formation Commission
L <sub>dn</sub>	day-night average sound level
LEDPA	least environmentally damaging practicable alternative
LID	Low Impact Development
L <sub>max</sub>	maximum sound level
LOS	level of service
M&I	municipal and industrial
MAPA	Sacramento County Mather Airport Planning Area
MEIR	maximally exposed individual resident
mgd	million gallons per day
MOU	Memorandum of Understanding
MRZ	Mineral Resource Zone
MT CO <sub>2</sub> e/SP	metric tons of carbon dioxide equivalent per service population
MT/yr-SP	metric ton per year per service population
MWELo	Model Water Efficient Landscape Ordinance
NCMWC	Natomas Central Mutual Water Company
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service

N <sub>2</sub> O	nitrogen dioxide
NOA	naturally occurring asbestos
NOA	Notice of Availability
NOP	Notice of Preparation
NO <sub>x</sub>	oxides of nitrogen
NPDES	National Pollution Discharge Elimination System
OCAP	Reclamation's Operations Criteria and Plan
OPR	Office of Planning and Research
OU	Operable Unit
PFFP	Public Facilities Financing Plan
PM <sub>10</sub>	respirable particulate matter with an aerodynamic diameter of less than 10 microns
Reclamation	U.S. Bureau of Reclamation
RHNA	Regional Housing Needs Assessment
ROD	Record of Decision
RPA	Reasonable and Prudent Alternatives
SACOG	Sacramento Area Council of Governments
SASD	Sacramento Area Sewer District
SCWA	Sacramento County Water Agency
SHPO	State Historic Preservation Officer
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utility District
SPA	specific plan agreement
SRCS	Sacramento Regional County Sanitation District's
SSHCP	South Sacramento Habitat Conservation Plan
SSQP	Sacramento Stormwater Quality Partnership
SVRA	State Vehicular Recreational Area
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TDS	total dissolved solids
TIA	Traffic Impact Study
U.S. 50	U.S. Highway 50
USB	Urban Service Boundary
USFWS	U.S. Fish and Wildlife Service

WFA	Water Forum Agreement
WSA	Water Supply Assessment
WWIP	wastewater infrastructure plan
WWTP	Wastewater Treatment Plant

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# 1 INTRODUCTION

This final environmental impact report/environmental impact statement (FEIR/FEIS) has been prepared to respond to comments received on the draft EIR/EIS (DEIR/DEIS) for the Folsom South of U.S. Highway 50 (U.S. 50) Specific Plan Project. The FEIR/FEIS has been prepared by the City of Folsom (City) and the U.S. Army Corps of Engineers (USACE), Sacramento District in accordance with the requirements of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The City is the lead agency under CEQA and USACE is the lead agency under NEPA. The U.S. Bureau of Reclamation (Reclamation) is a cooperating agency under NEPA.

On June 28, 2010, the City and USACE released the DEIR/DEIS for public review and comment. The comment period closed on September 10, 2010, after being extended by the City. The DEIR/DEIS evaluated the potential environmental effects of the Proposed Project (Proposed Project Alternative) and five land use alternatives, along with the Proposed Off-Site Water Facility Alternative and 10 water conveyance alternatives. A public workshop was held at Folsom City Hall on August 2, 2010, and a public hearing to receive public input on the DEIR/DEIS was held at Folsom City Hall on August 4, 2010. The public hearing was recorded and transcripts were made of public comments received both at the workshop and at the hearing. Written comments were received from Federal, state, regional, and local agencies, as well as from organizations and individuals; comments were also received during the public hearing. The City and USACE considered the comments received on the DEIR/DEIS.

The FEIR/FEIS consists of the entire DEIR/DEIS (Volumes I, II, and III) and the comments, responses to comments, and revisions to the DEIR/DEIS.

## 1.1 PURPOSE AND INTENDED USES OF THE FEIR/FEIS

Both CEQA and NEPA require a lead agency that has completed a DEIR or DEIS to consult with and obtain comments from public agencies (cooperating, responsible, and/or trustee agencies) that have legal jurisdiction with respect to the proposed action, and to provide the general public with opportunities to comment on the DEIR or DEIS. The FEIR/FEIS is a mechanism for responding to these comments. This FEIR/FEIS has been prepared to respond to comments received from agencies, organizations, and members of the public on the DEIR/DEIS for the Folsom South of U.S. 50 Specific Plan Project, which are reproduced in this document; and to present corrections, revisions, and other clarifications and amplifications to the DEIR/DEIS made in response to these comments. The DEIR/DEIS and this FEIR/FEIS will be used to support the City's decision whether to approve the project and USACE's decisions whether to issue permits pursuant to Section 404 of the Clean Water Act and to issue a record of decision (ROD).

The FEIR will also be used by CEQA responsible agencies, such as the Central Valley Regional Water Quality Control Board, and trustee agencies, such as the California Department of Fish and Game, to ensure that they have met the requirements of CEQA before deciding whether to issue discretionary permits and approvals for portions of the project over which they have authority. It may also be used by other state, regional, and local agencies that may have an interest in resources that could be affected by the project or would issue permits and/or other regulatory approvals.

## 1.2 PROJECT REQUIRING ENVIRONMENTAL ANALYSIS

The project requiring environmental analysis includes two components; a land use component, and an off-site water supply facilities component required to support the proposed land uses. Because the project purpose, objectives, and alternatives are different for the "Land" and "Water" portions of the project, they are presented separately in this EIR/EIS.



## LAND

The project applicant(s) of the “Land” portion of the project—the South Folsom Property Owners Group—are requesting annexation into the City of Folsom, and approval of various discretionary entitlements in support of a specific plan for a mixed-use development and supporting on- and off-site roadway and infrastructure improvements (project). The specific plan covers an area in eastern Sacramento County, south of U.S. 50, and adjacent to the existing Folsom city limits. The specific plan supports a combination of employment-generating uses, retail and supporting services, recreational uses, and a broad range of residential uses and associated infrastructure and roads on approximately 3,510-acres that is located entirely within the City’s sphere of influence. The “Specific Plan Area,” or SPA, described throughout this EIR/EIS includes the entire area proposed for annexation, including U.S. 50 highway right-of-way and interchange areas, for a total of approximately 3,584 acres. The project site is located south of U.S. 50, north of White Rock Road, east of Prairie City Road (a small area extends west of Prairie City Road at the southwest corner of the project site), and west of the Sacramento/El Dorado County line (see Exhibits 2-1 and 2-2 in Chapter 2, “Alternatives”).

The Proposed Project Alternative includes up to 10,210 residential units at various densities on approximately 1,477 acres; approximately 363 acres of commercial and industrial use, including a regional shopping center; public/quasi-public uses; elementary, middle, and high schools on approximately 179 acres; approximately 122 acres of community and neighborhood parks; stormwater detention basins; approximately 1,053 acres of open-space areas and open-space preserves; and major roads with landscaping.

Several off-site infrastructure facilities (intersection expansions to allow access to and from U.S. 50 and the SPA, an overpass of U.S. 50, two roadway connections and sewer pipelines from the Folsom Heights property into El Dorado Hills, a sewer force main connection to the existing City system, a detention basin, and water pipelines and facilities) are proposed to serve project development and are addressed in this DEIR/DEIS.

## WATER

Based on current water demand assumptions and implementation of reasonable conservation measures in years when water supplies could be subjected to dry-year reductions of up to 25%, the SPA would require not more than 5,600 acre-feet<sup>1</sup> of water per year (AFY). Project water demand is 5,600 AFY but facilities would be designed to accommodate 6,000 AFY to account for operational variability. To provide a reliable water supply for the project, the City is proposing the permanent assignment of not more than 8,000 AFY<sup>2</sup> of Central Valley Project (CVP) settlement contract “Project” water from the Natomas Central Mutual Water Company (NCMWC), diverting this water supply from the Sacramento River at the Freeport Regional Water Project (Freeport Project), and conveying this water to the SPA through new potable water infrastructure. “Project” water is defined in Article 1(m) of NCMWC’s CVP settlement contract.

In addition, the project would include the City purchasing from Sacramento County Water Agency (SCWA) a portion of its dedicated capacity within the Freeport Project, which would serve as the point of diversion (POD) on the Sacramento River and partial conveyance pathway for not more than 6,000 AFY purchased from NCMWC. The City proposes to add the Freeport POD to the assigned CVP settlement contract to facilitate the diversion of these supplies at the existing Freeport Project diversion. The City proposes to pump and convey the assigned NCMWC CVP water supply through the Freeport Project diversion facility and conveyance pipeline to the point where the SCWA and the East Bay Municipal Utilities District (EBMUD) pipeline splits (or bifurcation point). The City would then construct new water supply conveyance infrastructure from the bifurcation point to the SPA.

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<sup>1</sup> An acre-foot of water contains 325,851 gallons; one million gallons is about 3 acre-feet.

<sup>2</sup> NCMWC’s CVP water contract is subject to a dry-year provision whereby total deliveries can be reduced by up to 25%.

Ten conveyance alternatives are analyzed in this EIR/EIS at a similar level of detail, as required under NEPA. These ten conveyance alternatives are described in more detail in Chapter 2, “Alternatives.” Overall, each of the ten “Water” action alternatives would involve the following actions in conjunction with the City taking assignment for up to 8,000 AFY of CVP surface water from NCMWC:

- ▶ Approval from Reclamation for rescheduling of the existing CVP “Project” water agricultural delivery schedule to a year-round municipal and industrial (M&I) schedule;
- ▶ entering into an agreement with SCWA to convey the water acquired by the City from NCMWC through the Freeport Project, to facilitate the integration of the Offsite Water Facilities with existing Freeport Project diversion and water conveyance facilities; and
- ▶ constructing conveyance, pump, storage, and treatment facilities, including booster pump station(s), water treatment and storage facilities, and conveyance facilities.

Consistent with the requirements of CEQA and NEPA, the City is evaluating several conveyance alternatives in this EIR/EIS to enable the delivery of not more than 6,000 AFY of CVP water to the SPA. Each alternative includes optional route alignments and/or operational features (e.g., water treatment plants [WTP] and associated storage facilities) to cover the range of feasible alternatives available to the City.

## PROJECT GEOGRAPHIES

The project undergoing environmental analysis in this EIR/EIS includes “Land” and “Water” components. Different portions of the project would occur in and would affect different geographical areas. The following geographic area descriptions are used in this EIR/EIS:

- ▶ **Specific Plan Area** – This refers to the area which would be annexed by the City of Folsom as part of the project. Most “On-site” analyses in the “Land” portion of the EIR/EIS address conditions in the SPA. The Specific Plan, generally referred to throughout this document as the Folsom Plan Area Specific Plan (FPASP), actually defines the future land uses for a slightly smaller area, excluding the U.S. Highway 50 right-of-way.
- ▶ **Off-site Improvements** – This refers to the location of certain off-site improvements required to support the proposed land use changes, including a proposed detention basin west of Prairie City Road, roadway and interchange improvements along U.S. 50 (at Prairie City Road, Oak Avenue, Rowberry Drive, Scott Road, and Empire Ranch Road); a sewer line extension across U.S. 50 to an existing pump station along Iron Point Road; and sewer and roadway extensions into El Dorado Hills.
- ▶ **“Water” Study Area** – This refers to the regional area studied for the various water supply facilities and operations required under the alternatives in the “Water” portion of the EIR/EIS. The “Water” Study Area has been further divided into four zones for the purposes of discussion. Zone 4 encompasses areas in east-central portions of Sacramento County where new potable water supply facilities would be constructed under a variety of alternative configurations. Zone 1 includes the NCMWC service area, Zone 2 includes portions of the lower Sacramento River south of NCMWC’s service area, and Zone 3 includes the Freeport Project diversion and conveyance facilities.
- ▶ **General Plan Amendment Area** – This refers to the area within the current City of Folsom where the density ranges of general plan land use designations would be changed by the project.

## 1.3 PROJECT BACKGROUND

In 2001, the Sacramento Local Agency Formation Commission (LAFCo) designated the undeveloped land south of U.S. Highway 50 between Prairie City Road, White Rock Road, and the El Dorado County line as part of the City's sphere of influence. The City entered into a Memorandum of Understanding (MOU) with Sacramento County prior to approval of the SPA application by Sacramento LAFCo. The intent of the MOU is to serve as a guide for sound regional long-range planning efforts relative to the annexation of the SPA. The MOU outlines a comprehensive planning process for the project site, including public participation with various stakeholders and the general public. It also addresses a number of issues including water supply, transportation, air quality, schools, and open space that were later incorporated into language found in Measure W and subsequently the City Charter (described in more detail below). The MOU led to LAFCo Resolution 1196, approving the City's sphere of influence amendment.

LAFCo Resolution 1196 requires that the planning process for the project site include:

**City General Plan Revisions.** Revise and update the City's general plan in accordance with California State law.

- ▶ **City General Plan Housing Element.** Obtain a certification of substantial compliance from the California Department of Housing and Community Development consistent with California Government Code section 65585(d) or (h). The City shall establish in its approved Housing Element that it has or will meet its regional share housing needs for all income levels for the second and third Housing Element revisions, as defined in California Government Code Section 65588.
- ▶ **Land Use Designations.** Adopt appropriate land use designations for all property within the adopted Sphere of Influence area.
- ▶ **Pre-zoning.** Pre-zone the property consistent with California Government Code Section 56375 and the Folsom General Plan.
- ▶ **Comprehensive Planning.** Develop comprehensive planning of the project site that demonstrates well planned, orderly development that avoids the premature conversion of open space.
- ▶ **Master Service Agreement.** In any application to annex the property, the City is to submit a Master Services Element that identifies a program for implementation and financing for major infrastructure and services components needed to support the proposed distribution, location, extent, and intensity of proposed land uses. The Master Services Element must identify a water supply source and the process for securing sufficient water supplies to serve the annexed area.
- ▶ **Local Roadway Improvements.** Prepare a plan for necessary improvements to each jurisdiction's roadway network to accommodate increased traffic from the project site in cooperation with Sacramento and El Dorado Counties. This plan must include a list of improvements, responsible jurisdiction, phasing plan, and clearly defined financing mechanism. Implementation of this plan must result in service levels on local roadways consistent with each jurisdiction's general plan.
- ▶ **Regional Roadway Improvements.** The City, in cooperation with Caltrans, Sacramento County, El Dorado County, the El Dorado County Transportation Commission, and the Sacramento Area Council of Governments (SACOG), must identify traffic and transportation measures that are needed to mitigate potential impacts on regional transportation facilities from proposed development within the project site. The City must also identify a funding mechanism to construct the traffic and transportation measures necessary to fully mitigate impacts from the project site, and a timeline for the construction of improvements. As soon as reasonably possible, these improvements should be programmed into the Metropolitan Transportation Plan and Metropolitan Transportation Improvement Program.

- ▶ **Transit Master Plan.** Prepare a Transit Master Plan consistent with the City’s General Plan. The master plan must identify bus transit routes, bus turnouts, pedestrian shelters, bus transfer stations, alignments for rail service, and the location of rail service stations.
- ▶ **Bikeway Master Plan.** Prepare a Bikeway Master Plan consistent with the City’s General Plan. The master plan must identify bikeway and pedestrian facilities on the project site consistent with the goals and policies of the City’s general plan and incorporate bikeway designs for Prairie City Road and White Rock Road to be equivalent, or better, than those in the Sacramento City/County Bikeway Master Plan.
- ▶ **Drainage Master Plan.** Conduct hydraulic and hydrologic modeling of that portion of Alder Creek which transverses the project site. A Drainage Master Plan must be prepared and address flood hazards, identify flood protection measures, and document no net increase in downstream floodwater surface elevations.
- ▶ **Habitat Mitigation Strategy.** Document of the City’s multi-species habitat mitigation strategy (Habitat Conservation Plan [HCP]) for the project site. The strategy must address mitigation of impacts on habitat and biological resources that meets Federal and State regulatory requirements. The City may fulfill these requirements through participation in South Sacramento County HCP process.
- ▶ **Surface and Groundwater Contamination.** Document that on-site surface contamination has been remediated to Federal and State regulatory standards and that groundwater contamination has been remediated or is being remediated effectively prior to annexation of any property owned by Aerojet General Corporation.
- ▶ **Water Supply.** Demonstrate that the City has a sufficient water supply to serve existing customers, future customers within the existing service area, and all proposed uses within the project site in compliance with the terms and conditions of the Water Forum Agreement. This demonstration must be sufficient for LAFCo to determine water availability per California Government Code section 56668(k).
- ▶ **Wastewater Facilities.** Demonstrate the timely availability of wastewater transmission and treatment capacity to serve existing customers, future customers within the existing service area, and all proposed uses within the project site.
- ▶ **Special Districts.** Meet and confer with the El Dorado Irrigation District (EID), the Sacramento Metropolitan Fire District, and any other special districts regarding impacts on these districts, including fiscal and operational impacts and loss of property tax revenue. With respect to EID, the City must not request any detachment from the EID service area.
- ▶ **School Mitigation.** Incorporate feasible school mitigation requirements into development agreements.
- ▶ **Mitigation Monitoring.** Comply with the mitigation measures identified in environmental review for expansion of sphere of influence boundary and adopted pursuant to CEQA by LAFCo Resolution LAFC 1193, including:
  - Establish necessary roadway improvements and financing mechanisms;
  - Implement requirements to reduce air quality emissions by 35%;
  - Prepare an Air Quality Plan;
  - Complete tree surveys and implement tree protection measures;
  - Complete biological surveys and adopt avoidance and mitigation policies;
  - Minimize incompatibility impacts on historic landscapes;
  - Implement hazardous materials plans;
  - Investigate and remediate railroad right-of-way, mining, and radio/transfer sites;
  - Define the Alder Creek 100-year floodplain; and
  - Identify secure sufficient water supplies.

In November 2004, following a series of visioning workshops, the City's Measure W (City Ordinance No. 1022) passed with support from 69% of the City voters. With the passage of Measure W, the City Charter was amended to require the Folsom City Council to take certain actions prior to LAFCo approval of annexation. These actions are related to each of the issue areas described below:

- ▶ **Water Supply.** Identify and secure the sources of water supply to serve the SPA without reducing the existing water supply currently serving users to the north of U.S. 50, and shall not be paid for by City residents north of U.S. 50.
- ▶ **Transportation.** Adopt an Infrastructure Funding and Phasing Plan for the construction of roadways and transportation improvements that are necessary to reduce traffic impacts resulting from development of the SPA. The timing of the construction of the transportation improvements shall be tied to the anticipated rate of growth and associated traffic impacts. Existing City residents shall not be required to pay fees for the construction of any new transportation improvements required to serve the SPA.
- ▶ **Open Space.** Maintain 30% of the SPA as natural open space to preserve oak woodlands and sensitive habitat areas. Natural open space cannot include active park sites, residential yard areas, golf courses, parking lots, or their associated landscaping.
- ▶ **Schools.** Submit a plan to the Folsom Cordova Unified School District for the funding and construction of all necessary school facilities for the SPA so that City residents north of U.S. 50 are not required to pay for the construction of new school facilities serving the SPA and existing schools are not overcrowded by development of the SPA.
- ▶ **Development Plan.** Adopt a General Plan Amendment to serve as the blueprint for development within the SPA. The General Plan Amendment will only be adopted after the completion and certification of an environmental impact report.
- ▶ **Public Notice.** Every registered voter in the City must be mailed a notice of time, place, and date of the public meetings and hearings before the Planning Commission and City Council. The notice must include a summary of the SPA proposal with the full proposal and associated environmental review available for public review at the City Clerk's office, at all Folsom public libraries, and on the City's Web site.
- ▶ **Implementation.** All existing City plans, policies, ordinances, and other legislative acts must be amended as necessary, as soon as possible, and in the time and manner required by state law, including CEQA, to ensure consistency between the Charter Amendment and those plans, policies, and other provisions.

In 2004, the City launched a visioning process to seek community input about the future plans for the City's sphere of influence area. Approximately 200 residents of the City and nearby El Dorado County attended a series of meetings facilitated by a professional planning consultant. At those meetings, the participants addressed a range of issues including land use, open space, transportation, and financing. Their recommendations resulted in a series of five possible development scenarios, which were reviewed by the Folsom City Council at its January 25, 2005 meeting. Since that time, the land use plan for the SPA has continued to undergo refinements, and has evolved into the Proposed Project Alternative shown in Exhibit 2-3 in Chapter 2, "Alternatives." The Proposed Project Alternative, along with four alternative land use development plans and a No Project Alternative (development under the existing Sacramento County land use and zoning designations), are evaluated at a similar level of detail, as required under NEPA in this EIR/EIS.

## 1.4 PROJECT PURPOSE AND NEED

The City and USACE each view the project purpose from the purview of their responsibilities. The City is interested in the orderly development of lands within its planning boundaries/sphere of influence and ensuring



that that the City has adequate water supplies for development. USACE's interest extends to its permit authority with respect to regulation of waters of the U.S., including wetlands.

### **1.4.1 PROJECT PURPOSE AND NEED: CITY OF FOLSOM CONSIDERATIONS**

The purpose of the Folsom South of Highway 50 Specific Plan project is to provide a mixed-use, master-planned community within an area south of U.S. 50 that would be annexed to the City of Folsom, and also to secure a reliable water supply consistent with the requirements of Measure W and objectives of the Water Forum Agreement and the necessary off-site conveyance infrastructure to facilitate the planned development of the SPA. In accordance with local and regional plans, including the City's General Plan and SACOG Blueprint and Smart Growth Principles, the project would expand the City's current sphere of influence south of U.S. 50 in a manner that would foster orderly urban development and discourage leapfrog development and urban sprawl. The project would provide both jobs and housing and would generate a positive fiscal impact for the City.

### **1.4.2 PROJECT PURPOSE AND NEED: U.S. ARMY CORPS OF ENGINEERS**

The project purpose, as considered by USACE, is to construct a large scale, mixed-use development, with associated infrastructure, within eastern Sacramento County.

## **1.5 AGENCY ROLES AND RESPONSIBILITIES**

USACE will use this EIS/EIR in exercising its regulatory authority under Section 404 of the Clean Water Act. It also may be used as an informational document by Federal cooperating agencies, such as Reclamation, that could have permitting or approval authority for aspects of the project.

This EIS/EIR will be used by the City of Folsom and CEQA responsible and trustee agencies to ensure that they have met the requirements of CEQA before deciding whether to approve or permit project elements over which they have jurisdiction. It may also be used by other state and local agencies, which may have an interest in resources that could be affected by the project, or that have jurisdiction over portions of the project.

The City of Folsom is the State lead agency for the project under CEQA, and USACE, Sacramento District, is the Federal lead agency under NEPA. The City has the principal responsibility for approving and carrying out the project and for ensuring that the requirements of CEQA have been met. USACE has the principal responsibility for making Clean Water Act Section 404 permit decisions and ensuring that the requirements of NEPA have been met. The EIR/EIS may also be used by other Federal, state, regional, and local agencies, which may have an interest in resources that could be affected by the project, or that have jurisdiction over portions of the project.

The following are the entitlements requested from the City for the project:

- ▶ certification of the EIR/EIS and adoption of the Mitigation Monitoring and Reporting Program,
- ▶ amendment of the Folsom General Plan,
- ▶ amendment of the Folsom Zoning Ordinance,
- ▶ adoption of the Folsom Plan Area Specific Plan,
- ▶ adoption of a Public Facilities Financing Plan,
- ▶ approval of large-lot tentative maps,
- ▶ application to LAFCo for annexation of the project site to the City of Folsom, and
- ▶ possible approval of development agreements between the City and project applicant(s).

The project applicant(s) are requesting these approvals to accommodate proposed development on lands they control (i.e., lands owned). However, some approvals would apply to all lands in the SPA. It is anticipated that the City will also rely on this EIR/EIS for approval of other future discretionary entitlements and permits (e.g., small-lot tentative subdivision maps, design review approvals, use permits). The City will rely on this document to the

degree that it adequately addresses the impacts of future development on the site (i.e., for specific issue areas where more detailed analysis was conducted). The City is the project proponent and lead agency for implementation of the water supplies and off-site water facilities necessary to satisfy the water demands of the SPA. The City will rely on this document because that it adequately addresses the impacts of the specific manner in which those supplies and facilities are implemented. Depending on the final locations of specific facilities, the City may need to conduct supplemental environmental analysis of the specific issues presented.

The Proposed Action represents a Federal action because it would require one or more of the following Federal permits and authorizations:

- ▶ Department of the Army permit under Section 404 of the CWA for discharges of dredge or fill material into waters of the U.S.,
- ▶ ESA Section 7 consultation leading to issuance of a Biological Opinion and possible incidental-take statement for activities affecting endangered species,
- ▶ NHPA Section 106 consultation leading to the preparation of a Programmatic Agreement and/or Memorandum of Agreement (MOA) for activities affecting a cultural resource listed in or eligible for listing in the NRHP, and
- ▶ Reclamation approval of the assignment of up to 8,000 AFY of “Project” water from NCMWC’s CVP settlement contract to the City, the addition of the Freeport Project as an additional point of diversion under NCMWC’s settlement contract, and an encroachment permit for the water conveyance crossing at the Folsom South Canal.

## **1.6 SUMMARY DESCRIPTION OF THE PROJECT ALTERNATIVES**

The State CEQA Guidelines (Section 15126.6) and the NEPA CEQ Regulations (40 CFR Section 1502.14) require that an EIR/EIS describe a range of reasonable alternatives to a proposed project that could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. The analysis contained in the DEIR/DEIS provides a comparative analysis between the proposed project/action (hereinafter referred to as the “Proposed Project Alternative”), a Resource Impact Minimization Alternative, a Centralized Development Alternative, and a Reduced Hillside Development Alternative. The No Project Alternative as required under CEQA and NEPA and a No USACE Permit Alternative as required by USACE under NEPA were also evaluated. A summary of the Proposed Project Alternative and the other alternatives is provided below. Detailed information regarding the project design, operation, and specific components is contained in DEIR/DEIS Chapter 2, “Alternatives.”

### **1.6.1 PROPOSED PROJECT ALTERNATIVE**

The project applicant(s)—the South Folsom Property Owners Group—are requesting annexation into the City of Folsom, and approval of various discretionary entitlements in support of a specific plan for a mixed-use development and supporting on- and off-site roadways and infrastructure (project). The specific plan covers an area in eastern Sacramento County, south of U.S. 50, and adjacent to the existing Folsom city limits. The specific plan supports a combination of employment-generating uses, retail and supporting services, recreational uses, and a broad range of residential uses and associated infrastructure and roads on approximately 3,510-acres that is located entirely within the City’s sphere of influence, but currently under jurisdiction of Sacramento County. The project site, however, encompasses a larger area: it includes the entire area proposed for annexation, including U.S. 50 right-of-way and proposed interchange areas, for a total of approximately 3,584 acres. The project site is located south of U.S. 50, north of White Rock Road, east of Prairie City Road (a small area extends west of Prairie City Road at the southwest corner of the project site), and west of the Sacramento/El Dorado County line (see Exhibits 2-1 and 2-2 in Chapter 2, “Alternatives” in the DEIR/DEIS).

The Proposed Project includes 10,210 residential units at various densities on a total of 1,477.2 acres; 362.8 acres designated for commercial and industrial use, including a regional shopping center; public/quasi-public uses; elementary, middle, and high schools on 179.3 acres; 121.7 acres of community and neighborhood parks; stormwater detention basins; 1,053.1 acres of open-space areas and open-space preserves; and major roads with landscaping.

Several off-site infrastructure facilities (intersection expansions to allow access to and from U.S. 50 and the SPA, an overpass of U.S. 50, two roadway connections and sewer pipelines from the Folsom Heights property into El Dorado Hills, a sewer force main connection to the existing City system, a detention basin, and water pipelines and facilities) are proposed to serve project development and are addressed in this EIR/EIS.

Based on current water demand assumptions and implementation of reasonable conservation measures in years when water supplies could be subjected to dry-year reductions of up to 25%, the project would require not more than 5,600 acre-feet<sup>3</sup> of water per year (AFY). The City is proposing Off-site Water Facilities that would involve the permanent assignment to the City a portion of NCMWC's CVP settlement contract "Project" water totaling not more than 8,000 AFY<sup>4</sup>, diverting this water supply from the Sacramento River, and conveying this water to the SPA.

In addition, this project would include the City purchasing from Sacramento County Water Agency (SCWA) dedicated capacity within the Freeport Regional Water Project (Freeport Project), which would serve as the point of diversion (POD) on the Sacramento River and partial conveyance pathway for not more than 5,600 AFY. The City proposes to add the Freeport POD to the assigned CVP settlement contract to facilitate the diversion of these supplies at the existing Freeport Project diversion. The City proposes to pump and convey the assigned NCMWC CVP "Project" water supply through the Freeport Project diversion facility and conveyance pipeline to the point where SCWA and East Bay Municipal Utilities District (EBMUD) pipeline split or the bifurcation point. The City would then construct new water supply conveyance infrastructure from the bifurcation point to the SPA.

Provision of water service to the project would involve the following actions by the City:

- ▶ taking an assignment for up to 8,000 AFY of CVP surface water from NCMWC (which is currently available in July and August in accordance with NCMWC's irrigation demands);
- ▶ rescheduling the existing CVP July/August schedule to a year-round municipal and industrial (M&I) schedule;
- ▶ entering into an agreement with SCWA to convey the water acquired by the City from NCMWC through the Freeport Project, to facilitate the integration of the Off-site Water Facilities with existing Freeport Project diversion and water conveyance facilities; and
- ▶ Constructing conveyance, pump, storage, and treatment facilities, including booster pump station(s), water treatment and storage facilities, and conveyance facilities.

Consistent with the requirements of CEQA and NEPA, the City is evaluating several conveyance alternatives to enable the delivery of not more than 6,000 AFY of CVP water from NCMWC to the SPA. Each alternative includes optional route alignments and/or operational features (e.g., WTPs and associated storage facilities) to cover the range of feasible alternatives available to the City. Exhibits 2-25, 2-27, 2-28, and 2-29 in Chapter 2, "Alternatives," of the DEIR/DEIS illustrate the potential locations of water supply and conveyance infrastructure to serve the SPA.

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<sup>3</sup> An acre-foot of water contains 325,851 gallons; one million gallons is about 3 acre-feet.

<sup>4</sup> NCMWC's CVP water contract is subject to a dry-year provision whereby total deliveries can be reduced by up to 25%.

Information regarding the location, design, and operation of the various project components is presented in detail in Chapter 2, “Alternatives,” of the DEIR/DEIS.

## **1.6.2 NO PROJECT ALTERNATIVE**

Under the No Project Alternative, the SPA would not be annexed to the City of Folsom; instead, it would remain under the jurisdiction of Sacramento County. This alternative assumes that existing land uses at the project site (i.e., livestock grazing) would continue, including construction of up to 44 rural residences on 80-acre parcels as permitted under the adopted Sacramento County General Plan designations and zoning. Furthermore, no off-site water facilities would be constructed under this alternative. This analysis uses existing site conditions at the time that the Notice of Preparation/Notice of Intent was published (September 2008) as the “existing conditions” portion of the “no project” scenario (see State CEQA Guidelines CCR Section 15126.6[e][2]) to allow consideration of a full range of alternatives. Remediation of contaminated soil and groundwater on the Aerojet General Corporation parcel along the western property boundary is a separate action that will continue either with or without project implementation.

## **1.6.3 NO USACE PERMIT ALTERNATIVE**

This alternative is designed to avoid the placement of dredged or fill material into waters of the U.S., including wetlands, thus eliminating the need for a USACE Section 404 CWA permit. As a result, there would be no direct impacts to waters of the U.S. under this alternative, compared to 46.3 combined acres of fill under the total Proposed Project (i.e., including both land development and off-site water facilities). This alternative would require compliance with Section 10 of ESA. Under this alternative, 1,506.1 acres of the project site would be designated as open space, compared to 1,057 acres under the Proposed Project Alternative. This alternative also would require more expensive/time-consuming, methods of construction for roadways and utilities. Under this alternative, approximately 3,837 fewer residential housing units would be constructed, and approximately 131 fewer acres would be used for commercial/industrial development, than under the Proposed Project. The acreage proposed for park use would be reduced to 84.8 acres under this alternative.

## **1.6.4 RESOURCE IMPACT MINIMIZATION ALTERNATIVE**

This alternative would include a larger area of high-quality biological habitat in the proposed preserve area than under the Proposed Project Alternative, and would also preserve all of the on-site cultural resources that would be eligible for listing on the California Register of Historical Resources and National Register of Historic Places. A Section 404 CWA permit would still be required under this alternative, as it would involve the placement of fill material into 26.47 acres of waters of the U.S., 13.03 fewer acres than would be filled by the Proposed Project Alternative. An additional 375 acres of land across the project site would be designated as open space. A total of approximately 1,429 acres, approximately 40% of the project site, would become a protected wetland preserve. Areas of the project site with higher concentrations of cultural resources, including areas on the northwestern portion of the project site would also remain in open space under this alternative. The total acreage of residential development would be reduced by approximately 205 acres and approximately 2,245 fewer residential units would be constructed. Overall density would decrease (average density across the residentially designated area would be approximately 6 dwelling units per acre (du/ac), compared to 6.65 du/ac under the Proposed Project Alternative). Commercial and industrial development sites would be reduced by approximately 113 acres. Development of park land would be reduced to 105.7 acres. The types of land uses and general on- and off-site infrastructure and roadway improvements would remain the same as under the Proposed Project Alternative.

## **1.6.5 CENTRALIZED DEVELOPMENT ALTERNATIVE**

This alternative would preserve approximately 75% of the eastern part of the project site, which lies within the Sierra Nevada foothills, in its current undeveloped state. Commercial development would still occur along the south side of U.S. 50 within the foothills. It would also entail about 1,000 fewer equivalent dwelling units (EDUs)

than the Proposed Project. This alternative would fill 37.06 acres of waters of the U.S., 2.48 acres fewer than would be filled under the Proposed Project Alternative. The Centralized Development Alternative envisions a higher density of residential development on a smaller footprint compared to the Proposed Project Alternative, resulting in more dwelling units per acre. The acreage of commercial and industrial development would be similar in this alternative compared to the Proposed Project Alternative. The acreage proposed for park use is reduced to 118.7 acres in this alternative, including local parks which are included in acreage totals for residential and mixed-use designations. The types of land uses and general on- and off-site infrastructure improvements under the Centralized Development Alternative would remain the same as under the Proposed Project Alternative. A 1,464.4-acre area would be dedicated to open space (approximately 407 acres more than under the Proposed Action Alternative).

## **1.6.6 REDUCED HILLSIDE DEVELOPMENT ALTERNATIVE**

This alternative would reduce the developed area on the eastern portion of the project site, which lies within the Sierra Nevada foothills, leaving more of this area in its current undeveloped state for aesthetic, biological, and cultural resource protection purposes. It would also entail about 1,300 additional EDUs compared to the Proposed Project, with a much higher density of development within the central portion of the project site, thus reducing potential impacts related to traffic and air quality. The Reduced Hillside Development Alternative would fill 42.69 acres of waters of the U.S., 3.19 acres more than would be filled under the Proposed Project Alternative. The Reduced Hillside Development Alternative envisions a greater density of residential development on a slightly smaller footprint compared to the Proposed Project Alternative, resulting in more dwelling units per acre. The total acreage of residential development would be reduced by approximately 64 acres, but the density would be increased. The acreage of commercial and industrial development would be increased by less than 20 acres. The acreage proposed for park use (including local parks which are included in acreage totals for residential and mixed-use designations) is increased to 170.9 acres in this alternative. The types of land uses and general on- and off-site infrastructure and roadway improvements under the Reduced Hillside Development Alternative would remain the same as under the Proposed Project. A 1,057-acre area would be dedicated to open space (the same size as under the Proposed Project).

## **1.6.7 WATER SUPPLY ALTERNATIVES**

The Water Supply alternatives evaluated at a similar level of detail in this EIR/EIS consist of the following (see Chapter 2, “Alternatives” for additional detail):

- ▶ No USACE Permit Off-site Water Facility Alternative
- ▶ Proposed Off-site Water Facility Alternative PA – Raw Water Conveyance – Grant Line Road Alignment and On-site WTP
- ▶ Off-site Water Facility Alternative 1 – Raw Water Conveyance – Grant Line Road Alignment and White Rock WTP
- ▶ Off-site Water Facility Alternative 1A – Raw Water Conveyance – Grant Line Road Route Variation Alignment and White Rock WTP
- ▶ Off-site Water Facility Alternative 2 – Treated Water Conveyance – Douglas Road Alignment and Vineyard SWTP
- ▶ Off-site Water Facility Alternative 2A – Treated Water Conveyance – Douglas Road Route Variation Alignment and Vineyard SWTP
- ▶ Off-site Water Facility Alternative 2B – Treated Water Conveyance – North Douglas Tanks Variation Alignment and Vineyard SWTP



- ▶ Off-site Water Facility Alternative 3 – Raw Water Conveyance – Douglas Road Alignment and White Rock WTP
- ▶ Off-site Water Facility Alternative 3A – Raw Water Conveyance – Douglas Road Route Variation Alignment and White Rock WTP
- ▶ Off-site Water Facility Alternative 4 – Raw Water Conveyance to Folsom Boulevard Alignment and Folsom Boulevard WTP
- ▶ Off-site Water Facility Alternative 4A – Raw Water Conveyance to Folsom Boulevard – Route Variation Alignment and Folsom Boulevard WTP

### **1.6.8 INTEGRATION OF “LAND” AND “WATER” ALTERNATIVES FOR DEVELOPMENT**

Under the No Project Alternative, the SPA could be developed with up to 44 rural residences on 80-acre parcels as currently zoned under the Sacramento County General Plan, and no off-site water facilities would be constructed because each rural resident would be responsible for developing his or her on-site well. Therefore, for purposes of this EIR/EIS, the No Project Alternative is evaluated in the 3A “Land” sections.

Under the No USACE Permit Alternative, there would be no placement of dredged or fill material into waters of the U.S. (including wetlands) from either the “Land” or “Water” portions of the project, thus eliminating the need for a USACE Section 404 CWA permit. In order to achieve “no fill,” no development in the SPA would occur within 50 feet of a water of the United States, the water treatment plant (regardless of whether it is located off-site or on-site) would not be constructed within 50 feet of a water of the United States, and the off-site water conveyance pipeline would use trenchless construction methods (e.g., horizontal directional drilling or jack-and-bore) where the pipeline route intersected any water of the United States. Therefore, only the No USACE Permit Off-site Water Facility Alternative could be selected if the No USACE Permit “Land” Alternative were selected for development of the SPA.

Any of the 10 off-site water alternatives listed above and described in detail in Chapter 2, “Alternatives” of the DEIR/DEIS could ultimately be implemented for either the Resource Impact Minimization, Centralized Development, or Reduced Hillside Development Alternative. Because the off-site water facilities are different from development of the SPA and would occur in locations that are further removed spatially from the SPA, the impacts of these water facilities are evaluated in the 3B “Water” sections of the DEIR/DEIS. However, the City and the USACE wish to make clear to the reader that the “project” as a whole consists of both development of the SPA and off-site facilities necessary to provide water in support of the SPA development. Thus, when considering impacts of the “project” as a whole, it is necessary to consider both the 3A and 3B impacts taken together.

## **1.7 CEQA AND NEPA REQUIREMENTS FOR RESPONDING TO COMMENTS**

The State CEQA Guidelines state that written responses to comments received on the DEIR and RDEIR must describe the disposition of significant environmental issues. The response should contain good-faith, reasoned analysis to the environmental issues raised in the comment. In particular, the major environmental issues raised when the lead agency’s position is at variance with recommendations and objections raised in the comments must be addressed.

NEPA requires that the FEIS include and respond to all substantive comments received on the DEIS (40 CFR Section 1503.4). Lead agency responses may include the need to:

- ▶ modify the proposed action or alternatives;
- ▶ develop and evaluate new alternatives;

- ▶ supplement, improve, or modify the substantive environmental analyses;
- ▶ make factual corrections to the text, tables, or figures contained in the DEIS and SDEIS; or
- ▶ explain why no further response is necessary.

Additionally, the FEIS must discuss any responsible opposing view that was not adequately discussed in the DEIS and must indicate the lead agency's response to the issues raised.

## **1.8 REQUIREMENTS FOR DOCUMENT CERTIFICATION AND FUTURE STEPS IN PROJECT APPROVAL**

This FEIR/FEIS is being distributed to agencies, stakeholder organizations, and individuals who commented on the DEIR/DEIS. This distribution ensures that interested parties have an opportunity to express their views regarding the environmental impacts of the project, and to ensure that information pertinent to permits and approvals is provided to decision makers for the lead agencies, NEPA cooperating agencies, and CEQA responsible agencies.

The FEIR is being distributed to those parties who commented on the DEIR for a period of 10 days as required by the State CEQA Guidelines, Section 15088. Copies of the document may be reviewed by the public during normal business hours at Folsom City Hall (50 Natoma Street, Folsom, CA 95630) and at the Folsom Public Library (Georgia Murray Building, 411 Stafford Street, Folsom, CA 95630). The document will also be available on the City's Web site: [http://www.folsom.ca.us/about/whats\\_new/sphere.asp](http://www.folsom.ca.us/about/whats_new/sphere.asp).

The FEIS will be available for public review for 30 days after a notice is published in the Federal Register. Written comments should be sent to the following address:

Lisa Gibson, Senior Project Manager  
U.S. Army Corps of Engineers  
Regulatory Division, California Delta Branch  
650 Capitol Mall, Suite 5-200  
Sacramento, CA 95814  
Fax: (916) 557-6877  
E-mail: [Lisa.M.Gibson2@usace.army.mil](mailto:Lisa.M.Gibson2@usace.army.mil)

The EIR is intended to be used by the Folsom City Council when considering approval of the Proposed Project or an alternative to the Proposed Project. The EIS is intended to be used by USACE in determining whether to issue the 404 permits.

Following completion and publication of the FEIR/FEIS, the Folsom City Council will hold a public meeting to consider certification of the EIR and to decide whether or not to approve the Proposed Project or another alternative, at which time the public and interested agencies and organizations may comment on the project. A notice of determination (NOD) will then be filed. If the City Council approves the Proposed Project (or another alternative), it will adopt written findings of fact for each significant environmental impact identified in the EIR; a statement of overriding considerations, if needed; and a mitigation monitoring and reporting program.

USACE will circulate the FEIS for a minimum of 30 days before taking action on the permit application and issuing its ROD. The ROD will address the decision, alternatives considered, the environmentally superior alternative, relevant factors considered in the decision, and mitigation and monitoring.

Based on the analysis contained in the DEIR/DEIS, the No Project Alternative would have the fewest environmental impacts and therefore would be the environmentally superior alternative under CEQA. Under CEQA, if the No Project Alternative is determined to be environmentally superior, the EIR must also identify the environmentally superior alternative among the other alternatives. Thus, among the action alternatives carried

forward for analysis, either the No USACE Permit, Resource Impact Minimization, or Centralized Development Alternatives could be considered the Environmentally Superior Alternative for the “Land” portion of the project under CEQA. Off-site Water Facility Alternative 2B would be considered the Environmentally Superior Alternative for the “Water” portion of the project under CEQA. Under NEPA, the environmentally superior alternative does not need to be identified until the ROD is issued; therefore, it is not identified in this FEIR/FEIS.

## 1.9 ORGANIZATION AND FORMAT OF THE FINAL EIR/EIS

This FEIR/FEIS is organized as follows:

- ▶ Chapter 1, “Introduction,” describes the purpose and content of the FEIR/FEIS.
- ▶ Chapter 2, “Minor Modifications to the Project,” contains a description of minor changes to the project description that have been made since the DEIR/DEIS was circulated for public review.
- ▶ Chapter 3, “Master Responses,” presents responses to significant environmental issues raised in multiple comments. These have been termed “master responses.” They are organized by topic to provide a more comprehensive response than may be possible in responding to individual comments, and so that reviewers can readily locate all relevant information pertaining to an issue of concern.
- ▶ Chapter 4, “Comments and Individual Responses,” contains a list of all agencies and persons who submitted comments on the DEIR/DEIS during the public review period, copies of the comment letters submitted on the DEIR/DEIS, cross references to relevant master responses, and individual responses to the comments that are not addressed in master responses.
- ▶ Chapter 5, “Errata,” presents corrections and other revisions to the text of the DEIR/DEIS based on issues raised by comments, clarifications, or corrections. Changes in the text are signified by ~~strikeouts~~ where text is removed and by underline where text is added.
- ▶ Chapter 6, “References,” includes the references to documents used to support the comment responses.
- ▶ Chapter 7, “List of EIR/EIS Preparers,” lists the individuals who assisted in the preparation of this FEIR/FEIS.
- ▶ Appendices. Several new and/or revised technical appendices are attached to the back of this FEIR/FEIS.

The DEIR/DEIS consisted of two volumes plus appendices. This document and its appendices, together with the three volumes and appendices of the DEIR/DEIS, constitute the FEIR/FEIS.

## 1.10 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table 1-1 summarizes the environmental impacts of the Proposed Project and the other alternatives under consideration, the level of significance of each impact before mitigation, recommended mitigation measures, and the level of significance of each impact after mitigation, as presented in the DEIR/DEIS, and incorporating the revisions (with strikeouts and/or underline) shown in Chapter 5, “Errata” of this FEIR/FEIS.

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3A.1 AESTHETICS - LAND</b>		
<p><b>3A.1-1: Substantial Adverse Effect on a Scenic Vista.</b> Project implementation would result in the degradation of the visual quality of a scenic vista.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.1-1: Construct and Maintain a Landscape Corridor Adjacent to U.S. 50.</b> The project applicant(s) for <del>all project phases</del> any particular discretionary development application adjacent to US 50 shall fund, construct, and maintain a landscaped corridor within the SPA, south of U.S. 50. This corridor shall be 50 feet wide, except that the landscaped corridor width shall be reduced to 25 feet adjacent to the proposed regional mall. Landscaping plans and specifications shall be approved by Caltrans and the City of Folsom, and constructed by the project applicant(s) before the start of earthmoving activities associated with residential or commercial units. Landscaped areas would not be required within the preserved oak woodlands. As practicable, landscaping shall primarily contain native and/or drought tolerant plants. Landscaped corridors shall be maintained in perpetuity to the satisfaction of the City of Folsom.</p> <p>Implementation: Project applicant(s) <del>of all project phases</del> for any particular discretionary development application adjacent to U.S. 50.</p> <p>Timing:</p> <ol style="list-style-type: none"> <li>1. Plans and specifications: before approval of grading plans and building permits</li> <li>2. Construction: before the <del>start of earthmoving activities</del> approval of occupancy permits associated with residential and commercial units</li> <li>3. Maintenance: in perpetuity</li> </ol> <p>Enforcement: City of Folsom Community Development Department <del>and Caltrans</del></p> <p><i>Significance after Mitigation: significant and unavoidable</i></p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures are required.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	<p>Land</p>	<p><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect</p> <p><b>ON-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p> <p><b>OFF-SITE</b></p> <p>Direct LTS, no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.1-2: Damage to Scenic Resources Within a Designated Scenic Corridor.</b> Project implementation could damage the character of the viewshed from a County-designated scenic corridor.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No feasible mitigation measures are available.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures are required.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>
<p><b>3A.1-3: Substantial Degradation of Existing Visual Character or Quality of the Site and its Surroundings.</b> Project implementation would substantially degrade the visual character of the SPA through conversion of rolling hills and oak woodland to developed urban uses.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measures 3A.1-1 and 3A.7-4a.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No feasible mitigation measures are available. (<i>detention basin</i>)</p> <p>No mitigation measures are required. (<i>other off-site improvements</i>)</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> direct &amp; significant, no indirect</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>Direct significant, no indirect (<i>detention basin</i>)</p> <p>Direct LTS, no indirect (<i>other off-site improvements</i>)</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.1-4: Temporary, Short-Term Degradation of Visual Character for Developed Project Land Uses During Construction.</b> Project implementation would involve four phases of construction over a 20-year-buildout period. Construction activity would involve the temporary and short-term use of staging areas for construction equipment and materials, which would be visible to adjacent project land uses that have already been developed.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.1-4: Screen Construction Staging Areas.</b> The project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> shall locate staging and material storage areas as far away from sensitive biological resources and sensitive land uses (e.g., residential areas, schools, parks) as feasible. Staging and material storage areas shall be approved by the appropriate agency (identified below) before the approval of grading plans <del>and building permits</del> 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 <del>coordinated</del> <u>developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, and Caltrans) <u>to reduce to the extent feasible the visual effects of construction activities on adjacent project land uses that have already been developed.</u></p> <p>Implementation: Project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development application.</u></p> <p>Timing: Before approval of grading plans <del>and building permits</del> and during construction for all project phases.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For those improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</li> <li>2. For the two local roadway connections from Folsom Heights into El Dorado Hills: El Dorado County Community Services Department.</li> <li>3. For the U.S. 50 interchange improvements: Caltrans.</li> </ol> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	<p>Land</p>	<p><b>NP:</b> direct LTS, no indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p>
<p><b>3A.1-5: Creation of a New Source of Substantial Light or Glare that would Adversely Affect Day or Nighttime Views in the Area New Light and Glare.</b> Project implementation would require lighting of new development, which would cause new and increased light and glare.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.1-5: Establish and Require Conformance to Lighting Standards and Prepare and Implement a Lighting Plan.</b> To reduce impacts associated with light and glare, the City shall:</p>	<p>Land</p>	<p><b>NP:</b> direct LTS, no indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p>

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			S (Significant)
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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<ul style="list-style-type: none"> <li>▶ Establish standards for on-site outdoor lighting to reduce high-intensity nighttime lighting and glare as part of the Folsom Specific Plan design guidelines/standards. Consideration shall be given to design features, namely directional shielding for street lighting, parking lot lighting, and other substantial light sources, that would reduce effects of nighttime lighting. In addition, consideration shall be given to the use of automatic shutoffs or motion sensors for lighting features to further reduce excess nighttime light.</li> <li>▶ Use shielded or screened public lighting fixtures to prevent the light from shining off of the surface intended to be illuminated.</li> </ul> <p>To reduce impacts associated with light and glare, the project applicant(s) of all project phases shall:</p> <ul style="list-style-type: none"> <li>▶ Shield or screen lighting fixtures to direct the light downward and prevent light spill on adjacent properties.</li> <li>▶ <del>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 shall be screened or aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side) when the source is visible from any off-site residential property or public roadway.</del></li> <li>▶ For public lighting in residential neighborhoods, prohibit the use of light fixtures that are of unusually high intensity or brightness (e.g., harsh mercury vapor, low-pressure sodium, or fluorescent bulbs) or that blink or flash.</li> <li>▶ 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.</li> <li>▶ Design exterior on-site lighting as an integral part of the building and landscape design in the Folsom Specific Plan area. Lighting fixtures shall be architecturally consistent with the overall site design.</li> <li>▶ Lighting of off-site facilities within the City of Folsom shall be consistent with the City’s General Plan standards.</li> <li>▶ Lighting of the off-site detention basin shall be consistent with Sacramento County General Plan standards.</li> <li>▶ Lighting of the two local roadway connections from Folsom Heights off-site into El Dorado Hills shall be consistent with El Dorado County General Plan standards.</li> </ul> <p>A lighting plan for all on- and off-site elements within the each agency’s jurisdictional boundaries (specified below) shall be submitted to the relevant jurisdictional agency for review and approval, which shall include the above elements. The lighting plan may be submitted concurrently with other improvement plans, and shall be submitted before the installation of any lighting or the approval of building permits for each phase. The project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development application</u> shall implement the approved lighting plan.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p> <p>Implementation: Project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development application.</u></p> <p>Timing: Before approval of building permits <del>for each project phase.</del></p> <p>Enforcement: 1. For all on-site and off-site facilities that would be located within the City of Folsom: City of Folsom Neighborhood Services</p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
Department and City of Folsom Community Development Department. 2. For the off-site detention basin: Sacramento County Planning Department. 3. For the two local roadways off-site into El Dorado Hills: El Dorado County Community Services Department.  <i>Significance after Mitigation: less than significant</i>		
<b>3A.1-6: New Skyglow Effects.</b> Project implementation would require lighting of new development that would result in the generation of new and increased skyglow effects, obscuring views of stars, constellations, and other features of the night sky.  <b>NP:</b> No mitigation measures required. <b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measure 3A.1-5.  <i>Significance after Mitigation: significant and unavoidable</i>	Land	<b>NP:</b> direct & LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> significant & direct, no indirect
<b>3B.1 AESTHETICS - WATER</b>		
<b>3B.1-1: Substantial Adverse Effect on a Scenic Vista.</b> Implementation of the Off-site Water Facility Alternatives would not result in the degradation of the visual quality of a scenic vista.  <b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp;4A:</b> No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp;4A:</b> direct & indirect LTS
<b>3B.1-2: Substantial Degradation of Existing Visual Character or Quality of the “Water” Study Area.</b> Implementation of the Off-site Water Facility Alternatives could substantially degrade the existing visual character or quality of the “Water” Study Area and its surroundings.  <b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp;4A: Mitigation Measure 3B.1-2a: Enhance Exterior Appearance of Structural Facilities.</b> The external appearance of above-ground facilities, including the choice of color and materials, shall seek to reduce the visual impact of the proposed WTP, pump station, and above-ground storage tank facilities. Bright reflective materials and colors shall be avoided. As appropriate, the exterior design of these facilities should follow design guidelines provided in applicable land use plans. Minimum exterior design requirements shall include, but are not limited to, the following: <ul style="list-style-type: none"> <li>▶ painting (with earth-colored tones) of structural façades to blend with surrounding land uses,</li> <li>▶ use of fencing or structural materials similar to those used by nearby land uses,</li> <li>▶ installation of berms and/or landscaping around the facility (see Mitigation Measure 3B.2-2b for additional detail), and</li> <li>▶ clustering of structural facilities to maximize open space buffering.</li> </ul>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp;4A:</b> direct & indirect PS

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>	
	<b>Impact Lan d/Water/GPA Significance</b>
<b>Mitigation</b>	
<p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to approval of grading plans and building permits for WTP, pump stations, and storage tank facilities.</p> <p>Enforcement: 1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</p> <p style="padding-left: 20px;">2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</p> <p style="padding-left: 20px;">3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</p> <p><b>Mitigation Measure 3B.1-2b: Prepare Landscaping Plan.</b> The City shall develop a landscaping plan for each structural facility site that uses a combination of <del>locally-derived</del> native vegetation, earthen features (e.g., boulders), and, if appropriate, topographical separations (e.g., berms) to maximize site appearance and shield the new facilities from nearby sensitive receptors to the extent feasible. In addition to complying with local standards, the landscaping plan shall require the following at each site:</p> <ul style="list-style-type: none"> <li>▶ Vegetation shall be arranged in a hierarchy of plant groupings to enhance the visual and scenic qualities of the site(s). To the extent practical, the design will minimize the need for supplemental irrigation.</li> <li>▶ New or replacement vegetation shall be compatible with surrounding vegetation and shall be adaptable to the site with regard to rainfall, soil type, exposure, growth rate, erosion control, and energy conservation purposes.</li> <li>▶ Plant materials chosen shall be species which do not present any safety hazards, which allow native flora to reestablish in the area, and which require minimal maintenance, including watering, pest control, and clean-up of litter from fruit and droppings.</li> </ul> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to approval of grading plans and building permits for WTP, pump stations, and storage tank facilities.</p> <p>Enforcement: 1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</p> <p style="padding-left: 20px;">2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</p> <p style="padding-left: 20px;">3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</p> <p><b>Significance after Mitigation: less than significant</b></p>	

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<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<p><b>3B.1-3: Creation of a New Source of Substantial Light or Glare that would Adversely Affect Day or Nighttime Views in the “Water” Study Area.</b> Implementation of the Off-site Water Facility Alternatives would create new sources of substantial light or glare, which could adversely affect day or nighttime views in the “Water” Study Area.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp;4A: Mitigation Measure 3B.1-3a: Conformance to Construction Lighting Standards.</b> The City shall limit construction to daylight hours to the extent possible. If nighttime lighting or construction is necessary, the City shall ensure that unshielded lights, reflectors, or spotlights are not located and directed to shine toward or be directly visible from adjacent properties or streets. To the extent possible, the City shall minimize the use of nighttime construction lighting within 500 feet of existing residences. This measure shall be identified on grading plans and in construction contracts. Implementation: City of Folsom Utilities Department Timing: Prior to approval of grading plans and building permits for WTP, pump stations, and storage tank facilities. Enforcement: 1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. 2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. 3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</p> <p><b>Mitigation Measure 3B.1-3b: Prepare and Submit a Lighting Master Plan.</b> The City shall prepare a Lighting Master Plan that covers all Off-site Water Facilities-related outdoor light sources. The Lighting Master Plan shall include the following minimum requirements:</p> <ul style="list-style-type: none"> <li>▶ outdoor lighting shall be properly shielded and installed to prevent light trespass on adjacent properties;</li> <li>▶ flood or spot lamps installed as part of the Off-site Water Facilities shall be aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side) when the source is visible from any off-site residential property or public roadway;</li> <li>▶ prohibit the use of harsh mercury vapor, low-pressure sodium, or fluorescent bulbs for public lighting in residential neighborhoods; and</li> <li>▶ comply with requirements of local jurisdiction, if applicable.</li> </ul> <p>Implementation: City of Folsom Utilities Department Timing: Prior to approval of grading plans and building permits for WTP, pump stations, and storage tank facilities. Enforcement: 1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department. 2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department. 3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</p> <p><b>Significance after Mitigation: less than significant</b></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp;4A:</b> direct PS, no indirect</p>

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3A.2 AIR QUALITY - LAND</b>		
<p><b>3A.2-1: Generation of Construction Emissions of NO<sub>x</sub> and PM<sub>10</sub>.</b> Construction activities associated with the project would generate intermittent emissions of NO<sub>x</sub> and PM<sub>10</sub>. Because of the large size of the project, construction-generated emissions of NO<sub>x</sub>, an ozone precursor, and fugitive PM<sub>10</sub> dust would exceed SMAQMD-recommended thresholds and would substantially contribute to emissions concentrations that exceed the NAAQS and CAAQS. Thus, project-generated, construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, and/or conflict with air quality planning efforts.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, RHD, CD: Mitigation Measure 3A.2-1a: Implement Measures to Control Air Pollutant Emissions Generated by Construction of On-Site Elements.</b> To reduce short-term construction emissions, the project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> shall require their contractors to implement SMAQMD’s list of Basic Construction Emission Control Practices, Enhanced Fugitive PM Dust Control Practices, and Enhanced Exhaust Control Practices (list below) <del>or whatever mitigation measures are recommended by SMAQMD in effect</del> at the time individual portions of the site undergo construction. In addition to SMAQMD-recommended measures, construction operations shall comply with all applicable SMAQMD rules and regulations.</p> <p><b>Basic Construction Emission Control Practices</b></p> <ul style="list-style-type: none"> <li>▶ 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.</li> <li>▶ Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.</li> <li>▶ 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.</li> <li>▶ Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).</li> <li>▶ All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>▶ 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.</li> </ul>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect</p> <p><b>NCP, PP, RIM, RHD, CD:</b> direct significant, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>Direct significant, no indirect</p>

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RIM (Resource Impact Minimization)

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
	<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>		
<b>Mitigation</b>					
<ul style="list-style-type: none"> <li>▶ Maintain all construction equipment in proper working condition according to manufacturer’s specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.</li> </ul> <p><b>Enhanced Fugitive PM Dust Control Practices – Soil Disturbance Areas</b></p> <ul style="list-style-type: none"> <li>▶ Water exposed soil with adequate frequency for continued moist soil. However, do not overwater to the extent that sediment flows off the site.</li> <li>▶ Suspend excavation, grading, and/or demolition activity when wind speeds exceed 20 mph.</li> <li><del>▶ Install wind breaks (e.g., plant trees, solid fencing) on windward side(s) of construction areas.</del></li> <li>▶ Plant vegetative ground cover (fast-germinating native grass seed) in disturbed areas as soon as possible. Water appropriately until vegetation is established.</li> </ul> <p><b>Enhanced Fugitive PM Dust Control Practices – Unpaved Roads</b></p> <ul style="list-style-type: none"> <li>▶ Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.</li> <li>▶ 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.</li> <li>▶ Post a publicly visible sign with the telephone number and person to contact at the construction site regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of SMAQMD and the City contact person shall also be posted to ensure compliance.</li> </ul> <p><b>Enhanced Exhaust Control Practices</b></p> <ul style="list-style-type: none"> <li>▶ The project shall provide a plan, for approval by the City of Folsom Community Development Department and SMAQMD, demonstrating that the heavy-duty (50 horsepower [hp] or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20% NO<sub>x</sub> reduction and 45% particulate reduction compared to the most current California Air Resources Board (ARB) fleet average that exists at the time of construction. Acceptable options for reducing emissions may include use of late-model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The project applicant(s) of each project phase or its representative shall submit to the City of Folsom Community Development Department and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. SMAQMD’s Construction Mitigation Calculator can be used to identify an equipment fleet that achieves this reduction (SMAQMD 2007a). The project shall ensure that emissions from all off-road diesel powered equipment used on the SPA do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. SMAQMD staff and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this mitigation measure shall supersede other SMAQMD or state rules or regulations.</li> </ul>					

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<b>Mitigation</b>		
<p>► If at the time of construction, SMAQMD has adopted a regulation or new guidance applicable to construction emissions, compliance with the regulation or new guidance may completely or partially replace this mitigation if it is equal to or more effective than the mitigation contained herein, and if SMAQMD so permits. <del>Such a determination must be supported by a project level analysis and be approved by SMAQMD.</del></p> <p>Implementation: The project applicant(s) of all project phases.                      Timing: Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases.                      Enforcement: City of Folsom Community Development Department</p> <p><b>Mitigation Measure 3A.2-1b: Pay Off-site Mitigation Fee to SMAQMD to Off-Set NO<sub>x</sub> Emissions Generated by Construction of On-Site Elements.</b>                      Implementation of the Proposed Project or the other four other action alternatives would result in construction-generated NO<sub>x</sub> 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). <u>Additionally, Mitigation Measure 3A.4-1 (Implement Additional Measures to Control Construction-Generated GHG Emissions, pages 3A.4-14 to 15) has the potential to both reduce and increase NO<sub>x</sub> emissions, depending on the types of alternative fuels and engine types employed.</u>                      Therefore, the project applicant(s) shall pay SMAQMD an off-site mitigation fee for implementation of any of the five action alternatives for the purpose of reducing NO<sub>x</sub> emissions to a less-than-significant level (i.e., less than 85 lb/day). <u>All NO<sub>x</sub> emission reductions and increases associated with GHG mitigation shall be added to or subtracted from the amount above the construction threshold to determine off-site mitigation fees, when possible.</u> The specific fee amounts shall be calculated when the daily construction emissions can be more accurately determined: that is, if the City/USACE select and certify the EIR/EIS and approves the Proposed Project or one of the other four other action alternatives, the City and the applicants must establish the phasing by which development would occur, and the applicants must develop a detailed construction schedule. Calculation of fees associated with each project development phase shall be conducted by the project applicant(s) in consultation with SMAQMD staff before the approval of grading plans by the City. The project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> shall pay into SMAQMD’s off-site construction mitigation fund to further mitigate construction-generated emissions of NO<sub>x</sub> that exceed SMAQMD’s daily emission threshold of 85 lb/day. The calculation of daily NO<sub>x</sub> emissions shall be based on the cost rate established by SMAQMD at the time the calculation and payment are made. At the time of writing this EIR/EIS the cost rate is \$16,000 to reduce 1 ton of NO<sub>x</sub> plus a 5% administrative fee (SMAQMD 2008c). The determination of the final mitigation fee shall be conducted in coordination with SMAQMD before any ground disturbance occurs for any project phase. Based on information available at the time of writing this EIR/EIS, and assuming that construction would be performed at a consistent rate over a 19-year period (and averaging of 22 work days per month), it is estimated that the off-site construction mitigation fees would range from \$517,410 to \$824,149, depending on which alternative is selected. Because the fee is based on the mass quantity of emissions that exceed SMAQMD’s daily threshold of significance of 85 lb/day, total fees would be substantially greater if construction activity is more intense during some phases and less intense during other phases of the 19-year build out period, and in any event, based on the actual cost rate applied by SMAQMD. (This fee is used by SMAQMD to purchase off-site emissions reductions. Such purchases are made through SMAQMD’s Heavy Duty Incentive Program, through which select owners of heavy-duty equipment in Sacramento County can repower or retrofit their old engines with cleaner engines or technologies.)</p> <p>Implementation: The project applicant(s) of all project phases.                      Timing: Before the approval of all grading plans by the City and throughout project construction for all project phases.                      Enforcement: The City of Folsom Community Development Department shall not grant any grading permits to the respective project applicant(s) until the respective project applicant(s) have paid the appropriate off-site mitigation fee to SMAQMD.</p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
	Impact Lan	d/Water/GPA	Significance		
Mitigation					
<p><b>Mitigation Measure 3A.2-1c: <del>Perform a Project Level Analysis to Disclose</del> Analyze and Disclose Projected PM<sub>10</sub> Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of On-Site Elements.</b> Prior to construction of each <u>discretionary</u> development <del>phase entitlement</del> of on-site land uses, the project applicant shall perform a project-level CEQA analysis (<u>e.g., supporting documentation for an exemption, negative declaration, or project-specific EIR</u>) that includes detailed dispersion modeling of construction-generated PM<sub>10</sub> to disclose what PM<sub>10</sub> concentrations would be at nearby sensitive receptors. The dispersion modeling shall be performed in accordance with applicable SMAQMD guidance that is in place at the time the analysis is performed. At the time of writing this EIR/EIS, SMAQMD’s most current and most detailed guidance for addressing construction-generated PM<sub>10</sub> emissions is found in its Guide to Air Quality Assessment in Sacramento County (SMAQMD 2009a). The project-level analysis shall incorporate detailed parameters of the construction equipment and activities, including the year during which construction would be performed, as well as the proximity of potentially affected receptors, including receptors proposed by the project that exist at the time the construction activity would occur.</p> <p>Implementation: All detailed, project-level analysis shall be performed <u>and funded</u> by the project applicant(s) <del>and fully funded by the project applicant of</del> for each <u>discretionary</u> development <del>phase entitlement</del>. All feasible mitigation shall be also be funded by the project applicant(s).</p> <p>Timing: Before the approval of all grading plans by the City.</p> <p>Enforcement: City of Folsom Community Development Department</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>Mitigation Measure 3A.2-1d: Implement SMAQMD’s Basic Construction Emission Control Practices during Construction of all Off-site Elements located in Sacramento County.</b> The applicants responsible for the construction of each off-site element in Sacramento County shall require <del>its</del> <u>their</u> 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 <del>coordinated</del> <u>developed</u> by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans) <u>to implement SMAQMD’s Basic Construction Emission Control Practices or comparable feasible measures.</u></p> <p>Implementation: The project applicant(s) responsible for construction of each off-site element in Sacramento County.</p> <p>Timing: Before the approval of all grading plans from SMAQMD.</p> <p>Enforcement: 1. For all off-site improvements within Sacramento County: Sacramento County Planning and Community Development Department. 2. For the U.S. 50 interchange improvements: Caltrans.</p> <p><b>Mitigation Measure 3A.2-1e: Implement EDCAQMD-Recommended Measures for Controlling Fugitive PM<sub>10</sub> dust During Construction of the Two Roadway Connections in El Dorado County.</b> Prior to construction of each roadway extension in El Dorado County, the applicants or its contractors shall develop a fugitive dust control plan that is approved by EDCAQMD and the applicants shall require their contractors to implement the dust control measures identified in the EDCAQMD-approved fugitive dust control plan. The fugitive dust control plan shall contain measures that are recommended by EDCAQMD at the time the plan is developed, which may include, but is not limited to, the current list of EDCAQMD-recommended dust control measures provided in Table 3A.2-5 below.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be <del>coordinated</del> <u>developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., El Dorado County).</p>					

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Summary of Impacts and Mitigation Measures**

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<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align:center;"><b>Table 3A.2-5 EDCAQMD-Recommend Fugitive Dust Control Measures</b></th> </tr> <tr> <th style="width:50%; text-align:center;">Source Mitiga</th> <th style="width:50%; text-align:center;">tion Measure</th> </tr> </thead> <tbody> <tr> <td>Soil</td> <td>Enclose, cover, or water twice daily all soil piles</td> </tr> <tr> <td>Piles</td> <td>Automatic sprinkler system installed on soil piles</td> </tr> <tr> <td rowspan="2">Exposed Surface/Grading</td> <td>Water all exposed soil twice daily</td> </tr> <tr> <td>Water exposed soil with adequate frequency to keep soil moist at all times</td> </tr> <tr> <td rowspan="2">Truck Hauling Road</td> <td>Water all haul roads twice daily</td> </tr> <tr> <td>Pave all haul roads</td> </tr> <tr> <td rowspan="2">Truck Hauling Load</td> <td>Maintain at least two feet of freeboard</td> </tr> <tr> <td>Cover load of all haul/dump trucks securely</td> </tr> </tbody> </table> <p>Source: Table 4.12 of EDCAQMD's <i>Guide to Air Quality Assessment</i> (EDCAQMD 2002).</p>			<b>Table 3A.2-5 EDCAQMD-Recommend Fugitive Dust Control Measures</b>		Source Mitiga	tion Measure	Soil	Enclose, cover, or water twice daily all soil piles	Piles	Automatic sprinkler system installed on soil piles	Exposed Surface/Grading	Water all exposed soil twice daily	Water exposed soil with adequate frequency to keep soil moist at all times	Truck Hauling Road	Water all haul roads twice daily	Pave all haul roads	Truck Hauling Load	Maintain at least two feet of freeboard	Cover load of all haul/dump trucks securely
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Implementation:	The project applicant(s) responsible for constructing the roadway connections in El Dorado County.																		
Timing:	Before the approval of grading plans by EDCAQMD.																		
Enforcement:	El Dorado County Development Services Department.																		
	<p><b>Mitigation Measure 3A.2-1f: Implement SMAQMD's Enhanced Exhaust Control Practices during Construction of all Off-site Elements.</b> Implement SMAQMD's Enhanced Exhaust Control Practices, which are listed in Mitigation Measure 3A.2-1a, in order to control NO<sub>x</sub> emissions generated by construction of all off-site elements (in Sacramento and El Dorado Counties, or Caltrans right-of-way).</p>																		
Implementation:	The project applicant(s) responsible for construction of each off-site element in Sacramento and El Dorado counties.																		
Timing:	Before the approval of all grading plans from the respective air district (i.e., SMAQMD or EDCAQMD).																		
Enforcement:	<ol style="list-style-type: none"> <li>1. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department.</li> <li>2. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>3. For the U.S. 50 interchange improvements: Caltrans.</li> </ol>																		
	<p><b>Mitigation Measure 3A.2-1g: Pay Off-site Mitigation Fee to SMAQMD to Off-Set NO<sub>x</sub> Emissions Generated by Construction of Off-site Elements.</b> The off-site elements could result in construction-generated NO<sub>x</sub> emissions that exceed the SMAQMD threshold of significance, even after implementation of the SMAQMD Enhanced Exhaust Control Practices (listed in Mitigation Measure 3A.2-1a). Therefore, the responsible project applicant(s) for each off-site element in Sacramento County shall pay SMAQMD an off-site mitigation fee for implementation of each off-site element in Sacramento County for the purpose of reducing NO<sub>x</sub> 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</p>																		

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>four other action alternatives, the City, Sacramento County, and the applicants establish the phasing by which construction of the off-site elements would occur, and the applicants develop a detailed construction schedule. Calculation of fees associated with each off-site element shall be conducted by the project applicant(s) in consultation with SMAQMD staff before the approval of respective grading plans by Sacramento County. The project applicant(s) responsible for each off-site element in Sacramento County shall pay into SMAQMD’s off-site construction mitigation fund to further mitigate construction-generated emissions of NO<sub>x</sub> that exceed SMAQMD’s daily emission threshold of 85 lb/day. The calculation of daily NO<sub>x</sub> emissions shall be based on the cost rate established by SMAQMD at the time the calculation and payment are made. At the time of writing this EIR/EIS the cost rate is \$16,000 to reduce 1 ton of NO<sub>x</sub> plus a 5% administrative fee (SMAQMD 2008c). The determination of the final mitigation fee shall be conducted in coordination with SMAQMD before any ground disturbance occurs for any project phase. Because the fee is based on the mass quantity of emissions that exceed SMAQMD’s daily threshold of significance of 85 lb/day, total fees for construction of the off-site elements would vary according to the timing and potential overlap of construction schedules for off-site elements. This measure applies only to those off-site elements located in SMAQMD’s jurisdiction (i.e., in Sacramento County) because EDCAQMD does not offer a similar off-set fee program for construction-generated NO<sub>x</sub> 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 <del>coordinated</del> <u>developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans).</p> <p>Implementation: The project applicant(s) of all off-site elements in Sacramento County.</p> <p>Timing: Before the approval of each grading plan for the off-site elements in Sacramento County.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all off-site improvements within Sacramento County: Sacramento County Planning and Community Development Department shall not grant any grading permits to the respective project applicant(s) until the respective project applicant(s) have paid the appropriate off-site mitigation fee to SMAQMD.</li> <li>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.</li> </ol> <p><b>Mitigation Measure 3A.2-1h: <del>Perform a Project Level Analysis to</del> Analyze and Disclose Projected PM<sub>10</sub> Emission Concentrations at Nearby Sensitive Receptors Resulting from Construction of Off-site Elements.</b> 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 PM<sub>10</sub> emissions pursuant to SMAQMD guidance that is in place at the time the analysis is performed. At the time of writing this EIR/EIS, SMAQMD’s most current and most detailed guidance for addressing construction-generated PM<sub>10</sub> emissions is found in its Guide to Air Quality Assessment in Sacramento County SMAQMD 2009a). SMAQMD emphasizes that PM<sub>10</sub> emission concentrations at nearby sensitive receptors be disclosed in project-level CEQA analysis. Each project-level analysis shall incorporate detailed parameters of the construction equipment and activities, including the year during which construction would be performed, as well as the proximity of potentially affected receptors, including receptors proposed by the project that exist at the time the construction activity would occur. If the modeling analysis determines that construction activity would result in an exceedance or substantial contribution to the CAAQS and NAAQS at a nearby receptor, then the project applicant(s) shall require their respective contractors to implement additional measures for controlling construction-generated PM<sub>10</sub> exhaust emission and fugitive PM<sub>10</sub> dust emissions in accordance with SMAQMD guidance, requirements,</p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
	<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>		
<b>Mitigation</b>					
<p>and/or rules that apply at the time the project-level analysis is performed. It is likely that these measures would be the same or similar to those listed as Enhanced Fugitive PM Dust Control Practices for Soil Disturbance Areas and Unpaved Roads and Enhanced Exhaust Control Practices included in Mitigation Measure 3A.2-1a. Dispersion modeling is not required for the two El Dorado County roadway connections because the total amount of disturbed acreage is expected to be less than the EDCAQMD screening level of 12 acres.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be <del>coordinated</del> <u>developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., Sacramento County or Caltrans).</p> <p>Implementation: All detailed, project-level analysis shall be performed by the responsible lead agency or its selected consultant and funded by the project applicant(s). Implementation of the project-level modeling analysis and any necessary additional mitigation shall be fully funded by the project applicant(s) responsible for each off-site improvement.</p> <p>Timing:                     <ol style="list-style-type: none"> <li>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</li> <li>For the U.S. 50 interchange improvements: Before the approval of construction plans from Caltrans.</li> </ol> </p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>For all off-site improvements within Sacramento County: Sacramento County Planning and Community Development Department.</li> <li>For the U.S. 50 interchange improvements: Caltrans.</li> </ol> </p> <p><b>Significance after Mitigation for NO<sub>x</sub> emissions: less than significant</b></p> <p><b>Significance after Mitigation for PM<sub>10</sub> concentrations: significant and unavoidable</b></p>					
<p><b>3A.2-2: Generation of Long-Term Operational (Regional) Emissions of ROG, and NO<sub>x</sub>.</b> Operational area- and mobile-source emissions from project implementation would exceed the SMAQMD-recommended threshold of 65 lb/day for ROG and NO<sub>x</sub>, and would result in or substantially contribute to emissions concentrations that exceed the NAAQS or CAAQS for ozone. In addition, because of the large increase in emissions associated with project build out and the fact that the project is not within an already approved plan (which means that increased emissions would not already be accounted for in applicable air quality plans), project implementation could conflict with air quality planning efforts in the SVAB.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP: Mitigation Measure 3A.2-2: Implement All Measures Prescribed by the Air Quality Mitigation Plan to Reduce Operational Air Pollutant Emissions.</b> To reduce operational emissions, the project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> shall implement all measures prescribed in the SMAQMD-approved <i>Folsom Plan Area Specific Plan Air Quality Mitigation Plan</i> (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.</p>	<p>Land</p>	<p><b>ON-SITE</b>  <b>NP:</b> direct LTS, no indirect  <b>NCP, PP, RIM, RHD, CD:</b> direct significant, no indirect</p> <p><b>OFF-SITE</b>                      Direct LTS, no indirect</p>			
<p>NP (No Action/No Project)                      CD (Centralized Development)                      B (Beneficial)</p>	<p>NCP (No USACE Permit)                      RHD (Reduced Hillside Development)                      NI (No impact)</p>	<p>PP (Proposed Project)                      PA (Preferred Off-site Water Facility Alternative)                      LTS (Less than significant)</p>	<p>RIM (Resource Impact Minimization)                      PA (Preferred Off-site Water Facility Alternative)                      PS (Potentially significant)</p>	<p>S (Significant)</p>	<p>SU (Significant and unavoidable)</p>

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>The AQMP includes, among others, measures designed to provide bicycle parking at commercial land uses, an integrated pedestrian/bicycle path network, transit stops with shelters, a prohibition against the use the wood-burning fireplaces, energy star roofing materials, electric lawnmowers provided to homeowners at no charge, and on-site transportation alternatives to passenger vehicles (including light rail) that provide connectivity with other local and regional alternative transportation networks.</p> <p>Implementation: The project applicant(s) <del>of all project phases</del> <u>any particular discretionary development application.</u></p> <p>Timing: Before issuance of subdivision maps or improvement plans.</p> <p>Enforcement: City of Folsom Community Development Department.</p> <p><b>PP, RIM, RHD, CD:</b> Implement Mitigation Measure 3A.2-2.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures required.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>		
<p><b>3A.2-3: Generation of Local Mobile-Source CO Emissions.</b> Project-generated local mobile-source CO emissions would not result in or substantially contribute to concentrations that exceed the 1-hour ambient air quality standard of 20 ppm or the 8-hour standard of 9 ppm.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures required.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>Direct LTS, no indirect</p>

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Summary of Impacts and Mitigation Measures**

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Mitigation		
<p><b>3A.2-4: Exposure of Sensitive Receptors to Short- and Long-Term Emissions of Toxic Air Contaminants.</b> Project implementation would result in exposure of receptors to short- and long-term emissions of TACs from on-site stationary and mobile sources and from off-site mobile sources.</p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> no direct or indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect (Temporary, Short-Term Emissions from Construction Equipment; Emissions from On-Site Operational Mobile Sources; <del>Land Use Compatibility with Off site Corporation Yard</del>)                      Direct LTS, no indirect (Stationary-Source Emissions, TAC Exposure from Remediation Activity, Land Use Compatibility with U.S. 50)</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>Direct PS, no indirect (Temporary, Short-Term Emissions from Construction Equipment)                      Direct LTS, no indirect (Operational TAC Emissions)</p>
<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, RIM: Mitigation Measure 3A.2-4a: Develop and Implement a Plan to Reduce Exposure of Sensitive Receptors to Construction-Generated Toxic Air Contaminant Emissions.</b> The project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> shall develop a plan to reduce the exposure of sensitive receptors to TACs generated by project construction activity associated with buildout of the selected alternative. Each plan shall be developed by the project applicant(s) in consultation with SMAQMD. The plan shall be submitted to the City for review and approval before the approval of any grading plans.</p> <p>The plan may include such measures as scheduling activities when the residences are the least likely to be occupied, requiring equipment to be shut off when not in use, and prohibiting heavy trucks from idling. Applicable measures shall be included in all project plans and specifications for all project phases. The implementation and enforcement of all measures identified in each plan shall be funded by the project applicant(s) for the respective phase of development.</p> <p>Implementation:     The project applicant(s) <del>of all project phases</del> <u>any particular discretionary development application</u>.</p> <p>Timing:                Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases.</p> <p>Enforcement:         City of Folsom Community Development Department.</p> <p><b>Mitigation Measure 3A.2-4b: Implement Measures to Reduce Exposure of Sensitive Receptors to Operational Emissions of Toxic Air Contaminants.</b>                      The following measures shall be implemented to reduce exposure of sensitive receptors to Toxic Air Contaminants.</p> <ul style="list-style-type: none"> <li>▶ Proposed commercial and industrial land uses that have the potential to emit TACs or host TAC-generating activity (e.g., loading docks) shall be located away from existing and proposed on-site sensitive receptors such that they do not expose sensitive receptors to TAC emissions that exceed an incremental increase</li> </ul>		

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<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<p>of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0.</p> <ul style="list-style-type: none"> <li>▶ The multi-family residences planned across from the off-site corporation yard near the southwest corner of the SPA shall be set back as far as possible from the boundary of the corporation yard and/or relocated to another area.</li> <li>▶ Where necessary to reduce exposure of sensitive receptors to an incremental increase of 10 in 1 million for the cancer risk and/or a noncarcinogenic Hazard Index of 1.0, proposed commercial and industrial land uses that would host diesel trucks shall incorporate idle reduction strategies that reduce the main propulsion engine idling time through alternative technologies such as, IdleAire, electrification of truck parking, and alternative energy sources for TRUs, to allow diesel engines to be completely turned off.</li> <li>▶ Signs shall be posted in at all loading docks and truck loading areas which indicate that diesel-powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises in order to reduce idling emissions. This measure is consistent with the ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, which was approved by the California Office of Administrative Law in January 2005.</li> <li>▶ Implement the following additional guidelines, which are recommended in ARB's <i>Land Use Handbook: A Community Health Perspective</i> (ARB 2005) and are considered to be advisory and not regulatory:               <ul style="list-style-type: none"> <li>• Sensitive receptors, such as residential units and daycare centers, shall not be located in the same building as dry-cleaning operations that use perchloroethylene. Dry-cleaning operations that use perchloroethylene shall not be located within 300 feet of any sensitive receptor. A setback of 500 feet shall be provided for operations with two or more machines.</li> <li>• Large gasoline stations (defined as facilities with a throughput of 3.6 million gallons per year or greater) and sensitive land uses shall not be sited within 300 feet of each other. Small gasoline-dispensing facilities (less than 3.6 million gallons of throughput per year) and sensitive land uses shall not be sited within 50 feet of each other.</li> </ul> </li> </ul> <p>Implementation: The project applicant(s) of all project phases.</p> <p>Timing: Before the approval of all grading plans by the SMAQMD and throughout project construction, where applicable, for all project phases.</p> <p>Enforcement: City of Folsom Community Development Department.</p> <p><b>PP, CD, RHD:</b> Implement Mitigation Measures 3A.24a-4b.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>Mitigation Measure:</b> Implement Mitigation Measures 3A.2-1a and 3A.2-1b for the off-site improvements in Sacramento County; and Mitigation Measure 3A.2-1f for the off-site improvements in El Dorado County. (Temporary, Short-Term Emissions from Construction Equipment)</p> <p><b>Mitigation Measure:</b> No mitigation measures are required. (Operational TAC Emissions)</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.2-5: Exposure of Sensitive Receptors to Construction-Generated Emissions of Naturally Occurring Asbestos.</b> Asbestos is a toxic air contaminant. Residents and other receptors located close to construction activity could be exposed to dust from asbestos rock and soils during earth disturbance activities.</p> <p style="text-align: center;"><b>ON-SITE</b> NP: No mitigation measures required.</p> <p><b>NCP, PP, RIM, RHD: Mitigation Measure 3A.2-5: Implement A Site Investigation to Determine the Presence of NOA and, if necessary, Prepare and Implement an Asbestos Dust Control Plan.</b> A site investigation shall be performed to determine whether and where NOA is present in the soil and rock on the SPA. The site investigation shall include the collection of soil and rock samples by a qualified geologist. If the site investigation determines that NOA is present on the SPA then the project applicant shall prepare an Asbestos Dust Control Plan for approval by SMAQMD as required in <u>Title 17</u>, Section 93105 of the California Health and Safety Code of Regulations, “Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations.” The Asbestos Dust Control Plan shall specify measures, such as periodic watering to reduce airborne dust and ceasing construction during high winds, <del>that shall be taken to ensure that no visible dust crosses the property line.</del> Measures in the Asbestos Dust Control Plan may include but shall not be limited to dust control measures required by Mitigation Measure 3A.2-1a. The project applicant shall submit the plan to the Folsom Community Development Department for review and SMAQMD for review and approval before construction of the first project phase. SMAQMD approval of the plan must be received before any asbestos-containing rock (serpentine) can be disturbed. Upon approval of the Asbestos Dust Control Plan by SMAQMD, the applicant shall ensure that construction contractors implement the terms of the plan throughout the construction period.</p> <p>Implementation: The project applicant(s) of all project phases.                      Timing: Before the approval of all grading plans by the City and throughout project construction, where applicable, for all project phases.                      Enforcement: City of Folsom Community Development Department.</p> <p><b>CD: Implement Mitigation Measure 3A.2-5.</b></p> <p style="text-align: center;"><b>OFF-SITE</b>  <b>Mitigation Measure:</b> Implement Mitigation Measure 3A.2-5. (However, for construction of the two roadway extensions into El Dorado County that occurs in El Dorado County, approval of the grading plans must be received from EDCAQMD.)</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b>                      NP: direct LTS, no indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b>                      Direct PS, no indirect</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
Impact Lan	d/Water/GPA	Significance			
Mitigation					
<p><b>3A.2-6: Possible Exposure of Sensitive Receptors to Odorous Emissions.</b> Temporary, short-term construction and long-term operation of the project could result in the frequent exposure of sensitive receptors to substantial objectionable odor emissions.</p>		<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> no direct or indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct, significant (Short-Term Use of Construction Equipment for On-Site Land Uses and Off-site Elements, <del>Land Use Compatibility with Off-site Corporation Yard</del>, Land Use Compatibility with Off-site Agricultural Land Uses)                      Direct PS, no indirect (Long-Term Operation of On-Site Land Uses)</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>Direct LTS, no indirect</p>			
<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measure 3A.2-1a and Mitigation Measure 3A.2-1f to Control Exposure of Sensitive Receptors to Construction-Related Odorous Emissions.</p> <p><b>Mitigation Measure 3A.2-6: Implement Measures to Control Exposure of Sensitive Receptors to Operational Odorous Emissions.</b> The project applicant(s) for all project phases <u>any particular discretionary development application</u> shall implement the following measures:</p> <ul style="list-style-type: none"> <li>▶ The odor-producing potential of land uses shall be considered when the exact type of facility that would occupy areas zoned for commercial, industrial, or mixed-use land uses is determined. Facilities that have the potential to emit objectionable odors shall be located as far away as feasible from existing and proposed sensitive receptors.</li> <li>▶ The multi-family residences planned across from the off-site corporation yard near the southwest corner of the SPA shall be set back as far as possible from the boundary of the corporation yard and/or relocated to another area. (This measure is also required by Mitigation Measure 3A.2-4b to limit exposure to TAC emissions.)</li> <li>▶ Before the approval of building permits, odor control devices shall be identified to mitigate the exposure of receptors to objectionable odors if a potential odor-producing source is to occupy an area zoned for commercial, industrial, or mixed-use land uses. The identified odor control devices shall be installed before the issuance of certificates of occupancy for the potentially odor-producing use. The odor-producing potential of a source and control devices shall be determined in coordination with SMAQMD and based on the number of complaints associated with existing sources of the same nature.</li> <li>▶ The deeds to all properties located within the plan area that are within one mile of an on- or off-site area zoned or used for agricultural use (including livestock grazing) shall be accompanied by a written disclosure from the transferor, in a form approved by the City of Folsom, advising any transferee of the potential adverse odor impacts from surrounding agricultural operations, which disclosure shall direct the transferee to contact the County of Sacramento concerning any such property within the County zoned for agricultural uses within one mile of the subject property being transferred.</li> <li>▶ Truck loading docks and delivery areas shall be located as far away as feasible from existing and proposed sensitive receptors.</li> </ul>					

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Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<ul style="list-style-type: none"> <li>▶ Signs shall be posted at all loading docks and truck loading areas which indicate that diesel-powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises in order to reduce idling emissions. This measure is consistent with the ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, which was approved by California’s Office of Administrative Law in January 2005. (This measure is also required by Mitigation Measure 3A.2-4b to limit TAC emissions.)</li> <li>▶ Proposed commercial and industrial land uses that have the potential to host diesel trucks shall incorporate idle reduction strategies that reduce the main propulsion engine idling time through alternative technologies such as, IdleAire, electrification of truck parking, and alternative energy sources for TRUs, to allow diesel engines to be completely turned off. (This measure is also required by Mitigation Measure 3A.2-4b to limit TAC emissions.)</li> </ul> <p>Implementation: The project applicant(s) of all project phases.                      Timing: Before the approval of building permits by the City and throughout project construction, where applicable, for all project phases.                      Enforcement: City of Folsom Community Development Department.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures required.</p> <p><i>Significance after Mitigation for Construction Diesel Odor: significant and unavoidable</i></p> <p><i>Significance after Mitigation for Potential On-site Sources: less than significant</i></p> <p><i>Significance after Mitigation for Corporation Yard: significant and unavoidable</i></p>		
<b>3B.2 AIR QUALITY - WATER</b>		
<p><b>3B.2-1: Generation of Construction Emissions of NO<sub>x</sub> and PM<sub>10</sub>.</b> Construction of the Off-site Water Facility Alternatives would produce construction-generated emissions of NO<sub>x</sub>, an ozone precursor, and fugitive PM<sub>10</sub> dust would exceed SMAQMD-recommended thresholds and would substantially contribute to emissions concentrations that exceed the NAAQS and CAAQS. Thus, project-generated, construction-related emissions of criteria air pollutants and precursors could violate or contribute substantially to an existing or projected air quality violation and/or expose sensitive receptors to substantial pollutant concentrations.</p> <p><b>NCP, PA, 1, 1A, 3, 3A, 4, and 4A: Mitigation Measure 3B.2-1a: <u>Develop and Implement a Construction NO<sub>x</sub> Reduction Plan.</u></b> Consistent with SMAQMD requirements, the City of Folsom shall provide a plan for demonstrating that the heavy-duty (&gt; 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20% NO<sub>x</sub> reduction. Prior to construction, the City’s contractor shall submit to the SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction of the Off-site Water Facilities. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted <del>monthly</del> <u>quarterly</u>.</p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 3, 3A, 4, &amp; 4A:</b> direct PS, no indirect (Temporary and Short-Term Construction Emissions)                      Direct &amp; indirect LTS (Off-site Water Facilities Operations)  <b>2, 2A, &amp; 2B:</b> direct &amp; indirect LTS</p>

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<b>Mitigation</b>		
<p>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 subject heavy-duty off-road equipment, the Off-site Water Facilities representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to construction of the Off-site Water Facilities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department, and SMAQMD.</li> <li>2. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD.</li> <li>3. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD.</li> </ol> <p><b>Mitigation Measure 3B.2-1b: Conduct Visible Emissions Testing and if Non-Compliance, Repair Equipment Immediately.</b> Controlling visible emissions from off-road diesel powered equipment. The City shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40% opacity (or Ringelmann 2.0) shall be repaired immediately, and the City and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least monthly, and a quarterly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: During construction of all Off-site Water Facilities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department, and SMAQMD.</li> <li>2. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD.</li> <li>3. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD.</li> </ol> <p><b>Mitigation Measure 3B.2-1c: Implement Fugitive Dust Control Measures and a Particulate Matter Monitoring Program during Construction.</b> The City shall implement fugitive dust control measures and a particulate matter monitoring program during construction. The City shall ensure implementation of dust control measures and a particulate matter monitoring program during each phase of construction. Dust control measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>▶ minimize on-site construction vehicle speeds on unpaved surfaces;</li> </ul>		

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Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<ul style="list-style-type: none"> <li>▶ post speed limits;</li> <li>▶ suspend grading operations when wind is sufficient to generate visible dust clouds;</li> <li>▶ pave, water, use gravel, cover, or spray a dust-control agent on all haul roads;</li> <li>▶ Prohibit no open burning of vegetation during project construction;</li> <li>▶ Chip or deliver vegetative material to waste-to-energy facilities;</li> <li>▶ reestablish vegetation as soon as possible after construction and maintain vegetation consistent with the parameters established in Mitigation Measure 3B.2.1a;</li> <li>▶ clean earthmoving construction equipment with water once daily and clean all haul trucks leaving the site; and</li> <li>▶ water and keep moist all exposed earth surfaces, graded areas, storage piles, and haul roads <del>at all times</del> <u>as needed to prevent fugitive dust.</u></li> </ul> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: During construction of all Off-site Water Facilities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department, and SMAQMD.</li> <li>2. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD.</li> <li>3. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD.</li> </ol> <p><b>Alternatives 2, 2A, and 2B:</b> No mitigation measures required.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3B.2-2: Generation of Long-Term Operational (Regional) Emissions of ROG, and NO<sub>x</sub>.</b> Operational area- and mobile-source emissions from implementation of the Off-site Water Facility Alternatives would not exceed the SMAQMD-recommended threshold of 65 lb/day for ROG and NO<sub>x</sub>.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A:</b> No mitigation measures required.</p> <p><b>Significance after Mitigation: less than significant</b></p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct & indirect LTS

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3B.2-3: Exposure of Sensitive Receptors to Short- and Long-Term Emissions of Toxic Air Contaminants.</b> Implementation of the Off-site Water Facility Alternatives could expose sensitive receptors to short- and long-term emissions of TACs from on-site stationary sources.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: Mitigation Measure 3B.2-3a: Cite Pump Siting Buffers Away from Sensitive Receptors.</b> New pumping stations including back-up diesel generators shall be located more than 200 feet away from sensitive receptors. Electrically-powered pumps shall be used to power new pumps, to the extent practicable.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to the approval of grading plans and building permits for all off-site water pumping facilities.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department and SMAQMD.</li> <li>2. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD.</li> <li>3. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD.</li> </ol> </p> <p><b>Mitigation Measure 3B.2-3b: Conduct Project-Level DPM Screening and Implement Measures to Reduce Annual DPM to Acceptable Concentrations.</b> Screening-level DPM assessments shall be conducted for diesel-powered pump operations proposed within 200 feet of residences or other sensitive receptors. These analyses should include exact distances between the receptors and operations, and include the actual DPM emissions for the engines proposed. If the analysis shows an annual average DPM concentration from project operations at residences within 200 feet of the DPM source to be greater than 0.024 µg/m<sup>3</sup>, the engine location shall be moved to a location where the annual average DPM concentration from project emissions at the residences is less than 0.024 µg/m<sup>3</sup>. The acceptable concentration of 0.024 µg/m<sup>3</sup> was determined using the current OEHHA cancer potency factor and methodology for diesel exhaust (OEHHA 2003). If diesel exhaust concentrations at the affected receptor would be below 0.024 µg/m<sup>3</sup>, then the cancer health risk would be less than 9.9 cancers in a million population.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to the approval of grading plans and building permits for all off-site water pumping facilities.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. For improvements that would be located within the City of Folsom: City of Folsom Community Development Department and SMAQMD.</li> <li>2. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD.</li> <li>3. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD.</li> </ol> </p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: direct &amp; indirect LTS</b></p>

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Mitigation		
<p><b>3B.2-3: Exposure of Sensitive Receptors to Short- and Long-Term Emissions of Toxic Air Contaminants.</b> Implementation of the Off-site Water Facility Alternatives could expose sensitive receptors to short- and long-term emissions of TACs from on-site stationary sources.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A:</b> No mitigation measures required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 3, 3A, 4, &amp; 4A:</b> direct &amp; indirect LTS</p> <p><b>2, 2A, &amp; 2B:</b> no direct &amp; indirect</p>
<b>3A.3 BIOLOGICAL RESOURCES - LAND</b>		
<p><b>3A.3-1: Loss and Degradation of Waters of the U.S., including Wetlands, and Waters of the State.</b> Project implementation would result in the placement of fill material into jurisdictional waters of the U.S., including wetlands subject to USACE jurisdiction under the Federal CWA. Wetlands and other waters of the U.S. that would be affected by project implementation include seeps, vernal pools, seasonal wetlands and seasonal wetland swales, seeps, drainage channels, ditches, and ponds. Waters of the state would also be filled with project implementation.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>PP: Mitigation Measure 3A.3-1b: Design Stormwater Drainage Plans and Erosion and Sediment Control Plans to Avoid and Minimize Erosion and Runoff to All Wetlands and Other Waters That Are to Remain on the SPA and Use Low Impact Development Features.</b></p> <p>To minimize indirect effects on water quality and wetland hydrology, the project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development application</u> shall include stormwater drainage plans and erosion and sediment control plans in their improvement plans and shall submit these plans to the City Public Works Department for review and approval. For off-site elements within Sacramento County or El Dorado County jurisdiction (e.g., off-site detention basin and off-site roadway connections to El Dorado Hills), plans shall be submitted to the appropriate county planning department. Before approval of these improvement plans, the project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development application</u> shall obtain a NPDES MS4 Municipal Stormwater Permit and Grading Permit, comply with the City’s Grading Ordinance and County drainage and stormwater quality standards, and commit to implementing all measures in their drainage plans and erosion and sediment control plans to avoid and minimize erosion and runoff into Alder Creek and all wetlands and other waters that would remain on-site. Detailed information about stormwater runoff standards and relevant City and County regulation is provided in Chapter 3A.9, “Hydrology and Water Quality.”</p> <p>The project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development entitlement</u> shall implement stormwater quality treatment controls consistent with the Stormwater Quality Design Manual for Sacramento and South Placer Regions (<del>Sacramento Stormwater Quality Control Partnership 2007</del>)<u>in</u></p>	Land	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> LTS</p> <p><b>PP:</b> direct &amp; indirect significant</p> <p><b>RIM:</b> direct &amp; indirect significant</p> <p><b>CD:</b> direct &amp; indirect significant</p> <p><b>RHD:</b> direct &amp; indirect significant</p> <p><b>NF:</b> direct &amp; indirect significant</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>Direct &amp; indirect significant</p>

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<p><del>effect at the time the application is submitted.</del> 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, <u>as specified in the 404 permit.</u></p> <p>In addition to compliance with City ordinances, the project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development application</u> shall <del>obtain a General Construction Stormwater Permit from the Central Valley RWQCB,</del> prepare a Stormwater Pollution Prevention Plan (SWPPP), and implement Best Management Practices (BMPs) <u>that comply with the General Construction Stormwater Permit from the Central Valley RWQCB,</u> to reduce water quality effects during construction. Detailed information about the SWPPP and BMPs are provided in Chapter 3A.9, “Hydrology and Water Quality.”</p> <p>Each project <del>phase development</del> shall result in no net change to peak flows into Alder Creek and associated tributaries, or to Buffalo Creek, Carson Creek, and Coyote Creek. The project applicant(s) shall establish a baseline of conditions for drainage on-site. The baseline-flow conditions shall be established for 2-, 5-, <u>and 100- and 20-year</u> storm events. These baseline conditions shall be used to develop monitoring standards for the stormwater system on the SPA. The baseline conditions, monitoring standards, and a monitoring program shall be submitted to USACE and the City for their approval. Water quality and detention basins shall be designed and constructed to ensure that the performance standards, which are described in Chapter 3A.9, “Hydrology and Water Quality,” are met and shall be designed as off-stream detention basins. Discharge sites into Alder Creek and associated tributaries, as well as tributaries to Carson Creek, Coyote Creek, and Buffalo Creek, shall be monitored to ensure that preproject conditions are being met. Corrective measures shall be implemented as necessary. The mitigation measures will be satisfied when the monitoring standards are met for 5 consecutive years without undertaking corrective measures to meet the performance standard.</p> <p><del>The project applicant(s) shall design a land use plan that moves the proposed on-stream detention basin in the northeast corner of the SPA to a location that is off stream. See FEIR/FEIS Appendix S showing that the detention basin in the northeast corner of the SPA has been moved off stream.</del></p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., El Dorado County for the roadway connections, Sacramento County for the detention basin west of Prairie City Road, and Caltrans for the U.S. 50 interchange improvements) <u>such that the performance standards described in Chapter 3A.9, “Hydrology and Water Quality,” are met.</u></p> <p>Implementation: Project applicant(s) of all project phases and on-site and off-site elements.</p> <p>Timing: Before approval of improvement and drainage plans, and on an ongoing basis throughout and after project construction, as required for all project phases.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Public Works Department.</li> <li>2. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department.</li> </ol>		

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<ol style="list-style-type: none"> <li>3. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>4. For the U.S. 50 interchange improvements: Caltrans.</li> <li>5. U.S. Army Corps of Engineers, Sacramento District.</li> <li>6. Central Valley Regional Water Quality Control Board.</li> </ol> <p><b>PP: Mitigation Measure 3A.3-1a<b>h</b>: Secure Clean Water Act Section 404 Permit and Implement All Permit Conditions; Ensure No Net Loss of Functions and Values of Wetlands, Other Waters of the U.S., and Waters of the State.</b></p> <p>Before the approval of grading and improvement plans and before any groundbreaking activity associated with each distinct <del>project phase</del> <u>discretionary development entitlement</u>, the project applicant(s) <del>all project phases for any particular discretionary development application</del> requiring fill of wetlands or other waters of the U.S. or waters of the state shall obtain all necessary permits under Sections 401 and 404 of the CWA or the state’s Porter-Cologne Act for the respective phase. For each respective <del>phase</del> <u>discretionary development entitlement</u>, all permits, regulatory approvals, and permit conditions for effects on wetland habitats shall be secured before implementation of any grading activities within 250 feet of waters of the U.S. or wetland habitats <u>or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS</u>, including waters of the state, that potentially support Federally listed species. The project applicant(s) shall commit to replace, restore, or enhance on a “no net loss” basis (in accordance with USACE and the Central Valley RWQCB) the acreage of all wetlands and other waters of the U.S. that would be removed, lost, and/or degraded with implementation of project plans for that <del>phase</del> <u>development increment</u>. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to USACE, the Central Valley RWQCB, and the City, as appropriate, depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes.</p> <p>As part of the Section 404 permitting process, a draft wetland mitigation and monitoring plan (MMP) shall be developed for the project on behalf of the project applicant(s). Before any ground-disturbing activities <u>in an area</u> that would adversely affect wetlands and before engaging in mitigation activities associated with each <del>phase of</del> <u>discretionary development entitlement</u>, the project applicant(s) shall submit the draft wetland MMP to USACE, the Central Valley RWQCB, Sacramento County, El Dorado County, and the City for review and approval of those portions of the plan over which they have jurisdiction. The MMP would have to be finalized prior to <del>issuance of a Section 404 permit</del> <u>impacting any wetlands</u>. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of mitigation, or human intervention (including recontouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer.</p> <p>As part of the MMP, the project applicant(s) shall prepare and submit plans for the creation of aquatic habitat in order to adequately offset and replace the aquatic functions and services that would be lost at the SPA, account for the temporal loss of habitat, and contain an adequate margin of safety to reflect anticipated success. Restoration of previously altered and degraded wetlands shall be a priority of the MMP for offsetting losses of aquatic functions on the SPA because it is typically easier to achieve functional success in restored wetlands than in those created from uplands. The MMP must demonstrate how the aquatic functions and values that would be lost through project implementation will be replaced.</p> <p>The habitat MMP for jurisdictional wetland features shall be consistent with USACE’s and EPA’s April 10, 2008 Final Rule for Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Parts 325 and 332 and 40 CFR Part 230) <u>and USACE’s October 26, 2010 Memorandum Re: Minimum Level of Documentation Required for Permit Decisions</u>. According to the Final Rule, mitigation banks should be given preference over other types of mitigation because a lot of the risk and uncertainty regarding mitigation success is alleviated by the fact that mitigation bank wetlands must be established and demonstrating</p>		

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Summary of Impacts and Mitigation Measures**

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<b>Mitigation</b>		
<p>functionality before credits can be sold. <del>This</del> <u>The use of mitigation credits</u> also alleviates temporal losses of wetland function while compensatory wetlands are being established. Mitigation banks also tend to be on larger, more ecologically valuable parcels and are subjected to more rigorous scientific study and planning and implementation procedures than typical permittee-responsible mitigation sites (USACE and EPA, 2008). <u>Permittee-responsible on-site mitigation areas can be exposed to long-term negative effects of surrounding development since they tend to be smaller and less buffered than mitigation banks. However,</u> <del>†</del> <u>The Final Rule also establishes a preference for a “watershed approach” in selecting locations for compensatory mitigation project locations, that mitigation selection must be “appropriate and practicable” and that mitigation banks must address watershed needs based on criteria set forth in the Final Rule. <del>compensating losses of aquatic resources within the same watershed as the impact site.</del> The watershed approach accomplishes this objective by expanding the informational and analytic basis of mitigation project site selection decisions and ensuring that both authorized impacts and mitigation are considered on a watershed scale rather than only project by project. This requires a degree of flexibility so that district engineers can authorize mitigation projects that most effectively address the case-specific circumstances and needs of the watershed, while remaining practicable for the permittee.</u> The SPA includes portions of the Alder Creek, Buffalo Creek, Coyote Creek, and Carson Creek Watersheds. The majority of the SPA is within the Alder Creek Watershed. Alder Creek and Buffalo Creek are part of the Lower American River Watershed. Carson Creek and Coyote Creek are part of the Cosumnes River Watershed. Mitigation credits may be available within the Cosumnes Watershed, but not within the American River Watershed and not within the sub-watersheds of the SPA. Therefore aquatic habitats may need to be restored or created on the SPA and adjacent off-site lands, <u>preferably</u> within the affected watersheds, in order to successfully replace lost functions at the appropriate watershed scale where loss of function would occur. It is not likely feasible to provide compensatory mitigation for all aquatic resource impacts on site. Therefore, a combination of on-site and off-site permittee-responsible mitigation and mitigation banking would likely be necessary to achieve the no-net-loss standard.</p> <p>The SPA is located within the service areas of several approved mitigation banks (e.g., Bryte Ranch, Clay Station, Fitzgerald Ranch, and <del>Sunrise Douglas Preservation Bank</del> <u>Twin City Mitigation Bank</u>). <u>The majority of compensatory mitigation for wetland impacts is proposed to be accomplished at an agency-approved mitigation bank or banks authorized to sell credits to offset impacts in the SPA.</u> The applicants’ biological consultant, ECORP, has identified availability of approximately <del>3031</del> <u>3031</u> vernal pool credits and <del>225228</del> <u>225228</u> seasonal wetland credits at mitigation banks whose service area <del>appears to include</del> <u>includes</u> the SPA. <u>Additional credits may also be available from pending, but not yet approved, mitigation banks.</u> However, <del>the availability of these credits has not been confirmed and availability</del> <u>is subject to change and, as noted above, a combination of mitigation bank credits and permittee-responsible on and off-site mitigation may be necessary to fully offset project impacts on wetlands and other waters of the U.S. If USACE determines that the use of mitigation bank credits is not sufficient mitigation to offset impacts within the SPA, the October 26, 2010 Memorandum Re: Minimum Level of Documentation Required for Permit Decisions requires USACE to specifically demonstrate why the use of bank credits is not acceptable to USACE in accordance with Section 33 CFR 332.3(a)(1).</u></p> <p>Compensatory mitigation for losses of stream and intermittent drainage channels shall <u>follow the Final Rule Guidelines, which specify that compensatory mitigation should</u> be achieved through in-kind preservation, restoration, or enhancement, <del>as specified in the Final Rule guidelines</del> within the same watershed, subject to practicability considerations. The wetland MMP shall address how to mitigate impacts on vernal pool, seasonal swale, seasonal wetland, seep, marsh, pond, and intermittent and perennial stream habitat, and shall describe specific method(s) to be implemented to avoid and/or mitigate any off-site project-related impacts. The wetland compensation section of the habitat MMP shall include the following:</p> <ul style="list-style-type: none"> <li>▶ Compensatory mitigation sites and criteria for selecting these mitigation sites. In General, compensatory mitigation sites should meet the following criteria, based on the Final Rule;             <ul style="list-style-type: none"> <li>• located within the same watershed as the wetland or other waters that would be lost, <u>as appropriate and practicable;</u></li> </ul> </li> </ul>		

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<ul style="list-style-type: none"> <li>• located in the most likely position to successfully replace wetland functions lost on the impact site considering watershed-scale features such as aquatic habitat diversity, habitat connectivity, available water sources and hydrologic relationships, land use trends, ecological benefits, and compatibility with adjacent land uses, <u>and the likelihood for success and sustainability;</u></li> <li>▶ A complete assessment of the existing biological resources in both the on-site preservation areas and off-site compensatory mitigation areas, including wetland functional assessment using the California Rapid Assessment Method (CRAM) (Collins et al. 2008), <u>or other appropriate wetland assessment protocol as determined through consultation with USACE and the USFWS,</u> to establish baseline conditions;</li> <li>▶ Specific creation and restoration plans for each mitigation site;</li> <li>▶ <del>In-kind reference wetland habitats for comparison with compensatory wetland habitats (using performance and success criteria) to document success;</del></li> <li>▶ <u>Use of CRAM to compare compensatory wetlands to the baseline CRAM scores from wetlands in the SPA. The compensatory wetland CRAM scores shall be compared against the highest quality wetland of each type from the SPA;</u></li> <li>▶ <del>Description of methodology used to select reference wetlands for comparison;</del></li> <li>▶ <u>CRAM scores, or other wetland assessment protocol scores, from the compensatory wetlands shall be compared against the highest quality wetland scores for each wetland type to document success of compensatory wetlands in replacing the functions of the affected wetlands to be replaced;</u></li> <li>▶ Monitoring protocol, including schedule and annual report requirements, and the following elements:             <ul style="list-style-type: none"> <li>• ecological performance standards, based on the best available science, that can be assessed in a practicable manner (e.g., performance standards proposed by Barbour et al. 2007). Performance standards must be based on attributes that are objective and verifiable;</li> <li>• <del>CRAM assessments</del> <u>conducted annually for 5 years after construction or restoration of compensatory wetlands to determine whether these areas are acquiring wetland functions and to plot the performance trajectory of preserved, restored, or created wetlands over time. CRAM scores Assessments results</u> for compensatory wetlands shall also be compared against scores for reference wetlands assessed in the same year;</li> <li>• <del>CRAM assessments</del> <u>analysis conducted annually for 5 years after any construction adjacent to wetlands preserved on the SPA to determine whether these areas are retaining functions and values. CRAM scores Assessments results</u> for wetlands preserved on site shall also be compared against scores for reference wetlands assessed in the same year;</li> <li>• analysis of <del>CRAM assessments</del> <u>data, including assessment of potential stressors, to determine whether any remedial activities may be necessary;</u></li> <li>• corrective measures if performance standards are not met;</li> <li>• monitoring of plant communities as performance criteria (annual measure of success, during monitoring period) and success criteria (indicative of achievement of mitigation habitat requirement at end of monitoring period) for hydrologic function have become established and the creation site “matures” over time;</li> <li>• GIS analysis of compensatory wetlands to demonstrate actual acreage of functioning wetland habitat;</li> <li>• adaptive management measures to be applied if performance standards and acreage requirements are not being met;</li> <li>• responsible parties for monitoring and preparing reports; and</li> </ul> </li> </ul>		

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<b>Impact Lan</b>	<b>d/Water/GPA</b>
<b>Significance</b>	
<b>Mitigation</b>	
<ul style="list-style-type: none"> <li>responsible parties for receiving and reviewing reports and for verifying success or prescribing implementation or corrective actions.</li> </ul> <p>A <u>final</u> operations and management plan (OMP) for all on- and off-site <u>permittee-sponsored</u> wetland preservation and mitigation areas shall be prepared and submitted to USACE and USFWS for review, <u>comment</u> and <u>preliminary</u> approval prior to the issuance of any permits under Section 404 of the CWA. The plan shall include detailed information on the habitats present within the preservation and mitigation areas, the long-term management and monitoring of these habitats, legal protection for the preservation and mitigation areas (e.g., conservation easement, declaration of restrictions), and funding mechanism information (e.g., endowment). <u>A final OMP for each discretionary development entitlement affecting wetlands must be approved prior to construction.</u></p> <p>USACE has determined that the project will require an individual permit. In its final stage and once approved by USACE, the MMP for the project is expected to detail proposed wetland restoration, enhancement, and/or replacement activities that would ensure no net loss of aquatic functions in the project vicinity. Approval and implementation of the wetland MMP shall aim to fully mitigate all unavoidable impacts on jurisdictional waters of the U.S., including jurisdictional wetlands. In addition to USACE approval, approval by the City, Sacramento County, El Dorado County, and the Central Valley RWQCB, as appropriate depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes, will also be required. Approvals from Sacramento County and El Dorado County shall be required for impacts resulting from off-site project elements occurring in these counties, such as the off-site detention basin in Sacramento County and the roadway connections into El Dorado County. To satisfy the requirements of the City and the Central Valley RWQCB, mitigation of impacts on the nonjurisdictional wetlands beyond the jurisdiction of USACE shall be included in the same MMP. All mitigation requirements determined through this process shall be implemented before grading plans are approved. The MMP shall be submitted to USACE and approved prior to the issuance of any permits under Section 404 of the CWA.</p> <p>Water quality certification pursuant to Section 401 of the CWA will be required before issuance <del>of the record of decision and before issuance</del> of a Section 404 permit. Before construction in any areas containing wetland features, the project applicant(s) shall obtain water quality certification for the project. Any measures required as part of the issuance of water quality certification shall be implemented.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be <u>coordinated</u> <u>developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., Caltrans, El Dorado and/or Sacramento Counties).</p> <p>Implementation: Project applicant(s) <del>of all project phases</del> <u>for each discretionary development entitlement</u> requiring fill of wetlands or other waters of the U.S. or waters of the state.</p> <p>Timing: Before the approval of grading or improvement plans or any ground-disturbing activities for any project development phase containing wetland features or other waters of the U.S.. The MMP must be approved before any impact on wetlands can occur. Mitigation shall be implemented on an ongoing basis throughout and after construction, as required.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department.</li> <li>For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>For the U.S. 50 interchange improvements: Caltrans.</li> </ol>	

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Mitigation		
<p>5. U.S. Army Corps of Engineers, Sacramento District; Central Valley Regional Water Quality Control Board as appropriate depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes and in compliance with the City’s Grading Ordinance (Folsom Municipal Code 14.29), or appropriate county grading ordinance for off-site detention basin and roadway connections from Folsom Heights to El Dorado Hills.</p> <p><b>RIM:</b> Implement Mitigation Measures 3A.3-1a and 3A.3-1b.  <b>CD:</b> Implement Mitigation Measures 3A.3-1a and 3A.3-1b.  <b>RHD:</b> Implement Mitigation Measures 3A.3-1a and 3A.3-1b.  <b>NF:</b> Implement Mitigation Measures 3A.3-1a and 3A.3-1b.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>Mitigation Measure:</b> Implement Mitigation Measures 3A.3-1a and 3A.3-1b.  <b>Significance after Mitigation: significant and unavoidable</b></p>	Land	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP: LTS</b>  <b>PP, RIM, CD, RHD:</b> (Wildlife Associated with Vernal Pools, Swainson’s Hawk and Other Raptors, Valley Elderberry Longhorn Beetle) direct &amp; indirect significant (Tricolored Blackbird) direct &amp; potentially significant, indirect &amp; LTS                      (Special-Status Bats) direct &amp; potentially significant, no indirect                      (Other Special-Status Species) direct &amp; indirect LTS  <b>NF:</b> (Wildlife Associated with Vernal Pools) no direct &amp; indirect significant                      (Swainson’s Hawk and Other Raptors, Valley Elderberry Longhorn Beetle, Special-Status Bats) direct and indirect significant                      (Tricolored Blackbird) direct potentially significant &amp; indirect LTS                      (Other Special-Status Species) direct &amp; indirect LTS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>PP, RIM, CD, RHD:</b> (Wildlife Associated with Vernal</p>

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<b>Mitigation</b>		
<p style="text-align: right;">Pools, Valley Elderberry Longhorn Beetle) direct &amp; indirect significant (Swainson’s Hawk and Other Raptors) direct &amp; indirect potentially significant (Tricolored Blackbird) direct &amp; potentially significant, indirect &amp; LTS (Special-Status Bats) no direct or indirect (Other Special-Status Species) direct &amp; indirect LTS</p>		
<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>PP: Mitigation Measure: Implement Mitigation Measures 3A.3-1a and 3A.3-1b.</b></p> <p><b>Mitigation Measure 3A.3-2ba: Avoid Direct Loss of Swainson’s Hawk and Other Raptor Nests.</b> To mitigate impacts on Swainson’s hawk and other raptors (including burrowing owl), the project applicant(s) of all project phases shall retain a qualified biologist to conduct preconstruction surveys and to identify active nests on and within 0.5 mile of the SPA and active burrows on the SPA. The surveys shall be conducted before the approval of grading and/or improvement plans (as applicable) and no less than 14 days and no more than 30 days before the beginning of construction for all project phases. To the extent feasible, guidelines provided in Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in the Central Valley (Swainson’s Hawk Technical Advisory Committee 2000) shall be followed for surveys for Swainson’s hawk. If no nests are found, no further mitigation is required.</p> <p>If active nests are found, impacts on nesting Swainson’s hawks and other raptors shall be avoided by establishing appropriate buffers around the nests. No project activity shall commence within the buffer area until the young have fledged, the nest is no longer active, or until a qualified biologist has determined in <del>coordination</del> <u>consultation</u> with DFG that reducing the buffer would not result in nest abandonment. DFG guidelines recommend implementation of 0.25- or 0.5-mile-wide buffers, but the size of the buffer may be adjusted if a qualified biologist and the City, in consultation with DFG, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p> <p>If active burrows are found, a mitigation plan shall be submitted to the City for review and approval before any ground-disturbing activities. The City shall consult with DFG. The mitigation plan may consist of installation of one-way doors on all burrows to allow owls to exit, but not reenter, and construction of artificial burrows within the project vicinity, as needed; however, burrow owl exclusions may only be used if a qualified biologist verifies that the burrow does not contain eggs or dependent young. If active burrows contain eggs and/or young, no construction shall occur within 50 feet of the burrow until young have fledged. Once it is confirmed that there are no owls inside burrows, these burrows may be collapsed.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be <del>coordinated</del> <u>developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans), <u>such that the performance criteria set forth in DFG’s guidelines are determined to be met.</u></p>		

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<b>Mitigation</b>		
Implementation:	Project applicant(s) of all project phases.	
Timing:	Before the approval of grading and improvement plans, before any ground-disturbing activities, and during project construction as applicable for all project phases.	
Enforcement:	<ol style="list-style-type: none"> <li>1. California Department of Fish and Game.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department.</li> <li>4. For the U.S. 50 interchange improvements: Caltrans.</li> <li>5. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> </ol>	
<p><b>Mitigation Measure 3A.3-2eb: Prepare and Implement a Swainson’s Hawk Mitigation Plan.</b></p> <p>To mitigate for the loss of Swainson’s hawk foraging habitat, the project applicant(s) of all project phases shall prepare and implement a Swainson’s hawk mitigation plan including, but not limited to the requirements described below.</p> <p>Before the approval of grading and improvement plans or before any ground-disturbing activities, whichever occurs first, the project applicant(s) shall preserve, to the satisfaction of the City or Sacramento County, as appropriate depending on agency jurisdiction, suitable Swainson’s hawk foraging habitat to ensure 1:1 mitigation of habitat value for Swainson’s hawk foraging habitat lost as a result of the project, as determined by the City, or Sacramento County, after consultation with DFG and a qualified biologist.</p> <p>The 1:1 habitat value shall be based on Swainson’s hawk nesting distribution and an assessment of habitat quality, availability, and use within the City’s planning area, or Sacramento County jurisdiction. The mitigation ratio shall be consistent with the 1994 DFG <i>Swainson’s Hawk Guidelines included in the Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks (Buteo swainsoni) in the Central Valley of California</i>, which call for the following mitigation ratios for loss of foraging habitat in these categories: 1:1 if within 1 mile of an active nest site, 0.75:1 if over 1 mile but less than 5 miles, and 0.5:1 if over 5 miles but less than 10 miles from an active nest site. Such mitigation shall be accomplished through either credit purchase from an established mitigation bank approved to sell Swainson’s hawk foraging habitat credits to mitigate losses in the SPA, if available, or through the transfer of fee title or perpetual conservation easement. The mitigation land shall be located within the known foraging area and within Sacramento County. The City, or Sacramento County if outside City jurisdiction, after consultation with DFG, will determine the appropriateness of the mitigation land.</p> <p>Before approval of such proposed mitigation, the City, or Sacramento County for the off-site detention basin, shall consult with DFG regarding the appropriateness of the mitigation. If mitigation is accomplished through conservation easement, then such an easement shall ensure the continued management of the land to maintain Swainson’s hawk foraging values, including but not limited to ongoing agricultural uses and the maintenance of all existing water rights associated with the land. The conservation easement shall be recordable and shall prohibit any activity that substantially impairs or diminishes the land’s capacity as suitable Swainson’s hawk habitat.</p> <p>The project applicant(s) shall transfer said Swainson’s hawk mitigation land, through either conservation easement or fee title, to a third-party, nonprofit conservation organization (Conservation Operator), with the City and DFG named as third-party beneficiaries. The Conservation Operator shall be a qualified</p>		

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Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>conservation easement land manager that manages land as its primary function. Additionally, the Conservation Operator shall be a tax-exempt nonprofit conservation organization that meets the criteria of Civil Code Section 815.3(a) and shall be selected or approved by the City or County, after consultation with DFG. The City, or County, after consultation with DFG and the Conservation Operator, shall approve the content and form of the conservation easement. The City, or County, DFG, and the Conservation Operator shall each have the power to enforce the terms of the conservation easement. The Conservation Operator shall monitor the easement in perpetuity to assure compliance with the terms of the easement.</p> <p>The project applicant(s), after consultation with the City, or County of jurisdiction, DFG, and the Conservation Operator, shall establish an endowment or some other financial mechanism that is sufficient to fund in perpetuity the operation, maintenance, management, and enforcement of the conservation easement. If an endowment is used, either the endowment funds shall be submitted to the City for impacts on lands within the City’s jurisdiction or Sacramento County for the off-site detention basin to be distributed to an appropriate third-party nonprofit conservation agency, or they shall be submitted directly to the third-party nonprofit conservation agency in exchange for an agreement to manage and maintain the lands in perpetuity. The Conservation Operator shall not sell, lease, or transfer any interest of any conservation easement or mitigation land it acquires without prior written approval of the City and DFG. Mitigation lands established or acquired for impacts incurred at the off-site detention basin shall require approval from Sacramento County prior to sale or transfer of mitigation lands or conservation easement.</p> <p>If the Conservation Operator ceases to exist, the duty to hold, administer, manage, maintain, and enforce the interest shall be transferred to another entity acceptable to the City and DFG, or Sacramento County and DFG depending on jurisdiction of the affected habitat. The City Planning Department shall ensure that mitigation habitat established for impacts on habitat within the City’s planning area is properly established and is functioning as habitat by <del>conducting</del> <u>reviewing</u> regular monitoring <u>reports prepared by the Conservation Operator</u> of the mitigation site(s). <u>Monitoring of the mitigation site(s) shall continue</u> for the first 10 years after establishment of the easement <u>and shall be funded through the endowment, or other appropriate funding mechanism, established by the project applicant(s).</u> Sacramento County shall <u>review the monitoring reports</u> <del>habitat and ensure success</del> for impacts on habitat at the off-site detention basin.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County and Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of grading, improvement, or construction plans and before any ground-disturbing activity in any project development phase that would affect Swainson’s hawk foraging habitat.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>3. For the U.S. 50 interchange improvements: Caltrans.</li> </ol> <p><b>Mitigation Measure 3A.3-2ec: Avoid and Minimize Impacts to Tricolored Blackbird Nesting Colonies.</b></p> <p>To avoid and minimize impacts to tricolored blackbird, the project applicant(s) of all project phases shall conduct a preconstruction survey for any project activity that would occur during the tricolored blackbird’s nesting season (March 1–August 31). The preconstruction survey shall be conducted by a qualified biologist before any activity occurring within 500 feet of suitable nesting habitat, including freshwater marsh and areas of riparian scrub vegetation. The survey shall be conducted within 14 days before project activity begins.</p>		

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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>If no tricolored blackbird colony is present, no further mitigation is required. If a colony is found, the qualified biologist shall establish a buffer around the nesting colony. No project activity shall commence within the buffer area until a qualified biologist confirms that the colony is no longer active. The size of the buffer shall be determined in consultation with DFG. Buffer size is anticipated to range from 100 to 500 feet, depending on the nature of the project activity, the extent of existing disturbance in the area, and other relevant circumstances.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries (i.e., U.S. 50 interchange improvements) must be <u>coordinated developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., Caltrans) <u>and must be sufficient to achieve the performance criteria described above.</u></p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of any ground-disturbing activity within 500 feet of suitable nesting habitat as applicable for all project phases.</p> <p>Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the U.S. 50 interchange improvements: Caltrans.</p> <p><b>Mitigation Measure 3A.3-2fd: Avoid and Minimize Impacts to Special-Status Bat Roosts.</b></p> <p>The project applicant of all project phases containing potential bat roosting habitat shall retain a qualified biologist to conduct surveys for roosting bats. Surveys shall be conducted in the fall to determine if the mine shaft is used as a hibernaculum and in spring and/or summer to determine if it is used as a maternity or day roost. Surveys shall consist of evening emergence surveys to note the presence or absence of bats and could consist of visual surveys at the time of emergence. If evidence of bat use is observed, the number and species of bats using the roost shall be determined. Bat detectors may be used to supplement survey efforts. If no bat roosts are found, then no further study shall be required.</p> <p>If roosts of pallid bat or Townsend’s big-eared bats are determined to be present and must be removed, the bats shall be excluded from the roosting site before the mine shaft is removed. A mitigation program addressing compensation, exclusion methods, and roost removal procedures shall be developed in consultation with DFG before implementation. Exclusion methods may include use of one-way doors at roost entrances (bats may leave but not reenter), or sealing roost entrances when the site can be confirmed to contain no bats. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). The loss of each roost (if any) will be replaced in consultation with DFG and may include construction and installation of bat boxes suitable to the bat species and colony size excluded from the original roosting site. Roost replacement will be implemented before bats are excluded from the original roost sites. Once the replacement roosts are constructed and it is confirmed that bats are not present in the original roost site, the mine shaft may be removed.</p> <p>Implementation: Project applicant(s) of all project phases containing potential bat roosting habitat.</p> <p>Timing: Before the approval of removal or fill of the mine shaft on the SPA.</p> <p>Enforcement: City of Folsom Community Development Department.</p> <p><b>RIM, CD, RHD:</b> Implement Mitigation Measures 3A.3-1a, 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, and 3A.3-2f.</p> <p><b>NF:</b> Implement Mitigation Measures 3A.3-1a, 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, and 3A.3-2f.</p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>Mitigation Measure 3A.3-2gg: Obtain an Incidental Take Permit under Section 10(a) of ESA; Develop and Implement a Habitat Conservation Plan to Compensate for the Loss of Vernal Pool Habitat.</b> The project applicant(s) for all project phases shall obtain an incidental take permit under Section 10(a) of ESA. No project construction shall proceed in areas supporting potential habitat for Federally listed vernal pool invertebrates, or within adequate buffer areas (250 feet or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS), until a BO has been issued by USFWS and the project applicant(s) have abided by conditions in the BO (including all conservation and minimization measures). Conservation and minimization measures are likely to include preparation of supporting documentation describing methods to protect existing vernal pools during and after project construction.</p> <p>Under the No Federal Action Alternative, interagency consultation under Section 7 of ESA would not occur; therefore, the project applicant(s) would be required to develop a habitat conservation plan to mitigate impacts on Federally listed vernal pool invertebrates. The project applicant(s) shall complete and implement, or participate in, a habitat conservation plan that shall compensate for the loss of acreage, function, and value of affected vernal pool habitat. The habitat conservation plan shall be consistent with the goals of the Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon (USFWS 2005) and must be approved by USFWS.</p> <p>The project applicant(s) for all project phases shall ensure that there is sufficient upland habitat within the target areas for creation and restoration of vernal pools and vernal pool complexes to provide ecosystem health. The land used to satisfy this mitigation measure shall be protected through a fee title or conservation easement acceptable to the City and USFWS.</p> <p>The project applicant(s) for all project phases shall identify the extent of indirectly affected vernal pool and seasonal wetland habitat, either by identifying all such habitat within 250 feet of project construction activities or by providing an alternative technical evaluation in support of a lesser indirect impact distance. If a lesser distance is pursued, this distance shall be approved by USFWS. The project applicant(s) shall preserve 2 wetted acres of vernal pool habitat for each wetted acre of any indirectly affected vernal pool habitat. This mitigation shall occur before the approval of any grading or improvement plans for any project phase that would allow work within 250 feet of such habitat, and before any ground-disturbing activity within 250 feet of the habitat. The project applicant(s) will not be required to complete this mitigation measure for direct or indirect impacts that have already been mitigated to the satisfaction of USFWS through another BO or mitigation plan.</p> <p>A standard set of BMPs shall be applied to construction occurring in areas within 250 feet of off-site vernal pool habitat, or within any lesser distance deemed adequate by a qualified biologist (with approval from USFWS) to constitute a sufficient buffer from such habitat. Refer to Section 3A.9, “Hydrology and Water Quality - Land” for the details of BMPs to be implemented.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases and on-site and off-site elements.</p> <p>Timing: Before the approval of any grading or improvement plans, before any ground-disturbing activities within 250 feet of said habitat, and on an ongoing basis throughout construction as applicable for all project phases as required by the habitat conservation plan and/or BO.</p> <p>Enforcement: 1. U.S. Fish and Wildlife Service. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</p>		

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>3. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department.</p> <p>4. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</p> <p>5. For the U.S. 50 interchange improvements: Caltrans.</p> <p><b>Mitigation Measure 3A.3-2hf Obtain an Incidental Take Permit under Section 10(a) of ESA; Develop and Implement a Habitat Conservation Plan to Compensate for the Loss of VELB Habitat.</b> As long as valley elderberry longhorn beetle remains a species protected under ESA, the project applicant(s) of all project phases containing elderberry shrubs shall obtain an incidental take permit under Section 10(a) of ESA for valley elderberry longhorn beetle. No project construction shall proceed in areas potentially containing valley elderberry longhorn beetle until a BO has been issued by USFWS, and the project applicant(s) for all project phases have abided by all pertinent conditions in the BO take permit relating to the proposed construction, including all conservation and minimization measures. Conservation and minimization measures are likely to include preparation of supporting documentation that describes methods for relocation of existing shrubs and maintaining existing shrubs and other vegetation in a conservation area.</p> <p>Under the No Federal Action Alternative, interagency consultation under Section 7 of ESA would not occur; therefore, the project applicant(s) would be required to develop a habitat conservation plan to mitigate impacts on valley elderberry longhorn beetle. The project applicant(s) shall complete and implement a habitat conservation plan that will compensate for the loss of valley elderberry longhorn beetle. Relocation of existing elderberry shrubs and planting of new elderberry seedlings shall be implemented on a no-net-loss basis. Detailed information on monitoring success of relocated and planted shrubs and measures to compensate (should success criteria not be met) would also likely be required in the BO. Ratios for mitigation of valley elderberry longhorn beetle habitat will ultimately be determined through the ESA Section 10(a) consultation process with USFWS, but shall be a minimum of “no net loss.”</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries (i.e., U.S. 50 interchange improvements) must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases potentially containing elderberry shrubs.</p> <p>Timing: Before the approval of any grading or improvement plans or any ground-disturbing activity within 100 feet of valley elderberry longhorn beetle habitat as applicable for all project phases, and on an ongoing basis as required by the habitat conservation plan and/or BO.</p> <p>Enforcement: 1. U.S. Fish and Wildlife Service 2. City of Folsom Community Development Department. 3. For the U.S. 50 interchange improvements: Caltrans.</p> <p><b>Mitigation Measure 3A.3-2ag: Secure Take Authorization for Federally Listed Vernal Pool Invertebrates and Implement All Permit Conditions.</b> No project construction shall proceed in areas supporting potential habitat for Federally listed vernal pool invertebrates, or within adequate buffer areas (250 feet or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS), until a biological opinion (BO) <u>or Not Likely to Adversely Affect (NLAA) letter</u> has been issued by USFWS and the project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development entitlements affecting such areas</u> have abided by conditions in the BO (including conservation and minimization measures) intended to be completed before on-site construction. Conservation and minimization measures shall include preparation of supporting documentation describing methods to protect existing vernal pools during and after project construction, a detailed monitoring plan, and reporting requirements.</p>		

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>As described under Mitigation Measure 3A.3-1a, an MMP shall be developed that describes details how loss of vernal pool and other wetland habitats shall be offset, including details on creation of habitat, account for the temporal loss of habitat, contain performance standards to ensure success, and outline remedial actions if performance standards are not met.</p> <p>The project applicant(s) <del>of all project phases</del> for any particular discretionary development application potentially affecting vernal pool habitat shall complete and implement a habitat MMP that will result in no net loss of acreage, function, and value of affected vernal pool habitat. The final habitat MMP shall be consistent with guidance provided in <i>Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans within the Jurisdiction of the Sacramento Field Office, California</i> (USFWS 1996) or shall provide an alternative approach that is acceptable to the City, USACE, and USFWS and accomplishes no net loss of habitat acreage, function, and value.</p> <p>The project applicant(s) <del>of all project phases</del> for any particular discretionary development application “potentially affecting vernal pool habitat” shall ensure that there is sufficient upland habitat within the target areas for creation and restoration of vernal pools and vernal pool complexes to provide ecosystem health. <del>Theis</del> <u>standard shall be accomplished by requiring the project applicant(s) of all project phases shall</u> for any discretionary development application affecting vernal pool or seasonal wetland habitat to identify the extent of indirectly affected vernal pool and seasonal wetland habitat, either by identifying all such habitat within 250 feet of project construction activities or by providing an alternative technical evaluation. If a lesser distance is pursued, this distance shall be approved by USFWS. The project applicant(s) shall preserve acreage of vernal pool habitat for each wetted acre of any indirectly affected vernal pool habitat at a ratio approved by USFWS at the conclusion of the Section 7 consultation. This mitigation shall occur before the approval of any grading or improvement plans for any project phase that would allow work within 250 feet of such habitat <u>or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS</u>, and before any ground-disturbing activity within 250 feet of the habitat <u>or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS</u>. The project applicant(s) will not be required to complete this mitigation measure for direct or indirect impacts that have already been mitigated to the satisfaction of USFWS through another BO or mitigation plan (i.e., if impacts on specific habitat acreage are mitigated by one project phase or element, the project applicant(s) will not be required to mitigate for it again in another phase of the project).</p> <p>A standard set of BMPs shall be applied to construction occurring in areas within 250 feet of off-site vernal pool habitat, or within any lesser distance deemed adequate by a qualified biologist (with approval from USFWS) to constitute a sufficient buffer from such habitat. Refer to Section 3A.9, “Hydrology and Water Quality - Land” for the details of BMPs to be implemented.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be <del>coordinated</del> <u>developed</u> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of any grading or improvement plans, before any ground-disturbing activities within 250 feet of said habitat <u>or lesser distance deemed sufficiently protective by a qualified biologist with approval from USFWS</u>, and on an ongoing basis throughout construction as applicable for all project phases as required by the mitigation plan, BO, and/or BMPs.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. U.S. Army Corps of Engineers, Sacramento District; U.S. Fish and Wildlife Service.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> </ol>		

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

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<b>Mitigation</b>		
<p>3. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department.</p> <p>4. For the U.S. 50 interchange improvements: Caltrans.</p> <p>4. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</p> <p><b>Mitigation Measure 3A.3-2dh: Obtain Incidental Take Permit for Impacts on Valley Elderberry Longhorn Beetle and Implement All Permit Conditions.</b> Before each phase of the project, the project applicant(s) shall have a qualified biologist identify any elderberry shrubs within 100 feet of the project footprint and conduct a survey for valley elderberry longhorn beetle exit holes in stems greater than 1 inch in diameter. If no project activity, including grading or use of herbicides, would occur within 100 feet of an elderberry shrub, then no further mitigation shall be required for valley elderberry longhorn beetle in those areas. If project activities would occur within 100 feet of any elderberry shrubs, consultation with USFWS under Section 7 will be required. No project construction shall proceed in areas potentially containing valley elderberry longhorn beetle until a BO has been issued by USFWS, and the project applicant(s) of all project phases have abided by all pertinent conditions in the BO relating to the proposed construction, including conservation and minimization measures, intended to be completed before on-site construction. Conservation and minimization measures are likely to include preparation of supporting documentation that describes methods for relocation of existing shrubs and maintaining existing shrubs and other vegetation in a conservation area.</p> <p>Relocation of existing elderberry shrubs and planting of new elderberry seedlings shall be implemented <del>on a no-net-loss basis</del> <u>consistent with the mitigation ratios described in the Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS 1999). The 1999 conservation guidelines mitigation ratios are based on whether the affected shrub is located in riparian or non riparian habitat, the size of stems affected, and the presence of beetle exit holes.</u> Compensatory mitigation for elderberry shrubs that would be removed from their current locations would be developed in consultation with USFWS during the Section 7 consultation process. Compensatory mitigation may include planting replacement elderberry seedlings or cuttings and associated native plants within the open space areas of the SPA, planting replacement elderberry seedlings or cuttings and associated native plants at a suitable off-site location, purchasing credits at an approved mitigation bank, or a combination thereof. Relocated and replacement shrubs and associated native plantings shall be placed in conservation areas providing a minimum of 1,800 square feet per transplanted shrub. These conservation areas shall be preserved in perpetuity as habitat for valley elderberry longhorn beetle. The number of elderberry shrubs that would be affected by implementing the project is expected to be low because there are currently a total of less than 10 shrubs known to be present on the SPA. Ratios for mitigation of valley elderberry longhorn beetle habitat will ultimately be determined through the ESA Section 7 consultation process with USFWS, but shall be a minimum of “no net loss.” USFWS uses stem count data, presence or absence of exit holes, and whether the affected elderberry shrubs are located in riparian habitat to determine the number of elderberry seedlings or cuttings and associated riparian vegetation that would need to be planted as compensatory mitigation for affected elderberry longhorn beetle habitat. The final VELB mitigation plan, including transplanting procedures, long-term protection, management of the mitigation areas, and monitoring procedures shall be consistent with the Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS 1999).</p> <p>The population of valley elderberry longhorn beetles, the general condition of the conservation area, and the condition of the elderberry and associated native plantings in the conservation area must be monitored over a period of either ten consecutive years or for seven years over a 15-year period. A minimum survival rate of at least 60% of the elderberry plants and 60% of the associated native plants must be maintained throughout the monitoring period. Within one year of discovering that survival has dropped below 60%, the project applicant(s) shall replace failed plantings to bring survival above this level. Detailed information on monitoring success of relocated and planted shrubs and measures to compensate (should success criteria not be met) would be required in the BO.</p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries (i.e., U.S. 50 interchange improvements) must be <del>coordinated</del> <b>developed</b> by the project applicant(s) of each applicable project phase <u>in consultation</u> with the affected oversight agency(ies) (i.e., Caltrans) <u>and must be sufficient to achieve the performance criteria described above.</u></p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of any grading or improvement plans or any ground-disturbing activity within 100 feet of valley elderberry longhorn beetle habitat as applicable for all project phases, and on an ongoing basis as required by BO.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. U.S. Army Corps of Engineers, Sacramento District; U.S. Fish and Wildlife Service.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For the U.S. 50 interchange improvements: Caltrans.</li> </ol> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure:</b> Implement Mitigation Measures 3A.3-1a and 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, and 3A.3-2f.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.3-3: Potential Loss or Degradation of Special-Status Plant Populations and Habitat.</b> Project implementation could result in direct removal of special-status plants, if they are present, through loss of suitable habitat or degradation of suitable habitat due to site alteration.</p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.3-3: Conduct Special-Status Plant Surveys; Implement Avoidance and Mitigation Measures or Compensatory Mitigation.</b> To mitigate for the potential loss or degradation of special-status plant species and habitat, the project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development application</u> shall adhere to the requirements described below.</p> <ul style="list-style-type: none"> <li>▶ The project applicant(s) <del>of all proposed project phases</del> <u>for any particular discretionary development application</u>, including the proposed off-site elements, shall retain a qualified botanist to conduct protocol level preconstruction special-status plant surveys for all potentially occurring species. <u>Preconstruction special-status plant surveys shall not be required for those portions of the SPA that have already been surveyed according to DFG and USFWS guidelines.</u> If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter report to USFWS, DFG, the City of Folsom, Caltrans (for interchange improvements to U.S. 50), El Dorado County (for roadway connections in El Dorado County), and Sacramento County (for the off-site detention basin) and no further mitigation shall be required.</li> <li>▶ If special-status plant populations are found, the project applicant(s) of affected <del>project phases</del> <u>developments</u> shall consult with DFG and USFWS, as appropriate depending on species status, to determine the appropriate mitigation measures for direct and indirect impacts on any special-status plant population</li> </ul>	<p>Land</p>	<p><b>NP:</b> LTS <b>NCP, PP, RIM, CD, RHD:</b> Direct &amp; indirect potentially significant</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>that could occur as a result of project implementation. Mitigation measures may include preserving and enhancing existing populations, creation of off-site populations on project mitigation sites through seed collection or transplantation, and/or restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat or individuals.</p> <ul style="list-style-type: none"> <li>▶ If potential impacts on special-status plant species are likely, a mitigation and monitoring plan shall be developed before the approval of grading plans or any ground-breaking activity within 250 feet of a special-status plant population. The mitigation plan shall be submitted to Caltrans (for interchange improvements to U.S. 50), El Dorado County (for impacts in roadway connections in El Dorado County), Sacramento County (for impacts in the off-site detention basin footprint), or the City of Folsom (for on-site impacts and all other off-site elements), for review and approval. It shall be submitted concurrently to DFG or USFWS, as appropriate depending on species status, for review and comment. The plan shall require maintaining viable plant populations on-site and shall identify avoidance measures for any existing population(s) to be retained and compensatory measures for any populations directly affected. Possible avoidance measures include fencing populations before construction and exclusion of project activities from the fenced-off areas, and construction monitoring by a qualified botanist to keep construction crews away from the population. The mitigation plan shall also include monitoring and reporting requirements for populations to be preserved on site or protected or enhanced off site.</li> <li>▶ 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.</li> <li>▶ If off-site mitigation includes dedication of conservation easements, purchase of mitigation credits or other off-site conservation measures, the details of these measures shall be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, and other details, as appropriate to target the preservation on long term viable populations.</li> </ul> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Caltrans, El Dorado and/or Sacramento Counties).</p> <p>Implementation: Project applicant(s) of all project phases and on- and off-site elements.</p> <p>Timing: Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase, including off-site elements.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. U.S. Fish and Wildlife Service, California Department of Fish and Game.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department.</li> <li>4. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>5. For the U.S. 50 interchange improvements: Caltrans.</li> </ol> <p><b><i>Significance after Mitigation: less than significant</i></b></p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.3-4: Loss of Sensitive Natural Communities (Not Already Covered under Other Impacts).</b> Project implementation would result in loss of riparian habitat, and valley needlegrass grassland that may be present on the SPA and could be removed by project development. These are natural communities considered sensitive by state and local resource agencies and require consideration under CEQA.</p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measures 3A.3-1a and 1b.</p> <p><b>Mitigation Measure 3A.3-4a: Secure and Implement Section 1602 Streambed Alteration Agreement.</b> The project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development application</u> shall obtain a Section 1602 streambed alteration agreement from DFG for all construction activities that would occur in the bed and bank of Alder Creek and other drainage channels and ponds on the SPA. As a condition of issuance of the streambed alteration agreement, the project applicant(s) <del>for all project phases</del> <u>any particular discretionary development application</u> affecting riparian habitat shall hire a qualified restoration ecologist to prepare a riparian habitat MMP. The draft MMP shall describe specific method(s) to be implemented to avoid and/or compensate for impacts on the stream channel of Alder Creek and other drainage channels within DFG jurisdiction, and the bed and banks of the on-site ponds. Mitigation measures may include establishment or restoration of riparian habitat within the project’s open space areas along preserved stream corridors, riparian habitat restoration off-site, or preservation and enhancement of existing riparian habitat either on or off the SPA. The compensation habitat shall be similar in composition and structure to the habitat to be removed and shall be at ratios adequate to offset the loss of riparian habitat functions and services at the SPA. The riparian habitat compensation section of the habitat MMP shall include the following:</p> <ul style="list-style-type: none"> <li>▶ compensatory mitigation sites and criteria for selecting these mitigation sites;</li> <li>▶ complete assessment of the existing biological resources in both the on-site and off-site preservation and restoration areas;</li> <li>▶ site-specific management procedures to benefit establishment and maintenance of native riparian plant species, including black willow, arroyo willow, white alder, and Fremont cottonwood;</li> <li>▶ a planting and irrigation program if needed for establishment of native riparian trees and shrubs at strategic locations within each mitigation site (planting and irrigation may not be necessary if preservation of functioning riparian habitat is chosen as mitigation or if restoration can be accomplished without irrigation or planting);</li> <li>▶ in kind reference habitats for comparison with compensatory riparian habitats (using performance and success criteria) to document success;</li> <li>▶ monitoring protocol, including schedule and annual report requirements (compensatory riparian habitats shall be monitored for a minimum period of five years);</li> <li>▶ ecological performance standards, based on the best available science and including specifications for native riparian plant densities, species composition, amount of dead woody vegetation gaps and bare ground, and survivorship; at a minimum, compensatory mitigation planting sites must achieve 80% survival of planted riparian trees and shrubs by the end of the five-year maintenance and monitoring period or dead and dying trees shall be replaced and monitoring continued until 80% survivorship is achieved;</li> </ul>	<p>Land</p>	<p><b>NP:</b> LTS <b>NCP, PP, RIM, CD, RHD:</b> Direct &amp; indirect significant (Valley Needlegrass: Direct potentially significant)</p>

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Mitigation		
<ul style="list-style-type: none"> <li>▶ corrective measures if performance standards are not met;</li> <li>▶ responsible parties for monitoring and preparing reports; and</li> <li>▶ responsible parties for receiving and reviewing reports and for verifying success or prescribing implementation or corrective actions.</li> </ul> <p>Any conditions of issuance of the Streambed Alteration Agreement shall be implemented as part of project construction activities that adversely affect the bed and bank and riparian habitat associated with Alder Creek and other drainage channels and ponds that are within the project area that is subject to DFG jurisdiction. The agreement shall be executed by the project applicant(s) and DFG before the approval of any grading or improvement plans or any construction activities in any project phase that could potentially affect the bed and bank of Alder Creek and other on-site or off-site drainage channels under DFG jurisdiction and their associated freshwater marsh and riparian habitat.</p> <p>Mitigation for the U.S. 50 interchange improvements must be coordinated by the project applicant(s) of each applicable project phase with the Caltrans.</p> <p>Implementation: Project applicant(s) of all project phases and the off-site Prairie City Road and Oak Avenue interchange improvements.</p> <p>Timing: Before the approval of grading or improvement plans or any construction activities (including clearing and grubbing) that affect the bed and bank or riparian and freshwater marsh habitat associated with Alder Creek and other on-site or off-site drainage channels and ponds.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. California Department of Fish and Game,</li> <li>2. City of Folsom Community Development Department.</li> <li>3. Caltrans for interchange improvements to U.S. 50.</li> </ol> </p> <p><b>Mitigation Measure 3A.3-4b: Conduct Surveys to Identify and Map Valley Needlegrass Grassland; Implement Avoidance and Minimization Measures or Compensatory Mitigation.</b> The project applicant(s) of all project phases shall retain a qualified botanist to conduct preconstruction surveys to determine if valley needlegrass grassland is present on the SPA. This could be done concurrently with any special-status plant surveys conducted on site as special-status plant surveys are floristic in nature, i.e. require that all species encountered be identified, and require preparation of a plant community map. If valley needlegrass grassland is not found on the SPA, the botanist shall document the findings in a letter report to the City of Folsom, and no further mitigation shall be required. Valley needlegrass grassland was not found in any of the off-site project elements.</p> <p>If valley needlegrass grassland is found on the SPA, the location and extent of the community shall be mapped and the acreage of this community type, if any, that would be removed by project implementation shall be calculated. The project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> affecting valley needlegrass grassland shall consult with DFG and the City of Folsom to determine appropriate mitigation for removal of valley needlegrass grassland resulting from project implementation. Mitigation measures <del>may</del> <u>shall</u> include <u>one or more of the following components sufficient to achieve no net loss of valley needlegrass grassland acreage:</u> establishment of valley needlegrass grassland within project's open space areas currently characterized by annual grassland, establishment of valley needlegrass grassland off-site, or preservation and enhancement of existing valley needlegrass grassland either on or off the SPA. <u>The applicant(s) shall compensate for any loss of valley needlegrass grassland resulting from project implementation at a minimum 1:1 replacement ratio.</u></p> <p>Implementation: Project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development application affecting valley needlegrassland.</u></p> <p>Timing: Before approval of grading or improvement plans or any ground-disturbing activities, including grubbing or clearing, for any project phase.</p>		

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Mitigation		
<p>Enforcement:      1. California Department of Fish and Game,                             2. City of Folsom Community Development Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p><b>3A.3-5: Loss of Blue Oak Woodland and Individual Oak Trees.</b> Project implementation would result in the removal of 444 acres of blue oak woodland and thousands of individual oak trees meeting the criteria for protection under Folsom Municipal Code and the Sacramento County Tree Ordinance.</p> <p style="text-align: center;"><b>ON-SITE</b> NP: No mitigation measures required.</p> <p><b>PP, RHD: Mitigation Measure 3A.3-5: Conduct Tree Survey, Prepare and Implement an Oak Woodland Mitigation Plan, Replace Native Oak Trees Removed, and Implement Measures to Avoid and Minimize Indirect Impacts on Oak Trees Retained On Site.</b> <u>The project applicant(s) shall prepare an oak woodland mitigation and monitoring plan.</u> The project applicant(s) of all on- and off-site project phases containing oak woodland habitat or individual trees shall adhere to the requirements described below, which are consistent with those outlined in California Public Resources Code 21083.4.</p> <p><u>Pursuant to Sacramento County General Plan policy, the acreage of oak woodland habitat for determining impacts and mitigation requirements was calculated as the oak tree canopy area within stands of oak trees having greater than 10% cover plus a 30-foot-radius buffer measured from the outer edge of the tree canopy. Oak trees located in areas greater than 30 feet from stands meeting the greater than 10% tree canopy cover criterion were considered isolated trees and not part of the blue oak woodland community. Mitigation for impacts on isolated oak trees is discussed separately below.</u></p> <ul style="list-style-type: none"> <li>▶ <u>Preserve approximately 399 acres of existing oak woodland habitat in the SPA (this acreage is based on the extent of oak woodland habitat as determined from aerial photograph interpretation; however, following completion of ground verification by a qualified arborist, the actual amount of oak woodland present within impact areas could be slightly greater or lesser than the amount calculated from aerial photograph and, therefore, the amount preserved could also be slightly greater or lesser than 399 acres).</u></li> <li>▶ <u>Create 243 acres of oak woodland habitat in the SPA by planting a combination of blue oak acorns, seedlings, and trees in the following SPA locations:</u> <ul style="list-style-type: none"> <li>• <u>Non-wooded areas that are adjacent to or contiguous with the existing oak woodland habitat.</u></li> <li>• <u>Preserve and passive open space zones throughout the SPA.</u></li> <li>• <u>Open space areas that are adjacent to existing oak woodlands that will be impacted by project grading (i.e. catch slopes).</u></li> <li>• <u>Other practical locations within the SPA in or adjacent to open space.</u></li> </ul> </li> </ul> <p><b><u>Oak Woodlands Mitigation Planting Criteria</u></b> <u>The following oak woodland mitigation planting criteria shall be used to create oak woodland habitat:</u></p> <ul style="list-style-type: none"> <li>• <u>A minimum of 55 planting sites per acre (with a total of 70 units, as defined below) will mitigate for one acre of oak woodland impacts. A combination of</u></li> </ul>	<p>Land</p> <p style="text-align: center;"><b>ON-SITE</b> NP: LTS PP, RHD: direct &amp; indirect significant RIM, CD, NF: direct &amp; indirect significant</p> <p style="text-align: center;"><b>OFF-SITE</b> NCP, PP, RIM, CD, RHD: Direct &amp; indirect significant</p>	

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<p><u>acorns, seedlings, and various sizes of container trees (#1 container, #5 container, #15 container) or transplanted trees shall be incorporated into the planting design. Mitigation acreage that is planted solely with larger oak trees (no acorns) shall have a minimum of 35 planting sites per acre. The units are defined as follows:</u></p> <ul style="list-style-type: none"> <li>- <u>One established acorn equals one unit (acorns will be over planted to maximize potential germination).</u></li> <li>- <u>One oak seedling equals one unit.</u></li> <li>- <u>One #1 container oak tree equals two units.</u></li> <li>- <u>One #5 container oak tree equals three units.</u></li> <li>- <u>One #15 container oak tree equals four units.</u></li> <li>- <u>One 24-inch boxed oak tree equals six units.</u></li> <li>- <u>One transplanted oak tree equals four units per trunk diameter inch (dbh).</u></li> <li>- <u>Native non oak species characteristic of oak woodlands shall be included in the mitigation planting plan to augment overall habitat values. Each non oak tree species shall represent unit values described above for oak trees, but non oak species shall comprise no more than 10% of the mitigation plantings.</u></li> </ul> <p>▶ <u>Preserve and protect existing off-site oak woodland habitat. Existing, unprotected oak woodland habitat within Sacramento and El Dorado Counties may be secured and placed under conservation easement in lieu of onsite mitigation measures if necessary. The off-site locations would be managed as oak woodland habitat in perpetuity.</u></p> <p>▶ <u>Create oak woodlands off site. Plant a combination of blue oak acorns, seedlings, and trees at off-site location(s), if needed to achieve the creation goal of 243 acres of new blue oak woodland habitat. This measure would only be needed if 243 acres of blue oak woodland could not be created in the SPA. Off-site creation shall follow the same guidelines as outlined in the Mitigation Planting Criteria for on-site creation. Off-site tree planting shall occur at sites within Sacramento County that should naturally support blue oak woodland and shall be used to restore former blue oak woodland habitat that has been degraded or removed through human activities. Restoration shall be designed to result in species composition and densities similar to those in the SPA prior to project development. Planted areas shall be placed under conservation easement and managed as oak woodland habitat in perpetuity.</u></p> <p>▶ <u>The oak woodland mitigation plan prepared by the project applicant(s) shall include a maintenance and monitoring program for any replacement trees. The program shall include monitoring and reporting requirements, schedule, and success criteria. Replacement oak trees shall be maintained and monitored for a minimum of eight years from the date of planting and irrigation shall be provided to planted trees for the first five years after planting. Any replacement trees that die during the monitoring period shall be replaced. <del>The mitigation planting site must</del> <u>in sufficient numbers to achieve 80% survival rate for of planted trees by the end of the eight-year maintenance and monitoring period. or d</u> <del>Dead and dying trees shall be replaced and monitoring continued until 80% survivorship is achieved.</del> <u>Security acceptable to the City and sufficient to cover maintenance and monitoring costs for eight years shall be provided to the City Planning Department. The security will be forfeited if the project applicant or designated responsible party fails to provide maintenance and monitoring and meet the success criteria.</u></u></p> <p><b><u>Isolated Oak Tree Mitigation</u></b></p> <p><u>The project applicant(s) of all on-site project phases containing oak woodland habitat or individual isolated trees and the off-site Prairie City Road and Oak Avenue interchange improvements to U.S. 50; Rowberry Drive Overcrossing; and the underground sewer force main shall develop a map depicting the tree canopy</u></p>		

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<p>of all oak <del>woodlands</del> trees in the survey area and identifying the acreage of tree canopy that would be preserved and the acreage that would be removed. <del>If a tree survey containing this information has already been performed and documented for the construction area, a new tree survey shall not be necessary.</del> A tree permit for removal of <u>isolated oak trees (those not located within the delineated boundary of oak woodland habitat)</u> shall be obtained from the City Planning Director. As a condition of the tree removal permit, project applicant(s) shall be required to develop a Planting and Maintenance Agreement. The City’s Tree Preservation Code requires compensatory mitigation and the City and the project applicants have developed a <del>tree mitigation and preservation plan. The City’s Tree Preservation Code requires compensatory mitigation involving one or more of the following elements for removal of protected trees, as set forth Section 10 of the Folsom Plan Area Specific Plan (attached to this EIR/EIS as Appendix N) specifically to avoid and minimize adverse effects on individual</del> <u>isolated oak trees from project development and to provide compensatory mitigation for removal of protected trees in the SPA. In addition to the language contained in the Folsom Plan Area Specific Plan, the following elements shall be included in a protected tree mitigation plan to be developed by the project applicants and agreed upon by the City:</u></p> <ul style="list-style-type: none"> <li>▶ <u>Project applicant(s) of projects containing isolated oak trees shall retain a certified arborist or registered professional forester to perform a determinate survey of tree species, size (dbh), condition, and location for all areas of the project site proposed for tree removal and encroachment of development. The condition of individual trees shall be assessed according to the American Society of Consulting Arborists rating system with the following added explanations:</u> <ul style="list-style-type: none"> <li>• <u>5 = Excellent; No problems – tree has no structural problems, branches are properly spaced and tree characteristics are nearly perfect for the species.</u></li> <li>• <u>4 = Good; No apparent problems – tree is in good condition and no apparent problems from visual inspection. If potential structural or health problems are tended at this stage, future hazard can be reduced and more serious health problems can be averted.</u></li> <li>• <u>3 = Fair; Minor problems – There are some minor structural or health problems that pose no immediate danger. When the recommended actions in an arborist report are completed correctly the defect(s) can be minimized or eliminated.</u></li> <li>• <u>2 = Poor; Major problems – the tree is in poor condition, but the condition could be improved with correct arboricultural work including, but not limited to: pruning, cabling, bracing, bolting, guying, spraying, mistletoe removal, vertical mulching, and fertilization. If the recommended actions are completed correctly, hazard can be reduced and the rating can be elevated to a 3. If no action is taken the tree is considered a liability and should be removed.</u></li> <li>• <u>1 = Hazardous or non correctable condition – the tree is in extremely poor condition and in non-reversible decline. This rating is assigned to a tree that has structural and/or health problems that no amount of tree care work or effort can change. The issues may or may not be considered a dangerous situation. The tree may also be infested with a disease or pest(s) that is non-controllable at this time and is causing an unacceptable risk of spreading the disease or pests(s) to other trees.</u></li> <li>• <u>0 = Dead – the tree has no significant signs of life (dead or very close to being dead).</u></li> </ul> </li> </ul> <p><b><u>Isolated Oak Tree Mitigation Planting Criteria</u></b></p> <ul style="list-style-type: none"> <li>▶ <u>The determination for whether an individual isolated tree shall be preserved, removed without compensation, or removed with compensatory mitigation shall be based on the condition and size of the tree as follows:</u> <ul style="list-style-type: none"> <li>• <u>Trees rated 0 or 1 may be removed with no mitigation.</u></li> <li>• <u>Trees rated 2 may be removed at 50% of the normal Folsom Municipal Code mitigation.</u></li> <li>• <u>Trees rated 3, 4, and/or 5 may be removed at the normal Folsom Municipal Code mitigation.</u></li> </ul> </li> </ul>		

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<ul style="list-style-type: none"> <li>• <u>Native isolated oaks measuring 24 inches or greater dbh for a single trunk or 40 inches or more for a multi-trunked tree and rated a 4 or 3 to 5 shall be retained. Trees of this size but having a rating of 2 or 3 shall not be removed or mitigated, unless retaining wall(s) higher than 4 feet tall (from bottom of footing to the top of the wall) would be required to protect the tree(s) from mass grading of the SPA properties.</u></li> <li>• <u>Native oaks measuring between 12 and 24 inches dbh and rated a 4 or 5 shall not be removed or mitigated unless wall(s) would need to be built that are higher than 4 feet tall (from bottom of footing to the top of the wall) would be required to protect the tree(s) from mass grading of the SPA properties. Trees in this size class but rated 2 or 3 shall not be removed unless unreasonable costs to save the tree(s) (greater than the normal Folsom Municipal Code mitigation cost of implementing the isolated oak tree mitigation planting criteria described here) would result.</u></li> <li>• <u>Native oaks measuring 5 inches or greater dbh but less than 12 inches dbh shall not be removed unless unreasonable costs to save the tree(s) (greater than the normal Folsom Municipal Code mitigation cost of implementing the isolated oak tree mitigation planting criteria described here) would result.</u></li> <li>• <u>Native oak trees measuring 1 inch or greater dbh but less than 5 inches dbh may be preserved to receive a Small Tree Preservation Credit (STPC). Any tree that is to be considered for preservation credit shall be evaluated, included in the arborist report, and shall have been found to be rated a 3, 4, or a 5. Credits shall only be accepted if the tree protection zone (TPZ) (i.e., the outer edge of the tree canopy drip line) is protected with fencing in the exact manner that 5 inches dbh and greater trees are protected on a construction site, and the spacing is equal to the proper tree spacing dictated by the Folsom Master Tree List. STPC shall not count if they the tree is in a poor growing space due to its position within the TPZ of another protected tree to be preserved. The City shall accept the preservation of native oak trees in this size class as credit towards the total removed inches based on the following STPC criteria:</u> <table border="1" style="margin-left: 20px; margin-top: 10px; border-collapse: collapse; width: 60%;"> <thead> <tr> <th style="text-align: center;"><u>Caliper of Tree Preserved</u></th> <th style="text-align: center;"><u>Mitigation Tree Credit Equivalent</u></th> </tr> </thead> <tbody> <tr> <td><u>1 inch or greater, but less than 2 inches</u></td> <td><u>One #15 container tree or two #5 container trees</u></td> </tr> <tr> <td><u>2 inches or greater, but less than 3 inches</u></td> <td><u>Two #15 container trees</u></td> </tr> <tr> <td><u>3 inches or greater, but less than 4 inches</u></td> <td><u>Three #15 container trees</u></td> </tr> <tr> <td><u>4 inches or greater, but less than 5 inches</u></td> <td><u>Four #15 container trees</u></td> </tr> </tbody> </table> </li> </ul>			<u>Caliper of Tree Preserved</u>	<u>Mitigation Tree Credit Equivalent</u>	<u>1 inch or greater, but less than 2 inches</u>	<u>One #15 container tree or two #5 container trees</u>	<u>2 inches or greater, but less than 3 inches</u>	<u>Two #15 container trees</u>	<u>3 inches or greater, but less than 4 inches</u>	<u>Three #15 container trees</u>	<u>4 inches or greater, but less than 5 inches</u>	<u>Four #15 container trees</u>
<u>Caliper of Tree Preserved</u>	<u>Mitigation Tree Credit Equivalent</u>											
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<u>3 inches or greater, but less than 4 inches</u>	<u>Three #15 container trees</u>											
<u>4 inches or greater, but less than 5 inches</u>	<u>Four #15 container trees</u>											
<ul style="list-style-type: none"> <li>▶ <u>Folsom Municipal Code requires one of the following be planted as compensation for each diameter inch of protected tree removed:</u> <ul style="list-style-type: none"> <li>• <u>half of a 24-inch box tree;</u></li> <li>• <u>one #15 container tree;</u></li> <li>• <u>two #5 container trees; or</u></li> <li>• <u>\$150 in-lieu payment or other fee set by City Council Resolution.</u></li> </ul> </li> <li>▶ <u>The Planting and Maintenance Agreement shall include a planting plan, planting and irrigation design details, and a weaning schedule for the establishment period. The plan shall include a 5-year establishment period for trees and 8 years for planted acorns with an annual monitoring report that includes corrections needed with proposed work plan, and notice of compliance within 90-days of annual monitoring report. Security in a form acceptable to the City and sufficient to cover maintenance and monitoring costs for eight years shall be provided to the City Planning Department. The security will be forfeited if the project applicant or designated responsible party fails to fulfill the Planting and Maintenance Agreement.</u></li> </ul>												

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Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<ul style="list-style-type: none"> <li>• <del>payment of in lieu mitigation fees on an inch for diameter inch basis, as determined by the City Council based on the Tree Preservation Code, for purchase, planting, and maintenance of replacement trees and mitigation sites;</del></li> <li>• <del>land dedication for tree planting at a ratio of 0.004 acre of land for every 1 inch of tree dbh removed with a minimum dedication of 5 acres of land unless the dedicated land is contiguous with an existing or planned open space area; or</del></li> <li>• <del>tree planting at ratios based on the dbh of trees removed as specified in the City's Tree Preservation Code (City of Folsom 2009). (For example, the City's established tree replacement ratios require that eight 15-gallon native oak trees be planted for every protected tree removed measuring 6 to 10 inches dbh and that 15 15-gallon native oak trees be planted for every protected tree removed measuring 10 to 15 inches dbh);</del></li> <li>• <del>preservation of existing, sustainable oak stands comparable in dbh sizes and species composition to the protected trees removed.</del></li> </ul> <p>▶ To avoid and minimize indirect impacts on protected trees to remain on the SPA, the project applicant(s) of all affected project phases shall install high visibility fencing outside the outer edge of the drip lines of all trees to be retained on the SPA during project construction. The fencing may be installed around groups or stands of trees or whole wooded areas but must be installed so that the drip lines of all trees are protected. Grading, trenching, equipment or materials storage, parking, paving, irrigation, and landscaping shall be prohibited within the fenced areas (i.e. drip lines of protected trees). If the activities listed cannot be avoided within the drip line of a particular tree, that tree shall be counted as an affected tree and compensatory mitigation shall be provided, or the tree in question shall be monitored for a period of five years and replaced only if the tree appears to be dead or dying within five years of project implementation.</p> <p>▶ The project applicant(s) of project phases affecting oak woodland habitat shall retain a qualified restoration ecologist to develop an oak woodland mitigation plan to compensate for the loss of blue oak woodland habitat on the SPA. The plan shall incorporate tree mitigation and preservation measures satisfactory to compensate for the loss of individual trees protected under City Municipal Code, as discussed above, and to replace the acreage and function and values of the blue oak woodland habitat that would be lost on the SPA. The oak woodland mitigation plan shall be developed in consultation with the Sacramento County Planning Department, City of Folsom, and DFG. The plan shall be consistent with the California Oaks Foundation Oak Woodland Mitigation Program (California Oaks Foundation Undated PDF), which is based on a template developed by Tuolumne County, and shall include one or more of the following options, as required by California Public Resources Code 21083.4:</p> <ul style="list-style-type: none"> <li>• <del>Conservation easement and land dedication — protect existing blue oak woodland habitat having similar tree sizes and densities, species composition, site condition, and landscape context to the blue oak woodland to be removed. Oak woodland preservation shall be at an off-site location protected through a conservation easement or fee title dedication to a conservation group approved by DFG and Sacramento County and shall be at a ratio satisfactory to compensate for the loss of acreage and habitat function and value at the SPA.</del></li> <li>• <del>In lieu fee — contribution to the California Wildlife Conservation Board's Oak Woodlands Conservation Fund, or other mitigation fund established by the County, at a rate of 1 x acreage of affected oak woodland x current land value at time of impact.</del></li> <li>• <del>Planting replacement trees — tree planting and maintenance at an off-site location to be preserved through conservation easement or fee title dedication may be used to mitigate up to 50% of the blue oak woodland impact.</del></li> </ul> <p>▶ <del>Tree planting conducted by the project applicant(s) shall occur at a site within Sacramento County that should naturally support blue oak woodland and shall be used to restore former blue oak woodland habitat that has been degraded or removed through human activities. Restoration shall be designed to result in</del></p>		

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>species composition and densities similar to those on the SPA prior to project development.</p> <p>► The oak woodland mitigation plan prepared by the project applicant(s) shall include a maintenance and monitoring program for any replacement trees. The program shall include monitoring and reporting requirements, schedule, and success criteria. Replacement oak trees shall be maintained and monitored for a minimum of seven years from the date of planting and irrigation shall be provided to planted trees for the first five years after planting. Any replacement trees that die during the monitoring period shall be replaced. The mitigation planting site must achieve 80% survival of planted trees by the end of the seven year maintenance and monitoring period or dead and dying trees shall be replaced and monitoring continued until 80% survivorship is achieved. A security bond sufficient to cover maintenance and monitoring costs for seven years shall be provided to the County Planning Department. The security bond will be forfeited if the project applicant or designated responsible party fails to provide maintenance and monitoring and meet the success criteria.</p> <p>The project applicants' currently proposed mitigation for impacts on oak trees within the backbone infrastructure components of the SPA and the Oak Avenue/U.S. 50 Interchange is to preserve oak tree canopy area at a ratio of 1.5 to 1 (acres of tree canopy preserved to acres of tree canopy preserved within the proposed open space areas of the SPA).</p> <p><u>Through a combination of the mitigation options presented above along with the proposed on-site preservation of blue oak woodland habitat in the open space areas, the project applicant(s) can satisfy the mitigation requirements for removal of trees protected under the Folsom Municipal Code while also mitigating the impacts on oak woodland habitat, as determined through consultation with the Sacramento County Planning Department (for County off-site impacts only) and/or the City of Folsom.</u></p> <p>Mitigation for the U.S. 50 interchange improvements must be coordinated by the project applicant(s) of each applicable project phase with Caltrans.</p> <p>Implementation: Project applicant(s) of all project phases and off-site elements affecting blue oak woodland and protected trees.</p> <p>Timing: Before approval of grading or improvement plans or any ground disturbing activities, including grubbing or clearing, for any project phase containing protected trees or oak woodland.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. California Department of Fish and Game,</li> <li>2. City of Folsom Community Development Department.</li> <li>3. Caltrans for interchange improvements to U.S. 50.</li> </ol> </p> <p><b>RIM, CD, NF:</b> Implement Mitigation Measure 3.33A.3-5.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>Mitigation Measure:</b> Implement Mitigation Measure 3A.3-5.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.3-6: Potential Interference with Wildlife Movement.</b> Project implementation could interfere with the movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors.</p> <p style="text-align: center;"><b>ON-SITE</b> NP: No mitigation measures required. NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p style="text-align: center;"><b>OFF-SITE</b> No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b> NP: no direct or indirect, LTS NCP, PP, RIM, CD, RHD: no direct or indirect, LTS</p> <p style="text-align: center;"><b>OFF-SITE</b> NCP, PP, RIM, CD, RHD: Direct &amp; LTS, no indirect significant</p>
<p><b>3A.3-7: Conflict with an Adopted Habitat Conservation Plan.</b> Project implementation would not result in conflicts with the goals of an adopted Habitat Conservation Plan.</p> <p>NP, NCP, PP, RIM, CD, RHD: No mitigation measures required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p>NP, NCP, PP, RIM, CD, RHD: no direct or indirect</p>
<b>3B.3 BIOLOGICAL RESOURCES- WATER</b>		
<p><b>3B.3-1 Loss and Degradation of Waters of the U.S., including Wetlands, and Waters of the State.</b> Construction of the Off-site Water Facility Alternatives has the potential to result in substantial adverse effects to Federally and state-protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to vernal pools and seasonal wetlands) through direct fill or excavation, hydrological interruption, or other indirect impacts. Wetlands, waters of the state, and other waters of the U.S. that would be affected by implementation of the Off-site Water Facility Alternatives include seeps, vernal pools, seasonal wetlands and seasonal wetland swales, drainage channels, ditches, and ponds.</p> <p>NCP: Implement Mitigation Measure 3B.3-1b and 3A.3-1a. <b>PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.3-1a: Secure Clean Water Act Section 404 Permit and Implement All Permit Conditions; Ensure No Net Loss of Functions of Wetlands, Other Waters of the U.S., and Waters of the State.</b> Before the approval of grading and improvement plans and before any groundbreaking activity associated with the Off-site Water Facilities requiring fill of wetlands or other waters of the U.S. or waters of the state, the City</p>	Water	<p>NCP: no direct &amp; indirect PS PA: PS (Construction Effects w/in Zone 4), direct &amp; indirect LTS (Operational Effects w/in Zones 1, 2, 3, &amp; 4) <b>1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: direct &amp; indirect PS</b></p>

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<p>shall obtain all necessary permits under Sections 401 and 404 of the CWA or the state’s Porter-Cologne Water Quality Control Act for the respective phase. For each respective Off-site Water Facility component, all permits, regulatory approvals, and permit conditions for effects on wetland habitats shall be secured before implementation of any grading activities within 250 feet of waters of the U.S. or wetland habitats, including waters of the state, that potentially support Federally listed species. The City shall commit to replace, restore, or enhance on a “no net loss” basis (in accordance with USACE and the Central Valley RWQCB) the acreage of all wetlands and other waters of the U.S. that would be removed, lost, and/or degraded with implementation of project plans for that phase. Wetland habitat shall be restored, enhanced, and/or replaced at an acreage and location and by methods agreeable to USACE, the Central Valley RWQCB, and the City, as appropriate, depending on agency jurisdiction, and as determined during the Section 401 and Section 404 permitting processes.</p> <p>As part of the Section 404 permitting process, a draft wetland mitigation and monitoring plan (MMP) shall be developed for the selected Off-site Water Facility Alternative on behalf of the City. Before any ground-disturbing activities that would adversely affect wetlands and before engaging in mitigation activities associated with each phase of development, the City shall submit the draft wetland MMP to USACE and the Central Valley RWQCB for review and approval of those portions of the plan over which they have jurisdiction. The MMP would have to be approved prior to issuance of a Section 404 permit. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of mitigation, or human intervention (including recontouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer.</p> <p>As part of the MMP, the City shall prepare and submit plans for the creation of aquatic habitat in order to adequately offset and replace the aquatic functions and services that would be lost, account for the temporal loss of habitat, and contain an adequate margin of safety to reflect anticipated success. Restoration of previously altered and degraded wetlands shall be a priority of the MMP for offsetting losses of aquatic functions on the project site because it is typically easier to achieve functional success in restored wetlands than in those created from uplands. The MMP must demonstrate how the aquatic functions and values that would be lost through project implementation will be replaced.</p> <p>The habitat MMP for jurisdictional wetland features shall be consistent with USACE’s and EPA’s April 10, 2008 Final Rule for Compensatory Mitigation for Losses of Aquatic Resources (33 CFR Parts 325 and 332 and 40 CFR Part 230). According to the Final Rule, mitigation banks should be given preference over other types of mitigation because a lot of the risk and uncertainty regarding mitigation success is alleviated by the fact that mitigation bank wetlands must be established and demonstrating functionality before credits can be sold. This also alleviates temporal losses of wetland function while compensatory wetlands are being established. Mitigation banks also tend to be on larger, more ecologically valuable parcels and are subjected to more rigorous scientific study and planning and implementation procedures than typical permittee-responsible mitigation sites (USACE and EPA 2008). It is not likely feasible to provide compensatory mitigation for all aquatic resource impacts on site. Therefore, a combination of on-site and off-site permittee-responsible mitigation and mitigation banking would likely be necessary to achieve the no-net-loss standard.</p> <p>Compensatory mitigation for losses of stream and intermittent drainage channels shall be achieved through in-kind preservation, restoration, or enhancement, as specified in the Final Rule guidelines. The wetland MMP shall address how to mitigate impacts on all aquatic resource types and shall describe specific method(s) to be implemented to avoid and/or mitigate any Off-site Water Facility-related impacts. The wetland compensation section of the habitat MMP shall include all the contents identified in Mitigation Measure 3A.3-1A.</p> <p>USACE has determined that the Off-site Water Facilities may require an individual permit. In its final stage and once approved by USACE, the MMP for the Off-site Water Facilities is expected to detail proposed wetland restoration, enhancement, and/or replacement activities that would ensure no net loss of aquatic functions in the project vicinity. Approval and implementation of the wetland MMP shall aim to fully mitigate all unavoidable impacts on jurisdictional waters of</p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
	<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>		
<b>Mitigation</b>					
<p>the U.S., including jurisdictional wetlands. To satisfy the requirements of the City and the Central Valley RWQCB, mitigation of impacts on the non-jurisdictional wetlands beyond the jurisdiction of USACE shall be included in the same MMP. All mitigation requirements determined through this process shall be implemented before grading plans are approved. The MMP shall be submitted to USACE and approved prior to the issuance of any permits under Section 404 of the CWA.</p> <p>Water quality certification pursuant to Section 401 of the CWA will be required before issuance of the Section 404 permit. Before construction in any areas containing wetland features, the City shall obtain water quality certification for the Off-site Water Facilities. Any measures required as part of the issuance of water quality certification shall be implemented.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Before the approval of grading or improvement plans or any ground-disturbing activities for all the Off-site Water Facilities containing wetland features or other waters of the U.S. The MMP must be approved before any impact on wetlands can occur. Mitigation shall be implemented on an ongoing basis throughout and after construction, as required.</p> <p>Enforcement: 1. U.S. Army Corps of Engineers, Regional Water Quality Control Board, California Department of Fish and Game.</p> <p><b>Mitigation Measure 3B.3-1b: Maximum Use of Trenchless Technology for Conveyance Pipeline Design.</b> Following the selection of a Off-site Water Facility Alternative, the City shall design and route the water conveyance pipeline to avoid waters of the U.S and State, including wetlands and vernal pools, to the maximize extent practical. Where avoidance is not practical, the City shall maximize the use of trenchless technologies (micro-tunneling or jack-and-bore), where feasible.</p> <p>All trenchless construction crossings will include the preparation of a Frac-Out (or inadvertent return of drilling lubricants) Contingency Plan for tunneling activities that use drilling lubricants (e.g., construction of pipelines using jack-and-bore methods). The purpose of the plan will be to minimize the potential for a frac-out associated with tunneling activities, provide for the timely detection of frac-outs, and ensure an organized, timely, and “minimum-impact” response in the event of a frac-out and release of drilling lubricant (i.e., bentonite). Preparation and implementation of a Frac-Out Contingency Plan will be reflected in contract documents.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-Site Water Facilities</p> <p>Enforcement: 1. U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Regional Water Quality Control Board, California Department of Fish and Game.</p> <p><b>Mitigation Measure 3B.3-1c: Restore All Waters Impacted by Trenching and Temporary Construction Staging Areas to Pre-Project Contours and Conditions.</b> For all water line crossings of waters of the U.S. or State in which the use of trenchless technologies are not feasible, the City shall ensure that all waters impacted by trenching activities are restored to pre-project contours and conditions. In addition, within 30 days following project construction, the City shall ensure that all temporary construction staging areas within waters of the U.S. or State are restored to pre-project contours and conditions.</p> <p>At minimum, the City shall ensure that the following measures are implemented during construction:</p> <ul style="list-style-type: none"> <li>▶ Conduct trenching and construction activities across drainages during low-flow (e.g., &lt;1 to 2 cfs) or dry periods as feasible;</li> <li>▶ If working in active channels, install cofferdam upstream and downstream of stream crossing to separate construction area from flowing waterway;</li> </ul>					

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Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<ul style="list-style-type: none"> <li>▶ Place sediment curtains upstream and downstream of the construction zone to prevent sediment disturbed during trenching activities from being transported and deposited outside of the construction zone;</li> <li>▶ Locate spoil sites such that they do not drain directly into the drainages or seasonal wetlands;</li> <li>▶ Store equipment and materials away from the drainages and wetland areas. No debris will be deposited within 250 feet of the drainages and wetland areas;</li> <li>▶ Prepare and implement a revegetation plan to restore vegetation in all temporarily disturbed wetlands and other waters using native species seed mixes and container plant material that are appropriate for existing hydrological conditions.</li> </ul> <p>Before the approval of grading and improvement plans and before any groundbreaking activity associated with the Off-site Water Facilities requiring fill of wetlands or other waters of the U.S. or waters of the state, the City shall submit a wetland mitigation and monitoring plan (MMP) for the restoration of these waters within the selected water alignment to the USACE and Central Valley RWQCB for review and approval of those portions of the plan over which they have jurisdiction. The MMP would have to be approved prior to issuance of a Section 404 permit. Once the final MMP is approved and implemented, mitigation monitoring shall continue for a minimum of 5 years from completion of restoration activities, or human intervention (including recontouring and grading), or until the performance standards identified in the approved MMP have been met, whichever is longer.</p> <p>At minimum, the MMP shall provide the following information:</p> <ul style="list-style-type: none"> <li>▶ A description and drawings showing the existing contours (elevation) and existing vegetation of the waters of the U.S. and State that would be impacted through trenching activities. This information shall include site photographs taken at each impacted water.</li> <li>▶ Methods used to ensure that trenching within waters of the U.S. and State do not adversely alter existing hydrology, including the draining of the waters (e.g., use of cut-off walls).</li> <li>▶ The methods used to restore the site to the original contour and condition, as well as a plan for the revegetation of the site following installation of the water line.</li> <li>▶ Proposed schedule for restoration activities</li> </ul> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Before the approval of grading or improvement plans or any ground-disturbing activities for all the Off-site Water Facilities containing wetland features or other waters of the U.S.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Regional Water Quality Control Board, California Department of Fish and Game.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> <p><b>Mitigation Measure:</b> Implement Mitigation Measure 3A.3-1a.</p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
	<b>Impact Lan d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
Implementation:	City of Folsom Utilities Department	
Timing:	Prior to and during construction of all Off-Site Water Facilities	
Enforcement:	<ol style="list-style-type: none"> <li>1. U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Regional Water Quality Control Board, California Department of Fish and Game.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol>	
<i>Significance after Mitigation: less than significant</i>		
<p><b>3B.3-2: Loss and Degradation of Habitat for Special-Status Wildlife Species and Potential Direct Take of Individuals.</b> The Off-site Water Facility Alternatives have the potential to result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status by DFG, NMFS, and USFWS. Impacts could include loss and degradation of habitat for several special-status wildlife species or take of listed species, including vernal pool invertebrates, valley elderberry longhorn beetle, and Swainson’s hawk.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: Mitigation Measure 3B.3-2: Conduct Preconstruction Survey for Western Spadefoot Toad and Northwestern Pond Turtle and if Found, Implement Avoidance and Compensation Measures.</b> Prior to construction, a qualified biologist retained by the City shall conduct protocol-level surveys for the western spadefoot toad and northwestern pond turtle to determine if these species are currently using water features crossed by the selected alignment. If either of these species is detected, then the City shall consult with the DFG (and USFWS if appropriate) to develop additional minimization measures prior to project construction (if necessary). These additional measures may include timing restrictions for groundwater dewatering activities, construction monitoring, and long-term monitoring.</p> <p>If temporary fencing is used, it shall take the form of silt fencing and temporary plastic construction fencing placed no closer than 25 feet from the edge of the protected habitat. Protective fencing around vernal pools identified as potential habitat for special-status species shall be constructed in a way that allows western spadefoot toad to access these wetlands.</p> <p>Impacted western spadefoot toad habitat shall be mitigated and compensated in accordance with USFWS and DFG requirements.</p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A:</b> direct &amp; indirect PS (<i>Western Spadefoot Toad &amp; Northwestern Pond Turtle, Swainson’s Hawk and Other Raptors, Special-status Bats</i>), significant direct &amp; indirect (<i>Vernal Pool Fairy Shrimp &amp; Vernal Pool Tadpole, Valley Elderberry Longhorn Beetle</i>), direct &amp; indirect LTS (<i>Other Special-status Species, Operational Effects</i>)</p>
Implementation:	City of Folsom Utilities Department	
Timing:	Prior to and during construction of all Off-site Water Facilities	
Enforcement:	<ol style="list-style-type: none"> <li>1. U.S. Fish and Wildlife Service, California Department of Fish and Game.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development</li> </ol>	

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>			
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<b>Mitigation</b>			
<p>Department.</p> <p>3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p><b>Mitigation Measure:</b> Implement Mitigation Measures 3B.3-1a, 3B.3-1b, 3A.3-1b, 3A.3-2a, 3A.3-2b, 3A.3-2c, 3A.3-2d, 3A.3-2e, 3A.3-2f, 3A.3-2g, and 3A.3-2h.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-site Water Facilities</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. U.S. Fish and Wildlife Service, California Department of Fish and Game.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> <p><i>Significance after Mitigation: less than significant</i></p>			
<p><b>3B.3-3: Potential Loss or Degradation of Special-Status Plant Populations and Habitat.</b> Implementation of the Off-site Water Facility Alternatives could result in direct removal of special-status plants, if they are present, through loss of suitable habitat or degradation of suitable habitat due to site alteration.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: Implement Mitigation Measure 3A.3-3: Conduct Special-Status Plant Surveys; Implement Avoidance and Mitigation Measures or Compensatory Mitigation.</b></p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-site Water Facilities</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. U.S. Fish and Wildlife Service and California Department of Fish and Game.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct &amp; indirect PS</b></p>	

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3B.3-4: Loss of Sensitive Natural Communities (Not Already Covered under Other Impacts).</b> Construction and operation of the Off-site Water Facility Alternatives has the potential to have a substantial adverse effect on local riparian and woodland habitats. These are natural communities considered sensitive by state and local resource agencies and require consideration under CEQA.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measures 3B.3-1a, 3B.3-1b, 3A.3-1b, and 3A.3-4a.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-site Water Facilities</p> <p>Enforcement: 1. California Department of Fish and Game and Regional Water Quality Control Board.</p> <p><b>2B:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4, &amp; 4A:</b> direct &amp; indirect PS (construction), <b>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4, &amp; 4A:</b> direct &amp; indirect LTS (sensitive communities from long-term operation of the Off-site Water Facilities) <b>2B:</b> direct &amp; indirect LTS</p>
<p><b>3B.3-5: Loss of Individual Oak Trees.</b> Implementation of the Off-site Water Facility Alternatives could result in the removal of oak woodland and individual oak trees meeting the criteria for protection under Folsom Municipal Code and the Sacramento County Tree Ordinance.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4, &amp; 4A: Implement Mitigation Measure 3A.3-5: Conduct Tree Survey, Prepare and Implement an Oak Woodland Mitigation Plan, Replace Native Oak Trees Removed, and Implement Measures to Avoid and Minimize Indirect Impacts on Oak Trees Retained On-site.</b></p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-site Water Facilities</p> <p>Enforcement: 1. U.S. Fish and Wildlife Service, California Department of Fish and Game. 2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 3. For improvements within Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p><b>2B:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4, &amp; 4A:</b> direct &amp; indirect PS <b>2B:</b> direct &amp; indirect LTS</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3B.5-6: Potential Interference with Wildlife or Fisheries Movement.</b> Construction and operation of the Off-site Water Facility Alternatives has the potential to interfere substantially with the movement of native resident or migratory fish or within established native resident or migratory wildlife corridors.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A:</b> direct & indirect LTS
<p><b>3B.5-7: Potential Conflict with Habitat Conservation Plans.</b> Construction of the Off-site Water Facilities has the potential to conflict with the provisions of an adopted Habitat Conservation Plan or Natural Community Conservation Plan.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A:</b> no impacts
<b>3A.4 CLIMATE CHANGE – LAND</b>		
<p><b>3A.4-1: Generation of Temporary, Short-Term Construction-Related GHG Emissions.</b> Project-related construction activities associated with development of the project and off-site elements would result in increased generation of GHG emissions. These emissions would be temporary and short-term and would decline over time as new regulations are developed that address medium- and heavy-duty on-road vehicles and off-road equipment under the mandate of AB 32.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measures 3A.2-1a and 3A.2-1b.</p> <p><b>Mitigation Measure 3A.4-1: Implement Additional Measures to Control Construction-Generated GHG Emissions.</b></p> <p>To further reduce construction-generated GHG emissions, the project applicant(s) of all project phases <u>any particular discretionary development application</u> 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</p>	Land	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> LTS</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> significant cumulative</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> LTS (<i>Detention Basin and Sewer Force Main Connection</i>) Significant cumulative (<i>Prairie City Road Interchange, Rowberry Drive Overcrossing, Oak Avenue Interchange, and Roadway Extensions</i>)</p>

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Summary of Impacts and Mitigation Measures**

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<b>Mitigation</b>		
<p>measures may pertain to the materials used in construction. Prior to releasing each request for bid to contractors for the construction of each <u>discretionary development phase entitlement</u>, 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 <u>discretionary development phase application</u> may submit to <u>the City and SMAQMD</u> 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 <u>the City, in consultation with SMAQMD</u> prior to the release of a request for bid by the project applicant(s) for seeking a primary contractor to manage the construction of each development <u>phase project</u>. By requiring that the list of feasible measures be established prior to the selection of a primary contractor, this measure requires that the ability of a contractor to effectively implement the selected GHG reduction measures be inherent to the selection process.</p> <p>SMAQMD’s recommended measures for reducing construction-related GHG emissions at the time of writing this EIR/EIS are listed below and the project applicant(s) shall, at a minimum, be required to implement the following:</p> <ul style="list-style-type: none"> <li>▶ Improve fuel efficiency from construction equipment: <ul style="list-style-type: none"> <li>• reduce unnecessary idling (modify work practices, install auxiliary power for driver comfort);</li> <li>• perform equipment maintenance (inspections, detect failures early, corrections);</li> <li>• train equipment operators in proper use of equipment;</li> <li>• use the proper size of equipment for the job; and</li> <li>• use equipment with new technologies (repowered engines, electric drive trains).</li> </ul> </li> <li>▶ Use alternative fuels for electricity generators and welders at construction sites such as propane or solar, or use electrical power.</li> <li>▶ Use an ARB-approved low-carbon fuel, such as biodiesel or renewable diesel for construction equipment. (Emissions of oxides of nitrogen [NO<sub>x</sub>] 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).</li> <li>▶ Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes.</li> <li>▶ 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.</li> <li>▶ Recycle or salvage non-hazardous construction and demolition debris (goal of at least 75% by weight).</li> <li>▶ 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).</li> <li>▶ Minimize the amount of concrete used for paved surfaces or use a low carbon concrete option.</li> <li>▶ Produce concrete on-site if determined to be less emissive than transporting ready mix.</li> <li>▶ Use EPA-certified SmartWay trucks for deliveries and equipment transport. Additional information about the SmartWay Transport Partnership Program is</li> </ul>		

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<b>Mitigation</b>		
<p>available from ARB’s Heavy-Duty Vehicle Greenhouse Gas Measure (ARB 2009c) and EPA (EPA 2009).</p> <p>► Develop a <del>SMAQMD approved</del> <u>plan in consultation with SMAQMD</u> to efficiently use water for adequate dust control. This may consist of the use of non-potable water from a local source.</p> <p>In addition to SMAQMD-recommended measures, construction activity shall comply with all applicable rules and regulations established by SMAQMD and ARB.</p> <p>Implementation: Project applicant(s) during all <u>discretionary development</u> project phases and on-site and off-site elements.</p> <p>Timing: Before approval of <u>small-lot</u> final maps and building permits for all <u>discretionary development</u> project phases, including all on- and off-site elements and implementation throughout project construction.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For all on- and off-site project-related activities within the City of Folsom and Sacramento County.</li> <li>3. For the two roadway extensions into El Dorado Hills: El Dorado County Development Services Department.</li> </ol> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>Mitigation Measure:</b> No mitigation measures are required. (<i>Detention Basin and Sewer Force Main Connection</i>)</p> <p><b>Mitigation Measure:</b> Implement Mitigation Measures 3A.2-1a, 3A.2-1b, and 3A.4-1. (<i>Prairie City Road Interchange, Rowberry Drive Overcrossing, Oak Avenue Interchange, and Roadway Extensions</i>)</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.4-2: Generation of Long-Term Operational GHG Emissions.</b> Operation of the project over the long term would result in increased generation of GHGs, which would contribute considerably to cumulative GHG emissions.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures required.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measure 3A.2-2.</p> <p><b>Mitigation Measure 3A.4-2a: Implement Additional Measures to Reduce Operational GHG Emissions.</b> For each increment of new development within the SPA project site requiring a discretionary approval (e.g., <u>proposed</u> tentative subdivision map, conditional use permit, <del>improvement plan</del>), the City shall impose mitigation measures that reduce GHG emissions to the extent feasible and to the extent appropriate with respect to the state’s progress at the time toward meeting</p>	<p>Land</p>	<p><b>ON-SITE</b></p> <p><b>NP:</b> LTS</p> <p><b>ON-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> significant cumulative</p> <p><b>OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> LTS</p>

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Mitigation		
<p><del>GHG emissions reductions 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 construction and operation of each phase of development, including supporting roadway and infrastructure improvements that are part of the selected action alternative, will be reduced by 30% from business as usual 2006 emissions and as required by the California Global Warming Solutions Act of 2006 (AB 32) an amount sufficient to achieve the 2020-based threshold of significance of 4.36 CO<sub>2</sub>e/SP/year for development that would become operational on or before the year 2020, and the 2030-based threshold of significance of 2.86 CO<sub>2</sub>e/SP/year for development that would become operational on or before the year 2030.</del></p> <p><del>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).</del></p> <p><del>The City shall require feasible reduction measures that, in combination with existing and future regulatory measures developed under AB 32, will reduce GHG emissions associated with the operation of future project development phases and supporting roadway and infrastructure improvements that are part of the selected action alternative by an amount sufficient to achieve the 2020-based goal of 4.36 CO<sub>2</sub>e/SP/year for development that would become operational on or before the year 2020 and the 2020 based goal of 3.68 CO<sub>2</sub>e/SP/year for development that would become operational on or before the year 2030, if it is feasible to do so. The feasibility of potential GHG reduction measures shall be evaluated by the City at the time each phase of development is proposed in order to allow for ongoing innovations in GHG reduction technologies, as well as incentives created in the regulatory environment.</del></p> <p><del>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 continuously evolve under the mandate of AB 32 and the resulting CO<sub>2</sub>e/SP/year metric Executive Order S-3-05. The project applicant(s) shall then submit to the City a mitigation report that contains an analysis demonstrating which GHG reduction measures are feasible the associated reduction in GHG emissions, and the resulting CO<sub>2</sub>e/SP/year metric. The report shall also demonstrate why measures not selected are considered infeasible. 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 must willshall review and approve the mitigation report for the project ensure inclusion of the design features in the proposed project before applicant(s) to can receive the City’s discretionary approval for the applicable any increment of development. In determining what measures should appropriately be imposed by a local government the City under the circumstances, the City shall consider the following factors:</del></p> <ul style="list-style-type: none"> <li><del>▶ 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;</del></li> <li><del>▶ 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;</del></li> <li><del>▶ 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</del></li> </ul>		

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<b>Mitigation</b>		
<p>the federal and state governments that reduce GHG emissions from power generation;</p> <ul style="list-style-type: none"> <li>▶ <del>the extent to which replacement of CCR Title 24 with the California Green Building Standards Code or other similar requirements will result in new buildings being more energy efficient and consequently more GHG efficient;</del></li> <li>▶ 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;</li> <li>▶ <u>the extent to which other mitigation measures imposed on the project to reduce other air pollutant emissions may also reduce GHG emissions;</u></li> <li>▶ 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</li> <li>▶ 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.</li> </ul> <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 &amp; 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><b>Energy Efficiency</b></p> <ul style="list-style-type: none"> <li>▶ Include clean alternative energy features to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines).</li> <li>▶ Design buildings to meet CEC Tier II requirements (e.g., exceeding the requirements of the Title 24 [as of 2007] by 35%).</li> <li>▶ Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use.</li> <li>▶ 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.</li> <li>▶ Install light-colored “cool” pavements, and strategically located shade trees along all bicycle and pedestrian routes.</li> </ul> <p><b>Water Conservation and Efficiency</b></p> <ul style="list-style-type: none"> <li>▶ With the exception of ornamental shade trees, use water-efficient landscapes with native, drought-resistant species in all public area and commercial landscaping. Use water-efficient turf in parks and other turf-dependant spaces.</li> <li>▶ Install the infrastructure to use reclaimed water for landscape irrigation and/or washing cars.</li> <li>▶ Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.</li> <li>▶ Design buildings and lots to be water-efficient. Only install water-efficient fixtures and appliances.</li> </ul>		

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<ul style="list-style-type: none"> <li>▶ 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.</li> <li>▶ Provide education about water conservation and available programs and incentives.</li> <li>▶ 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.</li> </ul> <p><b>Solid Waste Measures</b></p> <ul style="list-style-type: none"> <li>▶ Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).</li> <li>▶ Provide interior and exterior storage areas for recyclables and green waste at all buildings.</li> <li>▶ Provide adequate recycling containers in public areas, including parks, school grounds, golf courses, and pedestrian zones in areas of mixed-use development.</li> <li>▶ Provide education and publicity about reducing waste and available recycling services.</li> </ul> <p><b>Transportation and Motor Vehicles</b></p> <ul style="list-style-type: none"> <li>▶ 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).</li> <li>▶ 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).</li> <li>▶ 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.</li> </ul> <p>Implementation:     The project applicant(s) <del>of all project phases</del> for any particular discretionary development.</p> <p>Timing:                Before approval of final maps and building permits for all project phases, including all on- and off-site elements.</p> <p>Enforcement:         City of Folsom Community Development Department.</p> <p><del><b>Mitigation Measure 3A.4 2a: Implement Additional Measures to Reduce Operational GHG Emissions.</b> 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 and will require that GHG emissions from construction and operation of each phase of development be reduced by 30% from business-as-usual 2006 emissions and as required by the California Global Warming Solutions Act of 2006 (AB 32).</del></p> <p><del>The City shall require feasible reduction measures that, in combination with existing and future regulatory measures developed under AB 32, will reduce GHG emissions associated with the operation of future project development phases and supporting roadway and infrastructure improvements that are part of the selected</del></p>		

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<p>action alternative by an amount sufficient to achieve the 2020 based goal of 4.36 CO<sub>2</sub>e/SP/year for development that would become operational on or before the year 2020 and the 2020 based goal of 3.68 CO<sub>2</sub>e/SP/year for development that would become operational on or before the year 2030, if it is feasible to do so. The feasibility of potential GHG reduction measures shall be evaluated by the City at the time each phase of development is proposed in order to allow for ongoing innovations in GHG reduction technologies, as well as incentives created in the regulatory environment.</p> <p>For each increment of new development, the project applicant(s) shall submit to the City a list of feasible energy efficient design standards to be considered in the project specific environmental review. These energy conservation measures which will be incorporated into the design, construction, and operational aspects of each increment of development, would result in a reduction in overall project energy consumption and GHGs. The project specific environmental review shall further identify potentially feasible GHG reduction measures to reflect the current state of the regulatory environment, and which will continuously evolve under the mandate of AB 32 and the resulting CO<sub>2</sub>e/SP/year metric. The City will review and ensure inclusion of the design features in the proposed project before the applicant(s) can receive the City's discretionary approval for the applicable increment of development. In determining what measures should appropriately be imposed by the City under the circumstances, the City shall consider the following factors:</p> <ul style="list-style-type: none"> <li>▶ the extent to which rates of GHG emissions generated by motor vehicles traveling to, from, and within the project site are projected to decrease over time as a result of regulations, policies, and/or plans that have already been adopted or may be adopted in the future by ARB or other public agency pursuant to AB 32, or by EPA;</li> <li>▶ 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;</li> <li>▶ the extent to which GHG emissions emitted by the mix of power generation operated by SMUD, the electrical utility that will serve the project site, are projected to decrease pursuant to the Renewables Portfolio Standard required by SB 1078 and SB 107, as well as any future regulations, policies, and/or plans adopted by the federal and state governments that reduce GHG emissions from power generation;</li> <li>▶ the extent to which replacement of CCR Title 24 with the California Green Building Standards Code or other similar requirements will result in new buildings being more energy efficient and consequently more GHG efficient;</li> <li>▶ 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;</li> <li>▶ 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</li> <li>▶ 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.</li> </ul> <p>In considering how much, and what kind of, measures are necessary in light of these factors, the City shall consider and implement as appropriate, the following non-exclusive and non-exhaustive list of measures. GHG emission reduction strategies and their respective feasibility are likely to evolve over time. These measures are derived from multiple sources including the Mitigation Measure Summary in Appendix B of the California Air Pollution Control Officer's Association (CAPCOA) white paper, <i>CEQA &amp; Climate Change</i> (CAPCOA 2009a); CAPCOA's <i>Model Policies for Greenhouse Gases in General Plans</i></p>		

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		S (Significant)	SU (Significant and unavoidable)

**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>(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><b>Energy Efficiency</b></p> <ul style="list-style-type: none"> <li>▶ Include clean alternative energy features to promote energy self sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines).</li> <li>▶ Design buildings to meet CEC Tier II requirements (e.g., exceeding the requirements of the Title 24 [as of 2007] by 35%).</li> <li>▶ Site buildings to take advantage of shade and prevailing winds and design landscaping and sun screens to reduce energy use.</li> <li>▶ 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.</li> <li>▶ Install light colored “cool” pavements, and strategically located shade trees along all bicycle and pedestrian routes.</li> </ul> <p><b>Water Conservation and Efficiency</b></p> <ul style="list-style-type: none"> <li>▶ With the exception of ornamental shade trees, use water efficient landscapes with native, drought resistant species in all public area and commercial landscaping. Use water efficient turf in parks and other turf dependant spaces.</li> <li>▶ Install the infrastructure to use reclaimed water for landscape irrigation and/or washing cars.</li> <li>▶ Install water efficient irrigation systems and devices, such as soil moisture based irrigation controls.</li> <li>▶ Design buildings and lots to be water efficient. Only install water efficient fixtures and appliances.</li> <li>▶ 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.</li> <li>▶ Provide education about water conservation and available programs and incentives.</li> <li>▶ 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.</li> <li>▶ Comply with any applicable water conservation ordinances.</li> </ul> <p><b>Solid Waste Measures</b></p> <ul style="list-style-type: none"> <li>▶ Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).</li> <li>▶ Provide interior and exterior storage areas for recyclables and green waste at all buildings.</li> <li>▶ Provide adequate recycling containers in public areas, including parks, school grounds, golf courses, and pedestrian zones in areas of mixed use development.</li> <li>▶ Provide education and publicity about reducing waste and available recycling services.</li> </ul> <p><b>Transportation and Motor Vehicles</b></p>		

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Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>▶ <del>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).</del></p> <p>▶ <del>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).</del></p> <p>▶ <del>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.</del></p> <p><del>Implementation: The project applicant(s) of all project phases.</del></p> <p><del>Timing: Before approval of final maps and/or building permits for all project phases requiring discretionary approval, including all on and off site elements.</del></p> <p><del>Enforcement: City of Folsom Community Development Department.</del></p> <p><b>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.</b> The trees on the project site contain sequestered carbon and would continue to provide future carbon sequestration during their growing life. For all <u>harvestable</u> trees that are subject to removal, the project applicant(s) <u>of all project phases for any particular discretionary development application</u> shall participate in and provide necessary funding for urban and community forestry program (such as the UrbanWood program managed by the Urban Forest Ecosystems Institute [Urban Forest Ecosystems Institute 2009]) <u>in which to ensure that wood with an equivalent carbon sequestration value to that of all from any</u> 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 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. <u>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.</u> The California Urban Forestry Greenhouse Gas Reporting Protocol shall be used to assess this mitigation program (CCAR 2008). All unused vegetation and tree material shall be mulched for use in landscaping on the project site, shipped to the nearest composting facility, or shipped to a landfill that is equipped with a methane collection system, or combusted in a biomass power plant. Tree and vegetative material should not be burned on- or off-site unless used as fuel in a biomass power plant.</p> <p>Implementation: The project applicant(s) <u>of all project phases for any particular discretionary development application.</u></p> <p>Timing: Before approval of final maps and/or building permits for all project phases requiring discretionary approval, including all on- and off-site elements.</p> <p>Enforcement: The City of Folsom Community Development Department.</p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
		<b>Impact Lan</b>	<b>d/Water/GPA</b>		<b>Significance</b>
<b>Mitigation</b>					
<b>OFF-SITE</b>					
<b>Mitigation Measure:</b> No mitigation measures are required.					
<i>Significance after Mitigation: cumulatively considerable and significant and unavoidable</i>					
<b>3B.4 CLIMATE CHANGE – WATER</b>					
<b>3B.4-1: Generation of Short- and Long-term Increases in Greenhouse Gases.</b>		Water		<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct &amp; indirect PS</b>	
Construction and operation of the Off-site Water Facility Alternatives would result in a net increase in greenhouse gas emissions, which would contribute considerably to cumulative GHG emissions.					
<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: Mitigation Measure 3B.4-1a: Implement GHG Reduction Measures during Construction.</b> The bid specifications for construction of the Off-site Water Facilities shall require that bidders demonstrate how they will comply with each of the following measures during all construction and demolition activities:					
<ol style="list-style-type: none"> <li>1) Construction vehicles and equipment will be properly maintained at all times in accordance with manufacturer’s specifications, including proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and demolition activities and subject to inspection by the SMAQMD.</li> <li>2) Operators will turn off all construction vehicles and equipment and all delivery vehicles when not in use, and not allow idling for more than 5 minutes or for such other more restrictive time as may be required in law or regulation.</li> <li>3) On-site construction vehicles and equipment will use ARB-certified biodiesel fuel if available (a minimum of B20, or 20 percent of biodiesel) except for those with warranties that would be voided if B20 biodiesel fuel were used. Prior to issuance of grading or demolition permits, the contractor shall provide documentation to the City that verifies whether any equipment is exempt; that a biodiesel supply has been secured; and that the construction contractor is aware that the use of biodiesel is required.</li> <li>4) A City-approved Solid Waste Diversion and Recycling Plan (or such other documentation to the satisfaction of the City) will be in place for the Off-site Water Facilities that demonstrates the diversion from landfills and recycling of all nonhazardous, salvageable and re-useable wood, metal, plastic and paper products during construction and demolition activities. The Plan or other documentation shall include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.</li> </ol>					
Implementation: City of Folsom Utilities Department					
Timing: Prior to the approval of grading plans and building permits for all off-site water facilities.					
Enforcement: <ol style="list-style-type: none"> <li>1. For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department and SMAQMD.</li> <li>2. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD.</li> <li>3. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and</li> </ol>					

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	<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>		
<b>Mitigation</b>					
SMAQMD.					
<p><b>Mitigation Measure 3B.4-1b Prepare and Implement an Off-site Water Facilities Climate Action Plan.</b> Prior to operation, the City shall have in place a Off-site Water Facilities Climate Action Plan and Greenhouse Reduction Strategy (Plan) that has been adopted by the City following an opportunity for review and recommendation by the SMAQMD. At a minimum, the Plan shall include:</p> <ul style="list-style-type: none"> <li>▶ Designation of Person Responsible for Implementation. The Plan shall designate the name and contact information of the person(s) responsible for ensuring continuous and on-going implementation of the Plan.</li> <li>▶ GHG Inventory and Reduction Target. The City shall prepare a complete GHG Inventory for the Offsite Water Facilities components within one year following occupancy and a GHG reduction target based on State guidance.</li> <li>▶ Off-site Water Facilities Design Features. The Off-site Water Facilities shall include design features to reduce operational GHG emissions, as well as an estimate of the reduction in GHG emissions that is expected to result from each facility. Initial measures that may be considered include, but are not limited to:                             <ul style="list-style-type: none"> <li>• design all conditioned occupancies with "cool roofs" using products certified by the Cool Roof Rating Council, and other exposed roof surfaces coated with "cool paints";</li> <li>• design all conditioned occupancies to take advantage of shade through the planting of deciduous canopy-type trees and/or prevailing winds to reduce energy use;</li> <li>• make maximum use of EnergyStar-qualified energy efficient appliances, heating and cooling systems, office equipment and lighting products;</li> <li>• install a photovoltaic array (solar panels) or other source of renewable energy generation on-site, or otherwise acquire energy that has been generated by renewable sources to meet a portion of the electricity needs of the Offsite Water Facilities; and</li> <li>• in an effort to reduce GHG emissions from transportation sources, the bid specifications for the Offsite Water Facilities should require that bidders demonstrate that they have given preference to local sources of building materials or offer evidence to support why such local sources have not been used.</li> </ul> </li> </ul> <p>Implementation: City of Folsom Utilities Department                      Timing: Prior to the approval of grading plans and building permits for all off-site water facilities.                      Enforcement:                     <ol style="list-style-type: none"> <li>1. For improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department, City of Folsom Community Development Department and SMAQMD.</li> <li>2. For improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department and SMAQMD.</li> <li>3. For improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department and SMAQMD.</li> </ol> </p> <p><b><i>Significance after Mitigation: significant and unavoidable</i></b></p>					

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Impact Lan	d/Water/GPA	Significance			
Mitigation					
<p><b>3B.4-2: Effects of Climate Change on the Off-site Water Supply Facilities.</b> Global climate change could result in effects on water quality or water supplies proposed as part of the Off-site Water Facility Alternatives.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: Less than Significant</i></p>					
<b>3A.5 CULTURAL RESOURCES – LAND</b>					
<p><b>3A.5-1: Possible Destruction of or Damage to Known Prehistoric and Historic-Era Cultural Resources from Ground-Disturbance or Other Construction-Related Activities.</b> Construction activities during project implementation could result in the destruction of or damage to known prehistoric and historic-era cultural resources that are potentially eligible for or listed on the CRHR or NRHP.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.5-1a: <del>Prepare, Execute, and Implement a</del> Comply with the Programmatic Agreement.</b> <u>The PA for the proposed project is incorporated by reference. The PA provides a management framework for identifying historic properties, determining adverse effects, and resolving those adverse effects as required under Section 106 of the NHPA. This document is incorporated by reference. The PA is available for public inspection and review at the California Office of Historic Preservation 1725 23rd Street Sacramento, CA 95816. For all action alternatives that require Federal permitting and authorization, USACE shall satisfy the requirements of Section 106 of the NHPA. A PA shall be prepared that requires the following measures:</u></p> <ul style="list-style-type: none"> <li>▶ <u>For each development phase of the specific plan and associated Federal permits and authorizations, USACE, as the Federal Section 106 lead (or USACE designee) shall prepare an APE map and shall consult with the SHPO on the APE, as described above.</u></li> <li>▶ <u>Once SHPO, USACE, and other consulting parties agree on the project-specific APE, USACE or permit applicant (or designee, as directed by USACE) shall perform an inventory for cultural resources in the phase-specific APE consistent with the Secretary of the Interior’s Standards and Guidelines for Identification (48 Federal Register [FR] 44720-23) and submit this inventory to the SHPO and any other relevant consulting parties for review as required under the PA. The same document shall evaluate identified resources for listing on the NRHP per the criteria provided above and the Secretary of the Interior’s Standards and Guidelines for Evaluation (48 FR 44723-26).</u></li> <li>▶ <u>Once the inventory is complete, USACE (or designee, as directed by USACE) shall prepare a Finding of Effect (FOE) to assess the effect of the buildout of the individual development phase upon identified historic properties by applying the Criteria of Adverse Effect pursuant to 36 CFR 800.5(a) (1). If the FOE identifies adverse effects, the project applicant or USACE, or designee) shall prepare treatment measures and protocols to minimize these impacts to the extent possible. These treatment measures shall be appended to the PA in a treatment plan prepared for the specific project development phase. Treatment measures may include, but are not limited to, avoidance and preservation in places where possible. Where avoidance is not possible or feasible, treatment shall consist of either: 1) recovery of a suitable sample of material from archaeological sites that have the potential to contribute to research, or 2) documentation of historic resources to capture their significance and relationship to important historical themes. Documentation of historical resources shall be performed according to</u></li> </ul>					

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<b>Mitigation</b>		
<p>the Historic American Building Survey or Historic American Engineering Record (HABS/HAER) specifications or an equivalent standard when existing architecture or engineered features are subject to adverse effects. Where appropriate, treatment plans may specify the preparation and circulation of interpretive brochures, narrative descriptions, and photographic documentation for the general public.</p> <ul style="list-style-type: none"> <li>▶ A geoarchaeological overview of the specific plan area may be stipulated and implemented in the PA, as determined by USACE, in order to assess the likelihood for buried cultural deposits. Focused geoarchaeological studies may be subsequently required for portions of the specific plan area and vicinity of off site elements that are considered highly sensitive to determine if additional inventory or monitoring should be performed during construction as determined by USACE.</li> <li>▶ Resources that may be discovered inadvertently during construction will be handled pursuant to 36 CFR Part 800.13(b) (<i>Discoveries without prior planning</i>).</li> </ul> <p>Mitigation for the off site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, and Caltrans) in coordination with USACE and SHPO to ensure that mitigation is consistent with the PA.</p> <p>Implementation: USACE (or designee) and the project applicant(s) of all project phases (as directed by USACE)</p> <p>Timing: The PA shall be prepared and executed (signed) prior to issuance of any Federal permit or authorization for any aspect or component of the specific plan project. Preparation of the phase specific APE and inventory and evaluation of properties within the APE shall be performed prior to any ground disturbing work in the APE for any Federal permitting or authorization of individual development phases. Implementation of treatment measures for identified historic properties may be performed during construction and ground disturbing work provided that no ground disturbing work is performed in the vicinity of resources subject to adverse effects and within an appropriate radius of the resource as determined by USACE, prior to completion of all treatment measures. The exact radius in which construction shall not occur shall be determined based upon the nature of the resource the potential for outlying undiscovered elements of that resource.</p> <p>Enforcement: USACE and the project applicant(s) of all project phases (as directed by USACE), with oversight by the SHPO.</p> <p><b>Mitigation Measure 3A.5-1b: Perform an Inventory and Evaluation of Cultural Resources for the California Register of Historic Places, Minimize or Avoid Damage or Destruction, and Perform Treatment Where Damage or Destruction Cannot be Avoided.</b> Management of cultural resources eligible for or listed on the CRHR under CEQA mirrors management steps required under Section 106. These steps may be combined with deliverables and management steps performed for Section 106 provided that management documents prepared for the PA also clearly reference the CRHR listing criteria and significance thresholds that apply under CEQA. Prior to ground-disturbing work for each individual development phase or off-site element, the applicable oversight agency (City of Folsom, El Dorado County, Sacramento County, or Caltrans), or the project applicant(s) of all project phases, with applicable agency oversight, shall perform the following actions:</p> <ul style="list-style-type: none"> <li>▶ Retain the services of a qualified archaeologist to perform an inventory of cultural resources within each individual development phase or off-site element subject to approval under CEQA. Identified resources shall be evaluated for listing on the CRHR. The inventory report shall also identify locations that are sensitive for undiscovered cultural resources based upon the location of known resources, geomorphology, and topography. The inventory report shall specify the location of monitoring of ground-disturbing work in these areas by a qualified archaeologist, and monitoring in the vicinity of identified resources that may be damaged by construction, if appropriate. The identification of sensitive locations subject to monitoring during construction of each individual development</li> </ul>		

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<b>Mitigation</b>		
<p>phase shall be performed in concert with monitoring activities performed under the PA to minimize the potential for conflicting requirements.</p> <ul style="list-style-type: none"> <li>▶ For each resource that is determined eligible for the CRHR, the applicable agency or the project applicant(s) <del>of all project phases</del> <u>for any particular discretionary development</u> (under the agency’s direction) shall obtain the services of a qualified archaeologist who shall determine if implementation of the individual project development <del>phase</del> would result in damage or destruction of “significant” (under CEQA) cultural resources. These findings shall be reviewed by the applicable agency for consistency with the significance thresholds and treatment measures provided in this EIR/EIS.</li> <li>▶ Where possible, the project shall be configured or redesigned to avoid impacts on eligible or listed resources. Alternatively, these resources may be preserved in place if possible, as suggested under California Public Resources Code Section 21083.2. <u>Avoidance of historic properties is required under certain circumstances under the Public Resource Code and 36 CFR Part 800.</u></li> <li>▶ Where impacts cannot be avoided, the applicable agency or the project applicant(s) of all project phases (under the applicable agency’s direction) shall prepare and implement treatment measures that are determined to be necessary by a qualified archaeologist. These measures may consist of data recovery excavations for resources that are eligible for listing because of the data they contain (which may contribute to research). Alternatively, for historical architectural, engineered, or landscape features, treatment measures may consist of a preparation of interpretive, narrative, or photographic documentation. These measures shall be reviewed by the applicable oversight agency for consistency with the significance thresholds and standards provided in this EIR/EIS.</li> <li>▶ To support the evaluation and treatment required under this mitigation measure, the archaeologist retained by either the applicable oversight agency or the project applicant(s) of all project phases shall prepare an appropriate prehistoric and historic context that identifies relevant prehistoric, ethnographic, and historic themes and research questions against which to determine the significance of identified resources and appropriate treatment.</li> <li>▶ These steps and documents may be combined with the phasing of management and documents prepared pursuant to the PA to minimize the potential for inconsistency and duplicative management efforts.</li> </ul> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: The applicable oversight agency and the project applicant(s) (at the agency’s direction) of all project phases</p> <p>Timing: Before issuance of building permits and ground-disturbing activities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department.</li> <li>3. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>4. For the U.S. 50 interchange improvements: Caltrans.</li> </ol> <p><b>RIM:</b> Implement Mitigation Measures 3.53A.5-1a and 3.53A.5-1b.</p> <p><b>Significance after Mitigation: <i>potentially significant and unavoidable</i></b></p>		

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<p><b>3A.5-2: Possible Destruction of or Damage to Previously Undiscovered Cultural Resources from Ground-Disturbance or Other Construction-Related Activities.</b> Construction activities during project implementation could result in the destruction of or damage to “significant” (under CEQA) undiscovered cultural resources.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.5-2: Conduct Construction Personnel Education, Conduct On-Site Monitoring if Required, Stop Work if Cultural Resources are Discovered, Assess the Significance of the Find, and Perform Treatment or Avoidance as Required.</b> To reduce potential impacts to previously undiscovered cultural resources, the project applicant(s) of all project phases shall do the following:</p> <ul style="list-style-type: none"> <li>▶ Before the start of ground-disturbing activities, the project applicant(s) of all project phases shall retain a qualified archaeologist to conduct training for construction workers <u>as necessary based upon the sensitivity of the project APE</u>, to educate them about the possibility of encountering buried cultural resources, and inform them of the proper procedures should cultural resources be encountered.</li> <li>▶ As a result of the work conducted for Mitigation Measures 3A.5-1a and 3A.5-1b, if the archaeologist determines that any portion of the SPA or the off-site elements should be monitored for potential discovery of as-yet-unknown cultural resources, the project applicant(s) of all project phases shall implement such monitoring in the locations specified by the archaeologist. <u>USACE should review and approve any recommendations by archaeologists with respect to monitoring.</u></li> <li>▶ Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, or architectural remains be encountered during any construction activities, work shall be suspended in the vicinity of the find and the appropriate oversight agency(ies) (identified below) shall be notified immediately. The appropriate oversight agency(ies) shall retain a qualified archaeologist who shall conduct a field investigation of the specific site and shall assess the significance of the find by evaluating the resource for eligibility for listing on the CRHR and the NRHP. If the resource is eligible for listing on the CRHR or NRHP and it would be subject to disturbance or destruction, the actions required in Mitigation Measures 3A.5-1a and 3A.5-1b shall be implemented. The oversight agency shall be responsible for approval of recommended mitigation if it is determined to be feasible in light of the approved land uses, and shall implement the approved mitigation before resuming construction activities at the archaeological site.</li> </ul> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before and during ground-disturbing activities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For actions taken to satisfy the requirements of Section 106: the SHPO and USACE.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For the two roadway connections off-site into El Dorado Hills: El Dorado County Development Services Department.</li> <li>4. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>5. For the U.S. 50 interchange improvements: Caltrans.</li> </ol> <p><b><i>Significance after Mitigation: potentially significant and unavoidable</i></b></p>	<p>Land</p>	<p><b>NP, NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p>

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.5-3: Possible Destruction of or Damage to Interred Human Remains during Construction.</b> Ground-disturbing activities could inadvertently disinter and/or destroy buried human skeletal remains.</p> <p><b>NP, NCP, PP, RIM, CD, RHD: Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.</b> In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, including those associated with off-site elements, the project applicant(s) of all project phases shall immediately halt all ground-disturbing activities in the area of the find and notify the applicable county coroner and a professional archaeologist skilled in osteological analysis to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or public lands (California Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (California Health and Safety Code Section 7050[c]).</p> <p>After the coroner’s findings are complete, the project applicant(s), an archaeologist, and the NAHC-designated MLD shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting on notification of a discovery of Native American human remains are identified in Section 5097.9 of the California Public Resources Code.</p> <p>Upon the discovery of Native American remains, the procedures above regarding involvement of the applicable county coroner, notification of the NAHC, and identification of an MLD shall be followed. The project applicant(s) of all project phases shall ensure that the immediate vicinity (according to generally accepted cultural or archaeological standards and practices) is not damaged or disturbed by further development activity until consultation with the MLD has taken place. The MLD shall have at least 48 hours after being granted access to the site to inspect the site and make recommendations. A range of possible treatments for the remains may be discussed: nondestructive removal and analysis, preservation in place, relinquishment of the remains and associated items to the descendants, or other culturally appropriate treatment. As suggested by Assembly Bill (AB) 2641 (Chapter 863, Statutes of 2006), the concerned parties may extend discussions beyond the initial 48 hours to allow for the discovery of additional remains. AB 2641(e) includes a list of site protection measures and states that the project applicant(s) shall comply with one or more of the following requirements:</p> <ul style="list-style-type: none"> <li>▶ record the site with the NAHC or the appropriate Information Center,</li> <li>▶ use an open-space or conservation zoning designation or easement, or</li> <li>▶ record a document with the county in which the property is located.</li> </ul> <p>The project applicant(s) or its authorized representative of all project phases shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance if the NAHC is unable to identify an MLD or if the MLD fails to make a recommendation within 48 hours after being granted access to the site. The project applicant(s) or its authorized representative may also reinter the remains in a location not subject to further disturbance if it rejects the recommendation of the MLD and mediation by the NAHC fails to provide measures acceptable to the landowner. Ground disturbance in the zone of suspended activity shall not recommence without authorization from the archaeologist.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p>	<p>Land</p>	<p><b>NP, NCP, PP, RIM, CD, RHD:</b> direct &amp; potentially significant, no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

**Table 1-1  
Summary of Impacts and Mitigation Measures**

	Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>			
Timing:	Upon the discovery of suspected human remains.		
Enforcement:	<ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the two roadway connections in El Dorado Hills: El Dorado County Development Services Department.</li> <li>3. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>4. For the U.S. 50 interchange improvements: Caltrans.</li> </ol>		
<i>Significance after Mitigation: less than significant</i>			
<b>3B.5 CULTURAL RESOURCES – WATER</b>			
	<p><b>3B.5-1: Possible Destruction of or Damage to Known Prehistoric and Historic-Era Cultural Resources from Ground-Disturbance or Other Construction-Related Activities.</b> Construction activities associated with the Off-site Water Facility Alternatives could result in the destruction of or damage to known prehistoric and historic-era cultural resources that are potentially eligible for or listed on the CRHR or NRHP.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Implement Mitigation Measure 3A.5-1a: Prepare, Execute, and Implement a Programmatic Agreement.</b> Implement Mitigation Measure 3A.5-1b: Perform an Inventory and Evaluation of Cultural Resources for the California Register of Historic Places, Minimize or Avoid Damage or Destruction, and Perform Treatment Where Damage or Destruction Cannot be Avoided.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to completion of final design and start of construction</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For actions taken to satisfy the requirements of Section 106: the SHPO and USACE.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For off-site improvements within unincorporated Sacramento County and the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A:</b> potentially significant & no indirect
<i>Significance after Mitigation: less than significant</i>			

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
Impact Lan	d/Water/GPA	Significance			
Mitigation					
<p><b>3B.5-2: Possible Destruction of or Damage to Previously Undiscovered Cultural Resources from Ground-Disturbance or Other Construction-Related Activities.</b> Construction activities during project implementation could result in the destruction of or damage to “significant” (under CEQA) undiscovered cultural resources.</p> <p><b>PA., 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Implement Mitigation Measure 3A.5-2: Conduct Construction Personnel Education, Conduct On-Site Monitoring if Required, Stop Work if Cultural Resources are Discovered, Assess the Significance of the Find, and Perform Treatment or Avoidance as Required.</b></p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to completion of final design and start of construction</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For actions taken to satisfy the requirements of Section 106: the SHPO and USACE.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For off-site improvements within unincorporated Sacramento County and the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct PS &amp; no indirect</b></p>			
<p><b>3B.5-3: Possible Destruction of or Damage to Interred Human Remains during Construction.</b> Ground-disturbing activities could inadvertently disinter and/or destroy buried human skeletal remains</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Implement Mitigation Measure 3A.5-3: Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.</b></p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Before issuance of building permits and ground-disturbing activities.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For actions taken to satisfy the requirements of Section 106: the SHPO and USACE.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For off-site improvements within unincorporated Sacramento County and the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A: direct significant &amp; no indirect</b></p>			

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3A.6 ENVIRONMENTAL JUSTICE – LAND</b>		
<p><b>3A.6-1: Potential Effects on Minority Populations.</b> Project implementation would not create a disproportionate placement of adverse environmental impacts on minority communities.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>NP:</b> no direct or indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p>
<p><b>3A.6-2: Potential Effects on Low-Income Populations.</b> Project implementation would not create a disproportionate placement of adverse environmental impacts on low-income populations.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>NP:</b> no direct or indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p>
<b>3B.6 ENVIRONMENTAL JUSTICE – WATER</b>		
<p><b>3B.6-1: Potential Effects on Minority Populations.</b> Implementation of the Off-site Water Facility Alternatives would not create a disproportionate placement of adverse environmental impacts on minority communities.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS &amp; no indirect (<i>operation</i>)</p>
<p><b>3B.6-2: Potential Effects on Low-Income Populations.</b> Project implementation would not create a disproportionate placement of adverse environmental impacts on low-income populations.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2B:</b> no direct or indirect  <b>2, 2A, 3, 3A, 4, and 4A:</b> direct LTS &amp; no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3A.7 GEOLOGY, SOILS, MINERALS, AND PALEONTOLOGICAL RESOURCES - LAND</b>		
<p><b>3A.7-1: Possible Risks to People and Structures Caused by Strong Seismic Ground Shaking.</b> The SPA is located in an area of generally low seismic activity; however, structures in the SPA could be subject to seismic ground shaking from an earthquake along active faults in Lake Tahoe.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.7-1a: Prepare Site-Specific Geotechnical Report per CBC Requirements and Implement Appropriate Recommendations.</b> Before building permits are issued and construction activities begin any project development phase, the project applicant(s) of each project phase shall hire a licensed geotechnical engineer to prepare a final geotechnical subsurface investigation report for the on- and off-site facilities, which shall be submitted for review and approval to the appropriate City or county department (identified below). The final geotechnical engineering report shall address and make recommendations on the following:</p> <ul style="list-style-type: none"> <li>▶ site preparation;</li> <li>▶ soil bearing capacity;</li> <li>▶ appropriate sources and types of fill;</li> <li>▶ potential need for soil amendments;</li> <li>▶ road, pavement, and parking areas;</li> <li>▶ structural foundations, including retaining-wall design;</li> <li>▶ grading practices;</li> <li>▶ soil corrosion of concrete and steel;</li> <li>▶ erosion/winterization;</li> <li>▶ seismic ground shaking;</li> <li>▶ liquefaction; and</li> <li>▶ expansive/unstable soils.</li> </ul> <p>In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater conditions, and shall determine appropriate foundation designs that are consistent with the version of the CBC that is applicable at the time building and grading permits are applied for. All recommendations contained in the final geotechnical engineering report shall be implemented by the project applicant(s) of each project phase. Special recommendations contained in the geotechnical engineering report shall be noted on the grading plans and implemented as appropriate before construction begins. Design and construction of all new project development shall be in accordance with the CBC. The project applicant(s) shall provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the geotechnical report.</p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> direct, PS, No indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>Mitigation Measure 3A.7-1b: Monitor Earthwork during Earthmoving Activities.</b> All earthwork shall be monitored by a qualified geotechnical or soils engineer retained by the project applicant(s) of each project phase. The geotechnical or soils engineer shall provide oversight during all excavation, placement of fill, and disposal of materials removed from and deposited on both on- and off-site construction areas.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before issuance of building permits and ground-disturbing activities.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the two off-site roadway connections from Folsom Heights into El Dorado Hills: El Dorado County Public Works Department.</li> <li>3. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>4. For the U.S. 50 interchange improvements: Caltrans.</li> </ol> </p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p><b>3A.7-2: Seismically-Induced Risks to People and Structures Caused by Liquefaction.</b> Construction activities would not occur in areas subject to liquefaction.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>ON- &amp; OFF-SITE</b>  <b>NP, NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p>
<p><b>3A.7-3: Construction-Related Erosion.</b> Construction activities during project implementation would involve grading and movement of earth in soils subject to wind and water erosion hazard and on steep slopes.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.7-3: Prepare and Implement the Appropriate Grading and Erosion Control Plan.</b> Before grading permits are issued, the project applicant(s) of each project phase that would be located within the City of Folsom shall retain a California Registered Civil Engineer to prepare a grading and erosion control plan. The grading and erosion control plan shall be submitted to the City Public Works Department before issuance of grading permits for all new development. The plan shall be consistent with the City’s Grading Ordinance, the City’s Hillside Development Guidelines, and the state’s NPDES permit, and shall include the site-specific grading associated with development for all project phases.</p> <p>For the two off-site roadways into El Dorado Hills, the project applicant(s) of that phase shall retain a California Registered Civil Engineer to prepare a grading</p>	Land	<p><b>ON- &amp; OFF-SITE</b>  <b>NP, NCP, PP, RIM, CD, RHD:</b> direct, PS, no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>	
<b>Impact Lan</b>	<b>d/Water/GPA</b>
<b>Mitigation</b>	
<p>and erosion control plan. The grading and erosion control plan shall be submitted to the El Dorado County Public Works Department and the El Dorado Hills Community Service District before issuance of grading permits for roadway construction in El Dorado Hills. The plan shall be consistent with El Dorado County’s Grading, Erosion, and Sediment Control Ordinance and the state’s NPDES permit, and shall include the site-specific grading associated with roadway development.</p> <p>For the off-site detention basin west of Prairie City Road, the project applicant(s) of that phase shall retain a California Registered Civil Engineer to prepare a grading and erosion control plan. The grading and erosion control plan shall be submitted to the Sacramento County Public Works Department before issuance of a grading permit. The plan shall be consistent with Sacramento County’s Grading, Erosion, and Sediment Control Ordinance and the state’s NPDES permit, and shall include the site-specific grading associated with construction of the detention basin.</p> <p>The plans referenced above shall include the location, implementation schedule, and maintenance schedule of all erosion and sediment control measures, a description of measures designed to control dust and stabilize the construction-site road and entrance, and a description of the location and methods of storage and disposal of construction materials. Erosion and sediment control measures could include the use of detention basins, berms, swales, wattles, and silt fencing, and covering or watering of stockpiled soils to reduce wind erosion. Stabilization on steep slopes could include construction of retaining walls and reseeded with vegetation after construction. Stabilization of construction entrances to minimize trackout (control dust) is commonly achieved by installing filter fabric and crushed rock to a depth of approximately 1 foot. The project applicant(s) shall ensure that the construction contractor is responsible for securing a source of transportation and deposition of excavated materials.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p> <p>Implementation of Mitigation Measure 3A.9-1 (discussed in Section 3A.9, “Hydrology and Water Quality – Land”) would also help reduce erosion-related impacts.</p> <p>Implementation:     Project applicant(s) of all project phases.</p> <p>Timing:                Before the start of construction activities.</p> <p>Enforcement:        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 the two off-site roadway connections from Folsom Heights into El Dorado Hills: El Dorado County Public Works Department.</p> <p>                              3.    For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</p> <p><b><i>Significance after Mitigation: less than significant</i></b></p>	

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)



<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.7-4: Potential Geologic Hazards Related to Construction in Bedrock and Rock Outcrops, and Unstable Soils.</b> Development in the eastern portion of the SPA would occur in steep slopes underlain by bedrock at shallow depths and rock outcrops that could result in geologic hazards during construction.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measure 3A.7-1a.</p> <p><b>Mitigation Measure 3A.7-4a: Prepare a Seismic Refraction Survey and Obtain Appropriate Permits for all On-Site and Off-site Elements East of Old Placerville Road.</b> Before the start of all construction activities east of Old Placerville Road, the project applicant(s) <del>of all project phases</del> <u>for any discretionary development application</u> shall retain a licensed geotechnical engineer to perform a seismic refraction survey. Project-related excavation activities shall be carried out as recommend by the geotechnical engineer. Excavation may include the use of heavy-duty equipment such as large bulldozers or large excavators, and may include blasting. Appropriate permits for blasting operations shall be obtained from the relevant City or county jurisdiction prior to the start of any blasting activities.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties).</p> <p>Implementation: Project applicant(s) of all project phases for on-site and off-site elements east of Old Placerville Road.</p> <p>Timing: Before or during earthmoving activities.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the two off-site roadway connections from Folsom Heights into El Dorado Hills: El Dorado County Public Works Department.</li> </ol> </p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p>
<p><b>3A.7-5: Potential Geologic Hazards Related to Seasonal Subsurface Water Flows from Surface Infiltration.</b> SPA excavation is not expected to encounter groundwater, but seasonal subsurface flows due to surface infiltration, as well as surface infiltration from shallow wells, could adversely affect some of the building foundations at the SPA.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> <b>Mitigation Measure 3A.7-5: Divert Seasonal Water Flows Away from Building Foundations.</b> The project applicant(s) of all</p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> PS</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>project phases shall either install subdrains (which typically consist of perforated pipe and gravel, surrounded by nonwoven geotextile fabric), or take such other actions as recommended by the geotechnical or civil engineer for the project that would serve to divert seasonal flows caused by surface infiltration, water seepage, and perched water during the winter months away from building foundations.</p> <p>Implementation: Project applicant(s) of all project phases.                      Timing: Before and during earthmoving activities.                      Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.                      2. For the two roadway connections in El Dorado Hills: El Dorado County Public Works Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p><b>3A.7-6: Potential Damage to Structures and Infrastructure from Construction in Expansive Soils.</b> Portions of the SPA are underlain by soils that have a moderate to high potential for expansion when wet and may result damage to structures.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b>  <b>NP:</b> No mitigation measures are required.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b>  <b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measures 3A.7-1a and 3A.7-1b.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>ON- &amp; OFF-SITE</b>  <b>NP, NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p>
<p><b>3A.7-7: Suitability of Soils for Use with Septic Systems.</b> The SPA is underlain by soils that are unsuitable for use with conventional septic systems.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b>  <b>NP:</b> No mitigation measures are required.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b>  <b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>ON- &amp; OFF-SITE</b>  <b>NP:</b> direct significant, indirect PS</p> <p><b>ON- &amp; OFF-SITE</b>  <b>NCP, PP, RIM, CD, RHD:</b> no direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.7-8: Possible Loss of Mineral Resources–Construction Aggregate.</b> The SPA is located within the Sacramento–Fairfield Production-Consumption Region designated by CDMG and contains dredge tailings that could provide a source of construction aggregate.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> no direct or indirect</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>
<p><b>3A.7-9: Possible Loss of Mineral Resources–Kaolin Clay.</b> The SPA is located within the Sacramento-Fairfield Production-Consumption Region designated by CDMG and may contain a deposit of kaolin clay.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.7-9: Conduct Soil Sampling in Areas of the SPA Designated as MRZ-3 for Kaolin Clay and if Found, Delineate its Location and Notify Lead Agency and the California Division of Mines and Geology.</b> The project applicant(s) of all applicable project phases shall retain a licensed geotechnical or soils engineer to analyze soil core samples that shall be extracted from that portion of the SPA zoned MRZ-3 for kaolin clay, as shown on Exhibit 3A.7-3. In the event that kaolin clay is discovered, the City of Folsom, Sacramento County, and CDMG shall be notified. In addition, the approximate horizontal and vertical extent of available kaolin clay shall be delineated by the geotechnical or soils engineer.</p> <p>Implementation: Project applicant(s) of all project phases in the Ione Formation.</p> <p>Timing: Before issuance of building permits for development within the Ione Formation as shown in Exhibit 3A.7-1.</p> <p>Enforcement: City of Folsom Community Development Department, Sacramento County Planning and Community Development Department, California Division of Mines and Geology.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>Mitigation Measure:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> no direct or indirect</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct LTS, No indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.7-10: Possible Damage of or Destruction to of Previously Unknown Unique Paleontological Resources during Construction-Related Activities.</b> Portions of the SPA and the off-site detention basin are underlain by paleontologically sensitive rock formations. Therefore, construction activities could damage or destroy previously unknown, unique paleontological resources at the SPA.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.7-10: Conduct Construction Personnel Education, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required.</b> To minimize potential adverse impacts on previously unknown potentially unique, scientifically important paleontological resources, the project applicant(s) of all project phases where construction would occur in the Ione and Mehrten Formations shall do the following:</p> <ul style="list-style-type: none"> <li>▶ Before the start of any earthmoving activities for any project phase in the Ione or Mehrten Formations, the project applicant(s) shall retain a qualified paleontologist or archaeologist to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered.</li> <li>▶ If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the appropriate lead agency (identified below). The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.</li> </ul> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County).</p> <p>Implementation: Project applicant(s) of all project phases within the Ione and Mehrten Formations.</p> <p>Timing: During earthmoving activities in the Ione and Mehrten Formations as shown in Exhibit 3A.7-1.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> </ol> </p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p><b>ON- &amp; OFF-SITE</b> <b>NP, NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3B.7 GEOLOGY, SOILS, AND PALEONTOLOGICAL RESOURCES – WATER</b>		
<p><b>3B.7-1: Possible Risks to People and Structures Caused by Strong Seismic Ground Shaking.</b> Zone 4 of the “Water” Study Area is located in an area of generally low seismic activity; however, structures constructed as part of the Off-site Water Facility Alternatives could be subject to seismic ground shaking from an earthquake along active faults in the Sierra Nevada.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.7-1a: Prepare Geotechnical Report(s) for the Off-site Water Facilities and Implement Required Measures.</b></p> <p>Facility design for all Off-site Water Facility components shall comply with the site-specific design recommendations as provided by a licensed geotechnical or civil engineer to be retained by the City. The final geotechnical and/or civil engineering report shall address and make recommendations on the following:</p> <ul style="list-style-type: none"> <li>▶ site preparation;</li> <li>▶ soil bearing capacity;</li> <li>▶ appropriate sources and types of fill;</li> <li>▶ potential need for soil amendments;</li> <li>▶ road, pavement, and parking areas;</li> <li>▶ structural foundations, including retaining-wall design;</li> <li>▶ grading practices;</li> <li>▶ soil corrosion of concrete and steel;</li> <li>▶ erosion/winterization;</li> <li>▶ seismic ground shaking;</li> <li>▶ liquefaction; and</li> <li>▶ expansive/unstable soils.</li> </ul> <p>In addition to the recommendations for the conditions listed above, the geotechnical investigation shall include subsurface testing of soil and groundwater conditions, and shall determine appropriate foundation designs that are consistent with the version of the CBC that is applicable at the time building and grading permits are applied for. All recommendations contained in the final geotechnical engineering report shall be implemented by the City.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to completion of engineering plans for all Off-site Water Facilities</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS &amp; no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>Mitigation Measure 3B.7-1b: Incorporate Pipeline Failure Contingency Measures Into Final Pipeline Design.</b> Isolation valves or similar devices shall be incorporated into all pipeline facilities to prevent substantial losses of surface water in the event of pipeline rupture, as recommended by a licensed geotechnical or civil engineer. The specifications of the isolation valves shall conform to the CBC and American Water Works Association standards.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to completion of engineering plans for all Off-site Water Facilities Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p><b>3B.7-2: Construction-Related Erosion.</b> Construction activities during implementation of the Off-site Water Facility Alternatives would involve grading and movement of earth in soils subject to wind and water erosion hazard.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measures 3B.9-1a, 3B.9-1b, 3B.9-1c, 3B.9-3a, and 3B.9-3b.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to start of construction Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS & no indirect
<p><b>3B.7-3: Unstable Geologic Conditions.</b> The Off-site Water Facility Alternatives could be located on a geologic unit or soil that is unstable, or that could become unstable as a result of the Off-site Water Facilities.</p> <p><b>PA, &amp; Alternatives 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measures 3B.7-1a and 3B.7-1b.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to completion of engineering plans for all Off-site Water Facilities</p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct & indirect PS

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

	Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>			
Enforcement:	<ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol>		
<i>Significance after Mitigation: less than significant</i>			
<p><b>3B.7-4: Exposure to Potential Hazards from Problematic Soils.</b> The Off-site Water Facilities could encounter expansive or corrosive soils thereby subjecting related structures to potential risk of failure.</p> <p style="text-align: right;">Water      <b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS &amp; no indirect</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measures 3B.7-1a.</p> <p><b>Mitigation Measure 3B.7-4: Implement Corrosion Protection Measures.</b></p> <p>As determined appropriate by a licensed geotechnical or civil engineer, the City shall ensure that all underground metallic fittings, appurtenances, and piping include a cathodic protection system to protect these facilities from corrosion.</p> <p>Implementation:      City of Folsom Utilities Department</p> <p>Timing:                  Prior to completion of engineering plans for all Off-site Water Facilities</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> <p><i>Significance after Mitigation: less than significant</i></p>			
<p><b>3B.7-5: Possible Damage of or Destruction to of Previously Unknown Unique Paleontological Resources during Construction-Related Activities.</b> Construction of the Off-site Water Facility Alternatives could directly or indirectly destroy a unique paleontological resource or site.</p> <p style="text-align: right;">Water      <b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS &amp; no indirect <b>NWF:</b> no impacts</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.7-5: Conduct Construction Personnel Education, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required.</b> To minimize potential adverse impacts on previously unknown potentially unique, scientifically important paleontological resources, the City shall implement appropriate measures during construction of the Offsite Water Facility improvements. These measures shall be required for construction activities at the following locations: (1) Grant Line Road, south of SR 16; (2) Florin road, east of Excelsior Road; (3) Gerber Road, east of Excelsior Road; (4) White Rock Road, east of Prairie City Road; and (5) Prairie City Road and shall include:</p>			

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>	
<b>Impact Lan</b>	<b>d/Water/GPA</b>
<b>Mitigation</b>	
<ul style="list-style-type: none"> <li>▶ Before the start of any earthmoving activities for any project phase in the Riverbank Formation, the project applicant(s) shall retain a qualified paleontologist or archaeologist to train all construction personnel involved with earthmoving activities, including the site superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered.</li> <li>▶ If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify Sacramento County Planning and Community Development Department. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the County to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.</li> </ul> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: During earthmoving activities in the Roverbank, Ione, and Mehrten Formations as shown in Wagner et al, 1981.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the off-site water facilities within Unincorporated Sacramento County or the City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> </p> <p><i>Significance after Mitigation: less than significant</i></p>	
<b>3A.8 HAZARDS AND HAZARDOUS MATERIALS - LAND</b>	
<p><b>3A.8-1: Accidental Spill from Routine Transport, Use, or Disposal of Hazardous Materials.</b> Accidental spills of hazardous materials in the SPA could result during routine transport, use, or disposal activities.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p><b>ON-SITE</b></p> <p><b>NP:</b> direct &amp; indirect LTS</p> <p><b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct &amp; indirect LTS</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
	Impact Lan	d/Water/GPA			Significance
Mitigation					
<p><b>3A.8-2: Potential Human Health Hazards from Possible Exposure of Existing On-site Hazardous Materials.</b> Construction workers and future residents could be exposed to hazardous materials known to exist within the SPA.</p> <p style="text-align: center;"><b>ON-SITE</b> NP: No mitigation measures are required.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b> NCP, PP, RIM, CD, RHD: <b>Mitigation Measure 3A.8-2: Complete Investigations Related to the Extent to Which Soil and/or Groundwater May Have Been Contaminated in Areas Not Covered by the Phase I and II Environmental Site Assessments and Implement Required Measures.</b> The project applicant(s) of all project phases for any discretionary development application shall conduct Phase I Environmental Site Assessments (where an Phase I has not been conducted), and if necessary, Phase II Environmental Site Assessments, and/or other appropriate testing for all areas of the SPA and include, as necessary, analysis of soil and/or groundwater samples for the potential contamination sites that have not yet been covered by previous investigations (as shown in Exhibit 3A.8-1) before construction activities begin in those areas. Recommendations in the Phase I and II Environmental Site Assessments to address any contamination that is found shall be implemented before initiating ground-disturbing activities in these areas.</p> <p>The project applicant(s) shall implement the following measures before ground-disturbing activities to reduce health hazards associated with potential exposure to hazardous substances:</p> <ul style="list-style-type: none"> <li>▶ Prepare a plan that identifies any necessary remediation activities appropriate for proposed on- and off-site uses, including excavation and removal of on-site contaminated soils, redistribution of clean fill material in the SPA, and closure of any abandoned mine shafts. The plan shall include measures that ensure the safe transport, use, and disposal of contaminated soil and building debris removed from the site. In the event that contaminated groundwater is encountered during site excavation activities, the contractor shall report the contamination to the appropriate regulatory agencies, dewater the excavated area, and treat the contaminated groundwater to remove contaminants before discharge into the sanitary sewer system. The project applicant(s) shall be required to comply with the plan and applicable Federal, state, and local laws. The plan shall outline measures for specific handling and reporting procedures for hazardous materials and disposal of hazardous materials removed from the site at an appropriate off-site disposal facility.</li> <li>▶ Notify the appropriate Federal, state, and local agencies if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil, odorous groundwater) is encountered during construction activities. Any contaminated areas shall be remediated in accordance with recommendations made by the Sacramento County Environmental Management Department, Central Valley RWQCB, DTSC, and/or other appropriate Federal, state, or local regulatory agencies.</li> <li>▶ Obtain an assessment conducted by PG&amp;E and SMUD pertaining to the contents of any existing pole-mounted transformers located in the SPA. The assessment shall determine whether existing on-site electrical transformers contain PCBs and whether there are any records of spills from such equipment. If equipment containing PCB is identified, the maintenance and/or disposal of the transformer shall be subject to the regulations of the Toxic Substances Control Act under the authority of the Sacramento County Environmental Health Department.</li> </ul>					<p style="text-align: center;"><b>ON-SITE</b> NP: (ACM, lead paint, PCBs) direct LTS, no indirect; (mines and mining chemicals) direct significant, no indirect</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b> NCP, PP, RIM, CD, RHD: direct PS, no indirect</p>

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SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County).</p> <p>Implementation: Project applicant(s) <del>of all project phases</del> <u>for any discretionary development application.</u></p> <p>Timing: Before and during earthmoving activities</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the off-site detention basin west of Prairie City Road: Sacramento County Environmental Management Department.</li> <li>3. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate.</li> </ol> </p> <p><b>Mitigation Measure:</b> Implement Mitigation Measure 3A.9-1 contained in Section 3A.9, “Hydrology and Water Quality - Land” [Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs]</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p><b>3A.8-3: Potential Development Constraints Due to the Listing on the <u>National Priorities List (NPL) Cortese List.</u></b> The SPA contains Area 40, part of the Aerojet Superfund site, which has the potential to create a hazard to public health or the environment. Ongoing remediation activities could delay or limit project development on or near the site of those remediation activities.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.8-3a: Require the Project Applicant(s) to Cooperate with Aerojet and Regulatory Agencies to Preserve, Modify, or Close Existing Groundwater Monitoring Wells.</b> The project applicant(s) <del>for all project phase(s) any particular discretionary development</del> <u>that would occur in or adjacent to the Area 40 boundary shall submit copies of tentative maps for residential subdivisions and for nonresidential uses to consult with Aerojet, EPA, DTSC, and/or the Central Valley RWQCB or any successor in interest for review and approval. Aerojet, DTSC, and the Central Valley RWQCB or any successor shall work with the project applicant(s) to establish the preservation, modification, or closure of existing groundwater monitoring wells. If necessary, Aerojet, or any successor may purchase lots or obtain access agreements from the project applicant(s) to maintain access to monitoring wells and/or remediation systems. Development shall not proceed within the Area 40 boundary or on lands used for groundwater monitoring and other remediation activities until DTSC and the Central Valley RWQCB have approved Aerojet’s or a successor’s plan for well preservation, modification, or closure.</u> If groundwater wells are to be affected by proposed tentative maps, then the project applicant(s) or successors shall provide the City with evidence that the relocation, modification, or closure of the well(s) is approved by the appropriate agencies as part</p>	<p>Land</p>	<p><b>ON-SITE</b></p> <p><b>NP:</b> no direct or indirect</p> <p><b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>of the City’s final map approval process and before development.</p> <p>The project applicant(s) for activities related to the off-site detention basin located outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) with Sacramento County.</p> <p>Implementation: Project applicants(s) for activities that would occur in the Area 40 boundary or on areas used for groundwater monitoring and other remediation activities.</p> <p>Timing: Ongoing to the satisfaction of <u>EPA</u> DTSC and/or the Central Valley RWQCB.</p> <p>Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</p> <p><b>Mitigation Measure 3A.8-3b: Coordinate Development Activities to Avoid Interference with Remediation Activities.</b> The project applicant(s) for <del>all project phases</del> <u>any particular discretionary development</u> that would occur in or adjacent to the Area 40 boundary shall provide notice to Aerojet or any successor in interest and DTSC, the Central Valley RWQCB, and the City of Folsom of the location, nature, and duration of construction activities least 30 days before construction activities begin in areas on or near property with current or planned remediation activities (Area 40). Remedial actions, as required by DTSC, RWQCB, and/or the EPA, may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>▶ deed restrictions on land and groundwater use;</li> <li>▶ requirements for building ventilation, heating, and air conditioning design;</li> <li>▶ monitoring;</li> <li>▶ installation of vertical barriers;</li> <li>▶ biological, chemical, and/or physical treatment;</li> <li>▶ <u>extraction or excavation; and/or</u></li> <li>▶ pump and treat activities.</li> </ul> <p>Before the approval of grading plans which include areas within the Area 40 boundary or the off-site detention basin, the project applicant(s) shall <u>consult work</u> with Aerojet, EPA, DTSC, and/or the Central Valley RWQCB or any successor to schedule the timing of construction activities to prevent potential conflicts with <u>investigation and</u> remediation activities.</p> <p>The project applicant(s) for activities related to the off-site detention basin located outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) with Sacramento County.</p> <p>Implementation: Project applicant(s) for activities within the Area 40 boundary or on lands used for monitoring or other remediation-related activities.</p> <p>Timing: Before the approval of grading plans and during construction activities within the Area 40 boundary, off-site detention basin, or on lands used for monitoring or other remediation-related activities.</p> <p>Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</p>		

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>2. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</p> <p>3. <u>U.S. Environmental Protection Agency</u>, California Department of Toxic Substances Control, <u>and/or</u> Central Valley Regional Water Quality Control Board, Aerojet General Corporation, as appropriate.</p> <p><b>Mitigation Measure 3A.8-3c: Provide Written Notification to the City that, as required by EPA, DTSC, and the Central Valley RWQCB, -Required Notification Obligations and/or Easements Have Been Fulfilled to Ensure that Construction Activities Do Not Interfere with Remedial Actions.</b></p> <p>Pursuant to <u>their</u> <del>its</del> oversight over investigations of hazardous substances and determination of remedial action, <u>EPA and/or</u> DTSC establishes, as appropriate, deed restrictions (e.g., restrictions on future groundwater uses or future land uses) or easements (e.g., continued access to groundwater wells and pipelines) on property with associated notice requirements. The project applicant(s) for all such affected project activities, located within the Area 40 boundary, the off-site detention basin, or lands subject to monitoring or other remediation activities shall provide notification in writing to the City (or Sacramento County for the off-site detention basin) that said required <del>DTSC</del> notification obligations have been fulfilled. Evidence of the method of notification required by <u>EPA and/or</u> DTSC shall be submitted to the City before approval of tentative maps or improvement plans.</p> <p>The project applicant(s) for such affected project activities shall coordinate with the City to include this provision as part of tentative map approval within the Area 40 boundary or lands subject to monitoring or other remediation activities. The project applicant(s) shall coordinate with Sacramento County for such affected project activities pertaining to the off-site detention basin.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County).</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., Sacramento County).</p> <p>Implementation: Project applicant(s) for activities that would occur in the Area 40 boundary or on areas used for groundwater monitoring and other remediation activities.</p> <p>Timing: Before approval of final maps and/or issuance of permits for sales trailers and model homes within the Area 40 boundary, the off-site detention basin, or lands subject to monitoring or other remediation activities.</p> <p>Enforcement: 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 the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</p> <p><b><i>Significance after Mitigation: less than significant</i></b></p> <p><b><u>Mitigation Measure 3A.8-3d: Land Use Restrictions for Contaminated Soil and Groundwater within Area 40 as depicted on the Remedial Restrictions Area Exhibit 3A.8-9.</u></b></p> <p><u>Prior to approval of any tentative maps, improvement plans, or discretionary project approvals for locations within Area 40, as depicted in the Remedial Restrictions Area (Exhibit 3A.8-9), the project applicant(s) shall designate those areas that are subject to off-gassing hazards in excess of an indoor air standard, as open space or park use, as required by the City and Aerojet in consultation with the EPA. Areas designated for open space or park under this mitigation measure shall be determined by the City and by Aerojet in consultation with the EPA using risk calculations (completed in accordance with EPA’s 1989 Risk Assessment</u></p>		

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Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p><u>Guidance for Superfund [EPA/540/1-89-002] and DTSC’s 1992 Supplemental Guidance for Human Health Multimedia Risk Assessments of Hazardous Waste Sites and Permitted Facilities and 1994 Preliminary Endangerment Assessment Guidance Manual, or such guidance as may be in place at the time risk assessment is performed) for exposure to off-gassing from either soil or groundwater based on detected PCE and TCE concentrations. The project applicant(s) for such affected areas located within Area 40 as depicted on the Remedial Restrictions Area Exhibit 3A.8-9 shall implement this measure as part of tentative map applications or other discretionary project approvals when such applications are submitted to the City.</u></p> <p><u>If the portions of Area 40 that are designated for park and open space use are not available for use as park and open space as identified in the SPA concurrently with surrounding development that creates demand for park and open space use, the project applicant(s), and the owners of land within the SPA shall identify and the City may rezone equivalent acreage of suitable park and open space land within the SPA for development as interim or permanent park and open space to meet the then current demand.</u></p> <p><u>Implementation: Project applicant(s) in consultation with the City, Aerojet, and U.S. Environmental Protection Agency for activities that would occur in the Community Park West area, as depicted on the Remedial Restrictions Area Exhibit 3A.8-9.</u></p> <p><u>Timing: Prior to approval of tentative maps within the Community Park West area as depicted on the Remedial Restrictions Area Exhibit 3A.8-9.</u></p> <p><u>Enforcement: For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department; U.S. Environmental Protection Agency.</u></p> <p>Implementation of Mitigation Measures 3A.8-3a, 3A.8-3b, <del>and</del> 3A.8-3c, and 3A.8-3d would reduce significant potential development constraints due to site listing on the NPL and/or Cortese List under the No USACE Permit, Proposed Project, Resource Impact Minimization, Centralized Development, and Reduced Hillside Development Alternatives to a <b>less-than-significant</b> level because remediation activities, implementation of deed restrictions, and other actions required prior to implementation of the project would be required by EPA, DTSC and/or other agencies as part of the Superfund investigation and remediation activities. <u>Furthermore, the open space land uses within Area 40 would be expanded as necessary to protect human health based on the results of appropriate testing.</u> However, the off-site detention basin falls under the jurisdiction of Sacramento County; therefore, neither the City nor the project applicant(s) would have control over its timing or implementation.</p>		
<p><b>3A.8-4: Potential Interference with an Adopted Emergency Response or Emergency Evacuation Plan.</b> Development of the SPA could interfere with adopted emergency plans.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>ON- &amp; OFF-SITE</b>  <b>NP, NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.8-5: Potential for Blast-Related Injury to Construction Workers and the General Public.</b> Development in the SPA would entail the use of explosive materials as part of grading activities in the eastern portion of the SPA that could result in injury to construction workers and the general public.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.8-5: Prepare and Implement a Blasting Safety Plan in Consultation with a Qualified Blaster.</b> To reduce the potential for accidental injury or death related to blasting, contractors whose work on the SPA will include blasting shall prepare and implement a blasting safety plan. This plan shall be created in coordination with a qualified blaster, as defined by the Construction Safety and Health Outreach Program, Subpart U, Section 1926.901, and distributed to all appropriate members of construction teams. The plan shall apply to project applicant(s) of all project phases in which blasting would be employed. The plan shall include, but is not limited to:</p> <ul style="list-style-type: none"> <li>▶ storage locations that meet ATF standards contained in 27 CFR Part 55;</li> <li>▶ safety requirements for workers (e.g., daily safety meetings, personal protective equipment);</li> <li>▶ an accident management plan that considers misfires (i.e. explosive fails to detonate), unexpected ignition, and flyrock; and</li> <li>▶ measures to protect surrounding property (e.g., netting, announcement of dates of expected blasting, barricades, and audible and visual warnings).</li> </ul> <p>Upon completion of a blasting safety plan, the project applicant(s) contractor shall secure any required permits from the City of Folsom Fire Department and the El Dorado County Sheriff’s Department for blasting activities in Sacramento County and El Dorado County, respectively.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado County).</p> <p>Implementation: Project applicant(s) and contractor(s) of all project phases in which blasting would be employed.</p> <p>Timing: At the submission of tentative map applications.</p> <p>Monitoring: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Fire Department. 2. For the off-site roadway connections in El Dorado County: El Dorado County Sheriff’s Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p>
<p><b>3A.8-6: Possible Exposure of People to Electric and Magnetic Fields.</b> Residential developments and/or schools would be located near high voltage transmission lines and radio towers, which could expose the general public to EMFs.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure P3A.8-6: Prudent Avoidance and Notification of EMF Exposure.</b> A policy of “prudent avoidance” to EMF</p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p><del>exposure shall be incorporated into planning activities for residential developments near the transmission lines, which shall include consideration of up to date information on potential hazards of EMF, especially information from the California Public Utilities Commission.</del></p> <p><del>In addition, p</del>Potential purchasers of residential properties near the transmission lines shall be made aware of the controversy surrounding EMF exposure. The California Department of Real Estate shall be requested to insert an appropriate <u>disclosure statement notification</u> into the applicant's final Subdivision Public Report application, which shall be provided to purchasers of properties within 100 feet from the 100-115kV power line <u>easement</u>, or within 150 feet from the 220-230 kV power line <u>easement</u>. <u>The notification would include a discussion of the scientific studies and conclusions reached to date, acknowledge that the notification distance is not based on specific biological evidence, but rather, the distance where background levels may increase, and provide that, given some uncertainty in the data, this notification is merely provided to allow purchasers to make an informed decision.</u></p> <p>Implementation: Project applicant(s) <del>of all project phases for any particular discretionary development entitlement</del> in the vicinity of high-tension transmission lines.</p> <p>Timing: At the submission of tentative map applications.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. City of Folsom Community Development Department.</li> <li>2. Folsom Cordova Unified School District.</li> </ol> </p> <p><b>OFF-SITE</b>  <b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>		
<p><b>3A.8-7: Potential for Public Health Hazards from Mosquitoes Associated with Project Water Features.</b> Project implementation would include construction of 16 on-site detention basins and 1 off-site detention basin, which could attract mosquitoes and other waterborne vectors, thereby potentially creating a public health hazard.</p> <p style="text-align: center;"><b>ON-SITE</b>  <b>NP:</b> No mitigation measures are required.  <b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.8-7: Prepare and Implement a Vector Control Plan in Consultation with the Sacramento-Yolo Mosquito and Vector Control District.</b> 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,</p>	<p>Land</p>	<p><b>ON-SITE</b>  <b>NP:</b> no direct or indirect  <b>ON- &amp; OFF-SITE</b>  <b>NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p>

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<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<p>the following components:</p> <ul style="list-style-type: none"> <li>▶ Description of the project.</li> <li>▶ Description of detention basins and all water features and facilities that would control on-site water levels.</li> <li>▶ Goals of the plan.</li> <li>▶ Description of the water management elements and features that would be implemented, including:                             <ul style="list-style-type: none"> <li>• BMPs that would implemented on-site;</li> <li>• public education and awareness;</li> <li>• sanitary methods used (e.g., disposal of garbage);</li> <li>• mosquito control methods used (e.g., fluctuating water levels, biological agents, pesticides, larvacides, circulating water); and</li> <li>• stormwater management (consistent with Stormwater Management Plan).</li> </ul> </li> <li>▶ Long-term maintenance of the detention basins and all related facilities (e.g., specific ongoing enforceable conditions or maintenance by a homeowner’s association).</li> </ul> <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"> <li>• build shoreline perimeters as steep and uniform as practicable to discourage dense plant growth;</li> <li>• perform routine maintenance to reduce emergent plant densities to facilitate the ability of mosquito predators (i.e., fish) to move throughout vegetated area;</li> <li>• 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;</li> <li>• coordinate cleaning of catch basins, drop inlets, or storm drains with mosquito treatment operations;</li> <li>• enforce the prompt removal of silt screens installed during construction when no longer needed to protect water quality;</li> <li>• 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</li> <li>• 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).</li> </ul> <p>The project applicant(s) of the project phase containing the off-site detention basin shall coordinate mitigation for the off-site with the affected oversight agency (i.e., Sacramento County).</p> <p>Implementation: Project applicant(s) of all project phases containing water features.</p> <p>Timing: Before issuance of grading permits for the project water features.</p> <p>Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</p>		

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Impact Lan	d/Water/GPA	Significance
Mitigation		
2. For the off-site detention basin west of Prairie City Road: Sacramento-Yolo Mosquito and Vector Control District.		
<i>Significance after Mitigation: less than significant</i>		
<b>3B.8 HAZARDS AND HAZARDOUS MATERIALS – WATER</b>		
<p><b>3B.8-1: Accidental Spill from Routine Transport, Use, or Disposal of Hazardous Materials.</b> Accidental spills of hazardous materials could result during routine transport, use, or disposal activities as part of the implementation of the Off-site Water Facility Alternatives.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.8-1a: Transport, Store, and Handle Construction-Related Hazardous Materials in Compliance with Relevant Regulations and Guidelines.</b></p> <p>The City shall ensure, through the enforcement of contractual obligations, that all contractors transport, store, and handle construction-related hazardous materials in a manner consistent with relevant regulations and guidelines, including those recommended and enforced by Caltrans, Central Valley RWQCB, local fire departments, and the County environmental health department.</p> <p>Recommendations shall include as appropriate transporting and storing materials in appropriate and approved containers, maintaining required clearances, and handling materials using applicable Federal, state and/or local regulatory agency protocols. In addition, all precautions required by the Central Valley RWQCB-issued NPDES construction activity stormwater permits shall be taken to ensure that no hazardous materials enter any nearby waterways.</p> <p>In the event of a spill, the City shall ensure, through the enforcement of contractual obligations, that all contractors immediately control the source of any leak and immediately contain any spill utilizing appropriate spill containment and countermeasures. If required by the local fire departments, the local environmental health department, or any other regulatory agency, contaminated media shall be collected and disposed of at an off-site facility approved to accept such media.</p> <p>The storage, handling, and use of the construction-related hazardous materials shall be in accordance with applicable Federal, state, and local laws. Construction-related hazardous materials and hazardous wastes (e.g., fuels and waste oils) shall be stored away from stream channels and steep banks to prevent these materials from entering surface waters in the event of an accidental release. These materials shall be kept at sufficient distance (at least 500 feet) from nearby residences or other sensitive land uses. This includes materials stored for expected use, materials in equipment and vehicles, and waste materials.</p> <p><b>1, 1A, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.8-1b: Prepare and Implement a Hazardous Materials Management Plan.</b></p> <p>The City shall prepare a Hazardous Materials Management Plan (HMMP) for the proposed WTP. The HMMP shall provide for safe storage, containment, and disposal of chemicals and hazardous materials related to WTP operations, including waste materials. The plan shall include, but shall not be limited to, the following:</p> <ul style="list-style-type: none"> <li>▶ a description of hazardous materials and hazardous wastes;</li> <li>▶ a description of handling, transport, treatment, and disposal procedures, as relevant for each hazardous material or hazardous waste;</li> <li>▶ preparedness, prevention, contingency, and emergency procedures, including emergency contact information;</li> <li>▶ A description of personnel training including, but not limited to: (1) recognition of existing or potential hazards resulting from accidental spills or other</li> </ul>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct &amp; indirect PS (<i>construction</i>), direct PS &amp; no indirect (<i>operations</i>)</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>releases; (2) implementation of evacuation, notification, and other emergency response procedures; (3) management, awareness, and handling of hazardous materials and hazardous wastes, as required by their level of responsibility;</p> <ul style="list-style-type: none"> <li>▶ Instructions on keeping Materials Safety and Data Sheets (MSDS) on-site for each on-site, hazardous chemical;</li> <li>▶ Identification of the locations of hazardous material storage areas, including temporary storage areas, which shall be equipped with secondary containment sufficient in size to contain the volume of the largest container or tank; and</li> <li>▶ A description of equipment maintenance procedures.</li> </ul> <p>The HMMP shall be made a condition of contractual obligation and shall be available for review by construction inspectors and implementation compliance shall be monitored.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to construction and operation of all Off-site Water Facilities</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Environmental Management Department.</li> <li>3. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate.</li> </ol> <p><b>Significance after Mitigation: less than significant</b></p>		
<p><b>3B.8-2: Create Accident Conditions Involving Potential Release of Hazardous Materials.</b> Construction and operation of the Off-site Water Facilities could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measures 3B.8-1b, 3B.16-3a, and 3B.16-3b.</p> <p><b>Significance after Mitigation: less than significant</b></p>	Water	<p><b>NCP, PA, 1, 1A, 3, 3A, 4, &amp; 4A:</b> direct PS &amp; no indirect (<i>construction &amp; operations</i>)</p> <p><b>2, 2A, 2B:</b> direct LTS &amp; no indirect (<i>transport &amp; use</i>), direct PS &amp; no indirect (<i>construction</i>)</p>
<p><b>3B.8-3: Introduction of Drinking Water Contaminants.</b> Operation of the Off-site Water Facility Alternatives would not create a significant public health risk through the introduction of contaminants into a drinking water supply at concentrations with known adverse health effects.</p> <p><b>PA &amp; Alternatives 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A:</b> No mitigation measures are required.</p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> no direct &amp; indirect LTS</p>

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RIM (Resource Impact Minimization)

B (Beneficial)

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LTS (Less than significant)

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S (Significant)

SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<i>Significance after Mitigation: less than significant</i>		
<p><b>3B.8-4: Use of Hazardous Materials within One-Quarter Mile of Schools.</b> Operation of the Off-site Water Facilities could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.</p> <p><b>NCP, PA, 1, 1A:</b> No mitigation measures are required. <b>2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measure 3B.8-1a and 3B.8-1b.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to construction and operation of all Off-site Water Facilities Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Environmental Management Department. 3. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate</p>	Water	<p><b>NCP, PA, 1, 1A:</b> no direct or indirect <b>2, 2A, 2B, 3, &amp; 3A:</b> no direct &amp; indirect PS <b>4 &amp; 4A:</b> no direct or indirect (<i>no educational facilities</i>), no direct &amp; indirect PS (<i>w/in 1/4m of schools</i>) <b>NWF:</b> no direct or indirect</p>
<i>Significance after Mitigation: less than significant</i>		
<p><b>3B.8-5: Create a Significant Hazard to the Public or the Environment.</b> Construction of the Off-site Water Facilities could encounter one or more sites listed as containing hazardous materials or wastes and, as a result, could create a significant hazard to the public or the environment.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.8-5a: Conduct Phase 1 Environmental Site Assessment for Selected Alignment.</b> Prior to construction, the City shall conduct a Phase 1 Environmental Site Assessment according to American Society for Testing and Materials (ASTM) protocol for the selected conveyance pipeline alignment, pump station, well, and WTP site. If any hazardous materials or waste sites are identified during the Phase 1 Environmental Site Assessment, the City shall implement Mitigation Measure 3.8-5b.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to construction of all Off-site Water Facilities Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department. 2. For the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County</p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> no direct &amp; indirect PS</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<p>Environmental Management Department.</p> <p>3. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate.</p> <p><b>Mitigation Measure 3B.8-5b: Develop and Implement a Remediation Plan.</b> If determined necessary to mitigate for potential hazards resulting from disturbance of existing contaminated areas, the extent of contamination from hazardous materials sites within or adjacent to the Off-site Water Facilities construction area shall be delineated during final design. Disturbance to contaminated areas during Off-site Water Facilities construction shall be avoided, or any work done within contaminated areas shall be undertaken in compliance with standards approved by the DTSC or Sacramento County Department of Environmental Health to ensure that hazardous materials will not be released as a result of the ground disturbance.</p> <p>Additionally, if unidentified contaminated soil or groundwater are encountered, or if suspected contamination is encountered during any construction activities, work shall be halted in the area of potential exposure, and the type and extent of contamination shall be identified. A qualified professional, in consultation with appropriate regulatory agencies, will then develop and implement a plan to remediate the contamination and properly dispose of the contaminated material.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to construction of all Off-site Water Facilities</p> <p>Enforcement: 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 the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Environmental Management Department.</p> <p>3. Other regulatory agencies, such as California Department of Toxic Substances Control, or Central Valley Regional Water Quality Control Board, as appropriate.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p><b>3B.8-6: Impair or Interfere with an Adopted Emergency Response Plans or Emergency Evacuation Plans.</b> Implementation of the Off-site Water Facilities would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS &amp; no indirect</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
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Mitigation					
<p><b>3B.8-7: Exposure to Wildland Fire Hazards.</b> Implementation of the Off-site Water Facilities could expose people or structures to a significant risk of loss, injury or death involving wildland fires.</p>					
<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.8-7a: Keep Construction Area Clear of Combustible Materials.</b> The City shall ensure, through the enforcement of contractual obligations that during construction, staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. The contractor shall keep these areas clear of combustible materials in order to maintain a firebreak. Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.</p>					
<p>Implementation: City of Folsom Utilities Department</p>					
<p>Timing: Prior to construction and operation of all Off-site Water Facilities</p>					
<p>Enforcement: 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 the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Fire Department</p>					
<p><b>Mitigation Measure 3B.8-7b: Provide Accessible Fire Suppression Equipment.</b> Work crews shall be required to carry or have sufficient fire suppression equipment to ensure that any fire resulting from construction activities is immediately extinguished. All off-road equipment using internal combustion engines shall be equipped with spark arrestors.</p>					
<p>Implementation: City of Folsom Utilities Department</p>					
<p>Timing: Prior to construction and operation of all Off-site Water Facilities</p>					
<p>Enforcement: 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 the off-site water facilities constructed within Sacramento County or the City of Rancho Cordova: Sacramento County Fire Department.</p>					
<p><b>Significance after Mitigation: less than significant</b></p>					

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3A.9 HYDROLOGY AND WATER QUALITY - LAND</b>		
<p><b>3A.9-1: Potential Temporary, Short-Term Construction-Related Drainage and Water Quality Effects.</b> Construction activities during project implementation would involve extensive grading and movement of earth, which would substantially alter on-site drainage patterns and could generate sediment, erosion, and other nonpoint source pollutants in on-site stormwater that could drain to off-site areas and degrade local water quality.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.9-1: Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs.</b> Prior to the issuance of grading permits, the project applicant(s) of all projects disturbing one or more acres (including phased construction of smaller areas which are part of a larger project) shall obtain coverage under the SWRCB’s NPDES stormwater permit for general construction activity (Order 2009-0009-DWQ), including preparation and submittal of a project-specific SWPPP at the time the NOI is filed. The project applicant(s) shall also prepare and submit any other necessary erosion and sediment control and engineering plans and specifications for pollution prevention and control to Sacramento County, City of Folsom, El Dorado County (for the off-site roadways into El Dorado Hills under the Proposed Project Alternative). The SWPPP and other appropriate plans shall identify and specify:</p> <ul style="list-style-type: none"> <li>▶ 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</li> <li>▶ the implementation of approved local plans, non-stormwater management controls, permanent post-construction BMPs, and inspection and maintenance responsibilities;</li> <li>▶ 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;</li> <li>▶ 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;</li> <li>▶ personnel training requirements and procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the SWPPP; and</li> <li>▶ the appropriate personnel responsible for supervisory duties related to implementation of the SWPPP.</li> </ul> <p>Where applicable, BMPs identified in the SWPPP shall be in place throughout all site work and construction/demolition activities and shall be used in all subsequent site development activities. BMPs may include, but are not limited to, such measures as those listed below.</p> <ul style="list-style-type: none"> <li>▶ 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,</li> </ul>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> direct &amp; indirect LTS <b>NCP, PP, RIM, CD, RHD:</b> direct &amp; indirect significant</p>

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>sediment/silt basins and traps, geofabric, sandbag dikes, and temporary vegetation.</p> <ul style="list-style-type: none"> <li>▶ Establishing permanent vegetative cover to reduce erosion in areas disturbed by construction by slowing runoff velocities, trapping sediment, and enhancing filtration and transpiration.</li> <li>▶ 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.</li> </ul> <p>A copy of the approved SWPPP shall be maintained and available at all times on the construction site.</p> <p>For those areas that would be disturbed as part of the U.S. 50 interchange improvements, Caltrans shall coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties, or Caltrans).</p> <p>Implementation: Project applicant(s) during all project phases and on-site and off-site elements.</p> <p>Timing: Submittal of the State Construction General Permit NOI and SWPPP (where applicable) and development and submittal of any other locally required plans and specifications before the issuance of grading permits for all on-site project phases and off-site elements and implementation throughout project construction.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the two roadway connections in El Dorado Hills: El Dorado County Department of Transportation.</li> <li>3. For the detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>4. For the U.S. 50 interchange improvements: Caltrans.</li> <li>5. For all construction activities subject to the state’s Construction General Permit and violators of local ordinances referred to the state for enforcement: Central Valley Regional Water Quality Control Board.</li> </ol> <p><b><i>Significance after Mitigation: less than significant</i></b></p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.9-2: Potential Increased Risk of Flooding and Hydromodification from Increased Stormwater Runoff.</b> Project implementation would increase the amount of impervious surfaces on the SPA, thereby increasing surface runoff. This increase in surface runoff would result in an increase in both the total volume and the peak discharge rate of stormwater runoff, and therefore could result in greater potential for on- and off-site flooding.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.9-2: Prepare and Submit Final Drainage Plans and Implement Requirements Contained in Those Plans.</b> Before the approval of grading plans and building permits, the project applicant(s) of all project phases shall submit final drainage plans to the City, and to El Dorado County for the off-site roadway connections into El Dorado Hills, demonstrating that off-site upstream runoff would be appropriately conveyed through the SPA, and that project-related on-site runoff would be appropriately contained in detention basins or managed with through other improvements (e.g., source controls, biotechnical stream stabilization) to reduce flooding and hydromodification impacts.</p> <p>The plans shall include, but not be limited to, the following items:</p> <ul style="list-style-type: none"> <li>▶ 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;</li> <li>▶ 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;</li> <li>▶ a description of the proposed maintenance program for the on-site drainage system;</li> <li>▶ project-specific standards for installing drainage systems;</li> <li>▶ City and El Dorado County flood control design requirements and measures designed to comply with them;</li> </ul> <p>Implementation of stormwater management BMPs that avoid increases in the erosive force of flows beyond a specific range of conditions needed to limit hydromodification and maintain current stream geomorphology. These BMPs will be designed and constructed in accordance with the forthcoming SSQP Hydromodification Management Plan (to be adopted by the RWQCB) and may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• 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);</li> <li>• enlarged detention basins to minimize flow changes and changes to flow duration characteristics;</li> <li>• 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;</li> <li>• minimize slope differences between any stormwater or detention facility outfall channel with the existing receiving channel gradient to reduce flow velocity; and</li> </ul>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> direct &amp; indirect LTS <b>NCP, PP, RIM, CD, RHD:</b> direct &amp; indirect PS</p>

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<b>Mitigation</b>		
<ul style="list-style-type: none"> <li>• 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.</li> <li>▶ The final drainage plan shall demonstrate to the satisfaction of the City of Folsom Community Development and Public Works Departments and El Dorado County Department of Transportation that 100-year (0.01 AEP) flood flows would be appropriately channeled and contained, such that the risk to people or damage to structures within or down gradient of the SPA would not occur, and that hydromodification would not be increased from pre-development levels such that existing stream geomorphology would be changed (the range of conditions should be calculated for each receiving water if feasible, or a conservative estimate should be used, e.g., an Ep of 1 ±10% or other as approved by the Sacramento Stormwater Quality Partnership and/or City of Folsom Public Works Department).</li> </ul> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with El Dorado County.</p> <p>Implementation: Project applicant(s) during all on-site project phases and off-site elements.</p> <p>Timing: Before approval of grading plans and building permits of all project phases.</p> <p>Enforcement: 1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Public Works Department. 2. For the two roadway connections in El Dorado Hills: El Dorado County Department of Transportation.</p> <p><b>Significance after Mitigation: less than significant</b></p>		
<p><b>3A.9-3: Long-Term Water Quality and Hydrology Effects from Urban Runoff.</b> Project implementation would convert a large area of undeveloped land to residential and commercial uses, thereby changing the amount and timing of potential long-term pollutant discharges in stormwater and other urban runoff to Alder Creek, Buffalo Creek, Coyote Creek, Carson Creek, and other on- and off-site drainages.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.9-3: Develop and Implement a BMP and Water Quality Maintenance Plan.</b> Before approval of the <del>final small lot subdivision map</del> <del>grading permits for all project phases</del> <del>any development project requiring a subdivision map</del>, a detailed BMP and water quality maintenance plan shall be prepared by a qualified engineer retained by the project applicant(s) <del>of all project phases</del> <del>the development project</del>. Drafts of the plan shall be submitted to the City of Folsom and El Dorado County for the off-site roadway connections into El Dorado Hills, for review and approval concurrently with development of tentative subdivision maps for all project phases. The plan shall finalize the water quality improvements and further detail the structural and nonstructural BMPs proposed for the project. The plan shall include the elements described below.</p> <ul style="list-style-type: none"> <li>▶ A quantitative hydrologic and water quality analysis of proposed conditions incorporating the proposed drainage design features.</li> <li>▶ Predevelopment and postdevelopment 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 “Stormwater Quality Design</li> </ul>	<p>Land</p>	<p><b>ON- &amp; OFF-SITE</b> <b>NP:</b> direct &amp; indirect LTS <b>NCP, PP, RIM, CD, RHD:</b> direct &amp; indirect PS</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>	
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<b>Significance</b>	
<b>Mitigation</b>	
<p>Manual for Sacramento and South Placer Regions” ([SSQP 2007b] per NPDES Permit No. CAS082597 WDR Order No. R5-2008-0142, page 46) and El Dorado County’s NPDES SWMP (County of El Dorado 2004).</p> <ul style="list-style-type: none"> <li>▶ Source control programs to control water quality pollutants on the SPA, which may include but are limited to recycling, street sweeping, storm drain cleaning, household hazardous waste collection, waste minimization, prevention of spills and illegal dumping, and effective management of public trash collection areas.</li> <li>▶ 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.</li> <li>▶ LID control measures shall be integrated into the BMP and water quality maintenance plan. These may include, but are not limited to:               <ul style="list-style-type: none"> <li>• surface swales;</li> <li>• replacement of conventional impervious surfaces with pervious surfaces (e.g., porous pavement);</li> <li>• impervious surfaces disconnection; and</li> <li>• trees planted to intercept stormwater.</li> </ul> </li> <li>▶ New stormwater facilities shall be placed along the natural drainage courses within the SPA to the extent practicable so as to mimic the natural drainage patterns. The reduction in runoff as a result of the LID configurations shall be quantified based on the runoff reduction credit system methodology described in “Stormwater Quality Design Manual for the Sacramento and South Placer Regions, Chapter 5 and Appendix D4” (SSQP 2007b) and proposed detention basins and other water quality BMPs shall be sized to handle these runoff volumes.</li> </ul> <p>For those areas that would be disturbed as part of the U.S. 50 interchange improvements, it is anticipated that Caltrans would coordinate with the development and implementation of the overall project SWPPP, or develop and implement its own SWPPP specific to the interchange improvements, to ensure that water quality degradation would be avoided or minimized to the maximum extent practicable.</p> <p>Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with El Dorado County and Caltrans.</p> <p>Implementation: Project applicant(s) during all on-site project phases and off-site elements.</p> <p>Timing: Prepare plans before the issuance of grading permits for all project phases and off-site elements and implementation throughout project construction.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department and Public Works Department.</li> <li>2. For the two roadway connections in El Dorado Hills: El Dorado County Department of Transportation.</li> <li>3. For the U.S. 50 interchange improvements: Caltrans.</li> </ol> <p><b><i>Significance after Mitigation: less than significant</i></b></p>	

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
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Mitigation		
<p><b>3A.9-4: Potential Exposure of People or Structures to a Significant Risk of Flooding as a Result of the Failure of a Levee or Dam.</b> The SPA is not in an area protected by levees and is not located within the Folsom Dam inundation zone; however, there are existing dams impounding water within and upstream of the SPA.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.9-4: Inspect and Evaluate Existing Dams Within and Upstream of the Project Site and Make Improvements if Necessary.</b> Prior to submittal to the City of tentative maps or improvement plans the project applicant(s) of all project phases shall perform conduct studies to determine the extent of inundation in the case of dam failure. If the studies determine potential exposure of people or structures to a significant risk of flooding as a result of the failure of a dam, the applicants(s) shall implement of any feasible recommendations provided in that study, potentially through drainage improvements, subject to the approval of the City of Folsom Public Works Department.</p> <p>Implementation: Project applicant(s) of all on-site project phases and off-site elements.</p> <p>Timing: Prior to submittal to the City of tentative maps or improvement plans.</p> <p>Enforcement: City of Folsom Public Works Department.</p> <p><b>Significance after Mitigation: less than significant</b></p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> direct &amp; indirect LTS</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect</p>
<p><del><b>3A.9-5: Potential Effects on Groundwater Recharge.</b> Shallow and deep percolation of rainwater and related runoff and consequent depth to groundwater could be affected locally by the development of additional impervious surfaces, which could limit infiltration and recharge.</del> <b>Potential Exposure to 200-Year (0.005 AEP) Flood Prior to Implementation of SB 5.</b> A delineation of the proposed 200-year (0.005 AEP) floodplain has been developed for the SPA and all development activities would be planned consistent with SB 5 requirements.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><b>Significance after Mitigation: less than significant</b></p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> <u>no</u> direct &amp; indirect PS</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct &amp; indirect LTS</p>
<p><b>3A.9-6: Potential Effects on Groundwater Recharge.</b> Shallow and deep percolation of rainwater and related runoff and consequent depth to groundwater could be affected locally by the development of additional impervious surfaces, which could limit infiltration and recharge.</p> <p><b>NP:</b> No mitigation measures may be imposed.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><b>Significance after Mitigation: less than significant</b></p>	<p>Land</p>	<p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NP:</b> direct &amp; indirect PS</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct &amp; indirect LTS</p>

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RIM (Resource Impact Minimization)

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LTS (Less than significant)

PS (Potentially significant)

S (Significant)

SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3B.9 HYDROLOGY AND WATER QUALITY – WATER</b>		
<p><b>3B.9-1: Potential Temporary, Short-Term Construction-Related Drainage and Water Quality Effects.</b> Construction of the Off-site Water Facilities could generate discharges to surface water resources that could potentially violate water quality standards or waste discharge requirements.</p> <p><b>NCP, PA, 1, 1A, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.9-1a: Acquire Appropriate Regulatory Permits and Prepare and Implement SWPPP and BMPs.</b> The City shall prepare a SWPPP specific to the selected Off-site Water Facility Alternative and secure coverage under SWRCB’s NPDES stormwater permit for general construction activity (Order 2009-0009-DWQ). The SWPPP shall identify specific actions and BMPs relating to the prevention of stormwater pollution from project-related construction sources by identifying a practical sequence for site restoration, BMP implementation, contingency measures, responsible parties, and agency contacts. The SWPPP shall reflect localized surface hydrological conditions and shall be reviewed and approved by the City prior to commencement of work and shall be made conditions of the contract with the contractor selected to build the Off-site Water Facilities. The SWPPP shall incorporate control measures in the following categories:</p> <ul style="list-style-type: none"> <li>▶ soil stabilization and erosion control practices (e.g., hydroseeding, erosion control blankets, mulching, etc.);</li> <li>▶ dewatering and/or flow diversion practices, if required (see Mitigation Measure 3B.9-1b);</li> <li>▶ sediment control practices (temporary sediment basins, fiber rolls, etc.);</li> <li>▶ temporary and post-construction on- and off-site runoff controls;</li> <li>▶ special considerations and BMPs for water crossings, wetlands, drainages, and vernal pools;</li> <li>▶ monitoring protocols for discharge(s) and receiving waters, with emphasis placed on the following water quality objectives: dissolved oxygen, floating material, oil and grease, pH, and turbidity;</li> <li>▶ waste management, handling, and disposal control practices;</li> <li>▶ corrective action and spill contingency measures;</li> <li>▶ agency and responsible party contact information, and</li> <li>▶ training procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the SWPPP.</li> </ul> <p>The SWPPP shall be prepared by a qualified SWPPP practitioner with BMPs selected to achieve maximum pollutant removal and represent the best available technology that is economically achievable. Emphasis for BMPs shall be placed on controlling discharges of oxygen-depleting substances, floating material, oil and grease, acidic or caustic substances or compounds, and turbidity. Performance and effectiveness of these BMPs shall be determined either by visual means where applicable (i.e., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination, (inadvertent petroleum release) as required to determine adequacy of the measure.</p> <p>Implementation: City of Folsom Utilities Department</p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct &amp; indirect PS (construction-related water quality)</p>

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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>	
<b>Impact Lan</b>	<b>d/Water/GPA</b>
<b>Mitigation</b>	
<p>Timing: Development of the SWPPP prior to construction of all Off-site Water Facilities and implementation throughout construction.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. Central Valley Regional Water Quality Control Board.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> <p><b>Mitigation Measure 3B.9-1b: Properly Dispose of Hydrostatic Test Water and Construction Dewatering in Accordance with the Central Valley Regional Water Quality Control Board.</b> All hydrostatic test water and construction dewatering shall be discharged to an approved land disposal area or drainage facility in accordance with Central Valley RWCQB requirements. The City or its construction contractor shall provide the Central Valley RWQCB with the location, type of discharge, and methods of treatment and monitoring for all hydrostatic test water discharges. Emphasis shall be placed on those discharges that would occur directly to surface water bodies.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Incorporation measures into SWPPP prior to construction and implementation throughout construction, as appropriate.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. Central Valley Regional Water Quality Control Board.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> <p><b>Mitigation Measure:</b> Implement Mitigation Measures 3A.3-1a and 3A.3-1b.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Incorporation of measures into SWPPP prior to construction and implementation throughout construction.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. Central Valley Regional Water Quality Control Board.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> <p><b>2, 2A, 2B:</b> Implement Mitigation Measure 3B.9-1a and 3B.9-1b.</p> <p><b>Significance after Mitigation: less than significant</b></p>	

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3B.9-2: Exceedance of Surface Water Quality Standards during Operation.</b> The operation of the Off-site Water Facilities could result in changes to the quality of surface water resources that could potentially violate water quality standards or waste discharge requests.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> no direct &amp; indirect LTS</p>
<p><b>3B.9-3: Alteration of Drainage Patterns Resulting in Off-site Flooding and/or Erosion.</b> The Off-site Water Facilities could result in the alteration of existing drainage patterns thereby increasing the rate or amount of surface runoff in a manner that could result in substantial flooding and/or erosion or siltation on- or off-site.</p> <p><b>NCP, PA, 1, 1A, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.9-3a: Prepare and Implement Drainage Plan(s) for Structural Facilities.</b> The City shall prepare a Drainage Plan for the selected Off-site Water Facility WTP and shall incorporate measures to maintain off-site runoff during peak conditions to pre-construction discharge levels. The Drainage Plan shall provide both short- and long-term drainage solutions to ensure the proper sequencing of drainage facilities during and following construction. The City shall evaluate options for on-site detention including, but not limited to, providing temporary storage within a portion or portions of proposed paved areas, linear infiltration facilities along the site perimeter, and/or other on-site opportunities for detention, retention, and/or infiltration facilities. Design specifications for the detention, retention, and/or infiltration facilities shall provide sufficient storage capacity to accommodate the 10-year, 24-hour storm event. In addition, the Drainage Plan shall delineate the overland release path for flows generated by a 100-year frequency storm, so that structural pad elevations for buildings, containment facilities, storage tank, and container storage areas are placed a minimum of one foot above the property's highest frontage curb elevation. <u>The Drainage Plan shall also provide sufficient attenuation of flows to ensure no net increase in off-site discharges to waterways that drain across the FSC via one or more drainage chutes (e.g., Buffalo Creek).</u></p> <p>Implementation: City of Folsom Utilities Department.</p> <p>Timing: Development of the Drainage Plan prior to start of construction.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. Central Valley Regional Water Quality Control Board.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> <li>4. For all off-site improvements that would drain across one or more of the FSC drainage chutes: U. S. Bureau of Reclamation.</li> </ol> <p><b>Mitigation Measure 3B.9-3b: Ensure the Provision of Sufficient Outlet Protection and On-site Containment.</b> Energy dissipaters, vegetated rip-rap, soil protection, and/or other appropriate BMPs shall be included within all storm-drain outlets to slow runoff velocities and prevent erosion at discharge locations for</p>	Water	<p><b>NCP, PA, 1, 1A, 3, 3A:</b> direct PS &amp; no indirect <b>4, 4A:</b> direct &amp; indirect PS <b>2, 2A, 2B:</b> direct &amp; indirect LTS</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>the WTP. A long-term maintenance plan shall be implemented for all drainage discharge control devices. The WTP layout shall also include sufficient on-site containment and pollution-control devises for drainage facilities to avoid the off-site release of water quality pollutants, oil and grease.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Incorporation of measures into the Drainage Plan prior to start of construction.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. Central Valley Regional Water Quality Control Board.</li> <li>2. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>3. For improvements within unincorporated Sacramento County or City of Rancho Cordova: Sacramento County Planning and Community Development Department or City of Rancho Cordova Planning Department.</li> </ol> </p> <p><b>2, 2A, 2B:</b> No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>		
<p><b>3B.9-4: Changes to Flow within the Sacramento River.</b> The Off-site Water Facilities could result in adverse effects to existing flows within the Sacramento River.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS &amp; no indirect <b>NWF:</b> no impacts</p>
<p><b>3B.9-5: Exceed Drainage Capacity and Contribute Sources Polluted Runoff.</b> The Off-site Water Facilities could create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.</p> <p><b>NCP, PA, 1, 1A, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measures 3B.9-3a and 3B.9-3b. <i>Significance after Mitigation: less than significant</i></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 3, 3A:</b> direct PS &amp; indirect LTS <b>2, 2A, 2B:</b> LTS <b>4, 4A:</b> direct &amp; indirect PS</p>
<p><b>3B.9-6: Impede or Redirect Flood Flows.</b> The Off-site Water Facilities could place structures within a 100-year flood hazard area, which would impede or redirect flood flows</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measures 3B.7-1a and 3B.9-1a. <i>Significance after Mitigation: less than significant</i></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct &amp; indirect PS</p>

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3B.9-7: Inundation from Flooding or Mudflows.</b> The Offsite Water Facility Alternatives would not expose people or structures to a significant risk of loss, injury or death involving inundation by flooding, including flooding as a result of the failure of a levee or dam, seiche, or tsunami or inundation by mudflows.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> no impacts
<p><b>3A.10 LAND USE AND AGRICULTURAL RESOURCES</b></p>		
<p><b>3A.10-1: Consistency with Sacramento LAFCo Guidelines.</b> Annexation of the SPA into the City of Folsom would require approval by Sacramento LAFCo.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>NP:</b> no direct &amp; indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p>
<p><b>3A.10-2: Consistency with the SACOG Sacramento Region Blueprint.</b> Project implementation could conflict with the SACOG Sacramento Region Preferred Blueprint Scenario.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP, NCP, RIM:</b> No mitigation measures may be imposed</p> <p><b>PP, CD, RHD:</b> No mitigation measures are required.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures are required.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP, NCP, RIM:</b> inconsistent</p> <p><b>PP, CD, RHD:</b> consistent</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No consistency</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.10-3: Cancellation of Existing On-Site Williamson Act Contracts.</b> Project implementation could result in the cancellation of Williamson Act contracts.</p> <p style="text-align: center;"><b>ON-SITE</b> NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: No feasible mitigation measures are available.</p> <p style="text-align: center;"><b>OFF-SITE</b> No mitigation measures are required. <i>Significance after Mitigation: significant and unavoidable</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b> NP: No direct or indirect NCP, PP, RIM, CD, RHD: direct significant, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b> Direct LTS, no indirect</p>
<p><b>3A.10-4: Potential Conflict with Existing Off-site Williamson Act Contracts.</b> Project implementation could conflict with lands under Williamson Act contracts south of the SPA; thereby potentially resulting in cancellation of those contracts.</p> <p style="text-align: center;"><b>ON-SITE</b> NP: No mitigation measures are required. NCP, PP, RIM, CD, RHD: No feasible mitigation measures are available.</p> <p style="text-align: center;"><b>OFF-SITE</b> No mitigation measures are required. <i>Significance after Mitigation: significant and unavoidable</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b> NP: No direct or indirect NCP, PP, RIM, CD, RHD: indirect significant, no direct</p> <p style="text-align: center;"><b>OFF-SITE</b> Indirect LTS, no direct</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3B.10 LAND USE AND AGRICULTURAL RESOURCES – WATER</b>		
<p><b>3B.10-1: Conflict with Applicable Water Resource Management and Facility Plans, Policies, or Regulations.</b> Implementation of the Off-site Water Facility Alternatives would not conflict with applicable water resource management and facility plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A:</b> direct &amp; indirect LTS</p>
<p><b>3B.10-2: Conflict with Applicable Local Agency Land Use Plans, Policies, or Regulations.</b> Implementation of the Off-site Water Facility Alternatives could conflict with an applicable land use plan, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect.</p> <p><b>1, 1A, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.10-2: Acquire Development Approvals for Off-site WTPs.</b> The City shall implement one of the two following options to enable development of the White Rock WTP under Off-site Water Facility Alternatives 1, 1A, 3, and 3A:</p> <p>(1) Annexation and Pre-Zoning to Public Use. The City shall file an application with Sacramento LAFCo to amend its sphere of influence to include the White Rock WTP and City Corporation Yard, if applicable. The application shall include a statement describing that the sphere of influence amendment is necessary to ensure the provision of adequate water supply, distribution, and treatment for planned development with the Folsom SPA. Subject to LAFCo approval of the sphere of influence amendment, the City shall prepare an application to annex and prezone the White Rock WTP site for Public Use. As part of the White Rock WTP site’s design, spacing opportunities between the WTP facilities and adjacent land use shall be maximized to encourage open space continuity and disruption to adjacent agricultural areas. Prior the annexation approval, the City shall provide LAFCo with the following: (a) dedications of rights-of-way; (b) improvements for vehicle access; (c) the placement of structures and their associated height; and (d) landscaping/open space for the protection of adjoining and nearby properties.</p> <p>or</p> <p>(2) Obtain County Use Permit or General Plan Amendment. The City shall file an application with Sacramento County for a Use Permit to allow the operation of the proposed WTP within the AG-80 zone. The City shall comply with the conditions of the Use Permit, so that the WTP site is developed consistent with County requirements in terms of the following: (a) dedications of right-of-way; (b) improvements for vehicle access; (c) the placement of structures and their associated height; and (d) landscaping for the protection of adjoining and nearby properties. Alternatively, the City may file an application for a General Plan Amendment and Rezone to designate the White Rock WTP site for Public Use. In addition to complying with the requirements of the Public zone, the City shall develop the site consistent with the County’s for the following: (a) dedications of right-of-way; (b) improvements for vehicle access; (c) the placement of structures and their associated height; and (d) landscaping for the protection of adjoining and nearby properties.</p>	Water	<p><b>NCP, PA:</b> consistent direct &amp; indirect LTS  <b>1, 1A, 3, 3A:</b> inconsistent direct &amp; indirect significant  <b>2, 2A, 2B:</b> consistent direct &amp; indirect LTS  <b>4, 4A:</b> consistent direct &amp; indirect LTS (<i>location</i>), potentially inconsistent (<i>planning</i>)</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to acquisition and development of the Off-site WTP</p> <p>Enforcement: 1. For annexation and sphere of influence applications: Sacramento County LAFCo. 2. For the entitlement and General Plan applications through Sacramento County: Sacramento County Planning and Community Development Department.</p> <p><b>NCP, PA, 2, 2A, 2B:</b> No mitigation measures are required.</p> <p><b>Significance after Mitigation: potentially significant and unavoidable for 1, 1A, 3, and 3A, 4 and 4A</b></p> <p><b>Significance after Mitigation: less than significant for NCP, PA, 2, 2A, 2B</b></p>		
<p><b>3B.10-3: Conversion of Important Farmland to Nonagricultural Uses.</b> Implementation of the Off-site Water Facilities could result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural uses.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><b>Significance after Mitigation: less than significant</b></p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS & no indirect
<p><b>3B.10-4: Cancellation of Existing On-Site Williamson Act Contracts.</b> Construction of the Off-site Water Facilities could conflict with lands under Williamson Act contracts; thereby potentially resulting in cancellation of those contracts.</p> <p><b>NCP, PA, 1, 1A:</b> No feasible mitigation measures are available.</p> <p><b>2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><b>Significance after Mitigation: potentially significant and unavoidable</b></p>	Water	<b>NCP, PA, 1, 1A:</b> direct LTS & indirect significant <b>2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS & no indirect
<p><b>3B.10-5: Potential Temporary Disruptions to Existing Agricultural Operations.</b> Implementation of the Off-site Water Facilities could potentially affect existing agricultural operations and result in a loss in agricultural productivity.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.10-4: Restore Affected Agricultural Lands to Preproject Conditions.</b> The City shall consult with all affected land owners where the selected alignment would cross Important Farmland. As part of the easement acquisition process, the City shall demonstrate a good-faith effort to negotiate with affected landowners an agreed-upon compensation for the loss of any existing pasture and/or row crops currently in production. During these consultations the City shall also, in conjunction with landowners' input, identify areas along the right-of-way that could be left in agricultural production as well as locations for access gates to allow for city staff access. Access gate locations shall be included in the final design</p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct significant & no indirect

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>plans for the Off-site Water Facilities. Compensation for the loss of crops and associated revenues shall be up to the provisions of law.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Immediately following construction</p> <p>Enforcement: Sacramento County Community Development and Planning Department</p> <p><b>Significance after Mitigation: less than significant</b></p>		
<b>3A.11 NOISE - LAND</b>		
<p><b>3A.11-1: Temporary, Short-Term Exposure of Sensitive Receptors to Increased Equipment Noise from Project Construction.</b> Project implementation would result in temporary, short-term construction activities associated with development of residential, commercial, schools, and park uses, supporting roadways, and other infrastructure improvements. Project-related construction activities could expose existing off-site and future on-site sensitive receptors to temporary noise levels that exceed the applicable noise standards and/or result in a substantial increase in ambient noise levels.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.11-1: Implement Noise-Reducing Construction Practices, Prepare and Implement a Noise Control Plan, and Monitor and Record Construction Noise near Sensitive Receptors.</b> 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:</p> <ul style="list-style-type: none"> <li>▶ 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.</li> <li>▶ All construction equipment and equipment staging areas shall be located as far as possible from nearby noise-sensitive land uses.</li> <li>▶ 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.</li> <li>▶ All motorized construction equipment shall be shut down when not in use to prevent idling.</li> <li>▶ 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).</li> <li>▶ 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.</li> </ul>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p><b>PP:</b> direct significant, no indirect</p> <p><b>NCP, RIM, CD, RHD:</b> direct LTS, no indirect</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<ul style="list-style-type: none"> <li>▶ 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.</li> <li>▶ 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).</li> <li>▶ 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.</li> <li>▶ 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.</li> </ul> <p>Implementation: Project applicant(s) and primary contractor(s) of all project phases.</p> <p>Timing: Before and during construction activities on the SPA and within El Dorado Hills.</p> <p>Enforcement:                     <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the two roadway connections off-site into El Dorado Hills: El Dorado County Development Services Department.</li> </ol> </p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.11-2: Temporary, Short-Term Exposure of Sensitive Receptors to Increased Traffic Noise Levels from Project Construction.</b> Project implementation would result in temporary increases in on- and off-site roadway traffic noise associated with project construction. Construction-generated traffic could expose sensitive receptors to noise levels along on- and off-site roadways that exceed the applicable noise standards and/or result in a substantial increase in ambient noise levels.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><b>Significance after Mitigation: less than significant</b></p>	<p>Land</p>	<p><b>NP:</b> direct LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.11-3: Temporary, Short-Term Exposure of Sensitive Receptors to Potential Groundborne Noise and Vibration from Project Construction.</b> Project implementation could expose sensitive receptors to groundborne noise and vibration levels that exceed applicable standards that could cause human disturbance or damage structures.</p> <p style="text-align: center;"><b>ON- &amp; OFF-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.11-3: Implement Measures to Prevent Exposure of Sensitive Receptors to Groundborne Noise or Vibration from Project Generated Construction Activities.</b></p> <ul style="list-style-type: none"> <li>▶ To the extent feasible, blasting activities shall not be conducted within 275 feet of existing or future sensitive receptors.</li> <li>▶ To the extent feasible, bulldozing activities shall not be conducted within 50 feet of existing or future sensitive receptors.</li> <li>▶ All blasting shall be performed by a blast contractor and blasting personnel licensed to operate in the State of California.</li> <li>▶ 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.</li> <li>▶ 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.</li> </ul> <p>Implementation: Project applicant(s) and primary contractor(s) of all project phases.</p> <p>Timing: Before and during bulldozing and blasting activities on the SPA and within El Dorado Hills and the County of Sacramento</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all project-related improvements that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For the two roadway connections off-site into El Dorado Hills: El Dorado County Development Services Department.</li> <li>3. For the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> <li>4. For the U.S. 50 interchange improvements: Caltrans.</li> </ol> <p><b><i>Significance after Mitigation: significant and unavoidable</i></b></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>Direct significant, no indirect</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.11-4: Long-Term Exposure of Sensitive Receptors to Increased Traffic Noise Levels from Project Operation.</b> Project implementation would result in long-term increases in ADT volumes on affected roadway segments. Increased traffic volumes would result in a substantial (e.g., 3 dB L<sub>dn</sub>/CNEL) increase in ambient noise levels on- and off-site at nearby noise-sensitive receptors.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.11-4: Implement Measures to Prevent Exposure of Sensitive Receptors to Increases in Noise from Project-Generated Operational Traffic on Off-site and On-Site Roadways.</b></p> <p>To meet applicable noise standards as set forth in the appropriate General Plan or Code (e.g., City of Folsom, County of Sacramento, and County of El Dorado) and to reduce increases in traffic-generated noise levels at noise-sensitive uses, the project applicant(s) of all project phases shall implement the following:</p> <ul style="list-style-type: none"> <li>▶ Obtain the services of a consultant (such as a licensed engineer or licensed architect) to develop noise-attenuation measures for the proposed construction of on-site noise-sensitive land uses (i.e., residential dwellings and school classrooms) that will produce a minimum composite Sound Transmission Class (STC) rating for buildings of 30 or greater, individually computed for the walls and the floor/ceiling construction of buildings, for the proposed construction of on-site noise-sensitive land uses (i.e., residential dwellings and school classrooms).</li> <li>▶ Prior to submittal of tentative subdivision maps and improvement plans, the project applicant(s) shall conduct a site-specific acoustical analysis to determine predicted roadway noise impacts attributable to the project, taking into account site-specific conditions (e.g., site design, location of structures, building characteristics). The acoustical analysis shall evaluate stationary- and mobile-source noise attributable to the proposed use or uses and impacts on nearby noise-sensitive land uses, in accordance with adopted City noise standards. Feasible measures shall be identified to reduce project-related noise impacts. These measures may include, but are not limited to, the following: <ul style="list-style-type: none"> <li>• limiting noise-generating operational activities associated with proposed commercial land uses, including truck deliveries;</li> <li>• constructing exterior sound walls;</li> <li>• constructing barrier walls and/or berms with vegetation;</li> <li>• using “quiet pavement” (e.g., rubberized asphalt) construction methods on local roadways; and,</li> <li>• using increased noise-attenuation measures in building construction (e.g., dual-pane, sound-rated windows; exterior wall insulation).</li> </ul> </li> </ul> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: During project construction activities at noise-sensitive receptors on the SPA; at the existing noise-sensitive receptors on Empire Ranch Road from Broadstone Parkway to Iron Point Road; and at the existing noise-sensitive receptors on Latrobe Road from White Rock Road to Golden Foothills Parkway</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For all noise-sensitive receptors that would be located within the City of Folsom: City of Folsom Community Development Department.</li> <li>2. For all noise-sensitive receptors in El Dorado Hills: El Dorado County Development Services Department.</li> <li>3. For all noise-sensitive receptors in the vicinity the off-site detention basin west of Prairie City Road: Sacramento County Planning and Community Development Department.</li> </ol>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>Direct LTS, no indirect</p>

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<p style="text-align: center;">4. For all noise-sensitive receptors adjacent to the U.S. 50 interchange improvements: Caltrans.</p> <p style="text-align: center;"><b>OFF-SITE</b> No mitigation measures are required. <i>Significance after Mitigation: significant and unavoidable</i></p>		
<p><b>3A.11-5: Long-Term Exposure of Sensitive Receptors to Increased Stationary-Source Noise Levels from Project Operation.</b> Project implementation would result in increases in on-site stationary-source noise levels associated with the proposed residential, commercial, mixed-use, office/industrial, park, and educational land uses. These stationary noise sources could exceed the applicable noise standards (hourly and maximum) and result in a substantial increase in ambient noise levels.</p> <p style="text-align: center;"><b>ON-SITE</b> <b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.11-5: Implement Measures to Reduce Noise from Project-Generated Stationary Sources.</b> The project applicant(s) of all project phases for any particular discretionary development project shall implement the following measures to reduce the effect of noise levels generated by on-site stationary noise sources that would be located within 600 feet of any noise-sensitive receptor:</p> <ul style="list-style-type: none"> <li>▶ 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.</li> <li>▶ 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.</li> <li>▶ Parking lots shall be located and designed so that noise emissions do not exceed the stationary noise source criteria established in this analysis (i.e., 50 dB for 30 minutes in every hour during the daytime [7 a.m. to 10 p.m.] and less than 45 dB for 30 minutes of every hour during the night time [10 p.m. to 7 a.m.]). Reduction of parking lot noise can be achieved by locating parking lots as far away as possible <u>feasible</u> from noise sensitive land uses, or using buildings and topographic features to provide acoustic shielding for noise-sensitive land uses.</li> <li>▶ 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.]).</li> </ul>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b> <b>NP:</b> direct LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> direct PS, no indirect <i>(Mechanical HVAC Equipment, Emergency Electrical Generators, Parking Lot Activities, &amp; Loading Dock and Delivery Activity)</i> <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect <i>(Emergency Facilities &amp; Outdoor Recreational and Educational Activities)</i> <b>OFF-SITE</b> No direct or indirect</p>

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>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.</p> <p>Implementation: Project applicant(s) of all project phases.                      Timing: Before submittal of improvement plans for each project phase, and during project operations for testing of emergency generators.                      Enforcement: City of Folsom Community Development Department.</p> <p style="text-align: center;"><b>OFF-SITE</b>                      No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>		
<p><b>3A.11-6: Single-Event Aircraft Noise.</b> New noise sensitive land uses proposed in the Specific Plan area could be exposed to noise from aircraft overflights. Overflights would not result in interior noise levels that create sleep disturbance.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b>  <b>NP, NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect  <b>OFF-SITE</b>                      No direct or indirect</p>
<p><b>3A.11-7: Compatibility of Proposed On-Site Land Uses with the Ambient Noise Environment.</b> The project includes development of on-site noise-sensitive land uses that could be exposed to noise levels that exceed the noise standards set forth in the applicable General Plan and Code.</p> <p style="text-align: center;"><b>ON-SITE</b>  <b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measure 3A.11-4.                      Timing: Before submittal of tentative subdivision maps or improvement plans                      Enforcement: Folsom Community Development Department</p> <p style="text-align: center;"><b>OFF-SITE</b>                      No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b>  <b>NP:</b> direct LTS, no indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect                      (<i>Roadway Traffic</i>)  <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect (<i>Aerojet General Corporation &amp; Prairie City State Vehicular Recreation Area</i>)  <b>OFF-SITE</b>                      No direct or indirect</p>

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Mitigation		
<b>3B.11 NOISE – WATER</b>		
<p><b>3B.11-1: Temporary and Short-term Noise Levels in Excess of Standards.</b> The Off-site Water Facilities could expose persons to or generate noise levels in excess of applicable City and County standards.</p>		
	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS & no indirect
<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.11-1a: Limit Construction Hours.</b> Construction activities shall be limited to daylight hours between 7 a.m. and 7 p.m. Monday through Friday, and 9 a.m. and 5 p.m. on Saturday. No construction shall be allowed on Sundays or holidays.</p>		
Implementation:	City of Folsom Utilities Department	
Timing:	During construction of all Off-site Water Facility components	
Enforcement:	<ol style="list-style-type: none"> <li>1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</li> <li>2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</li> <li>3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</li> </ol>	
<p><b>Mitigation Measure 3B.11-1b: Minimize Noise from Construction Equipment and Staging.</b> Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturer’s specifications) and by shrouding or shielding impact tools, where used. The City’s construction specifications shall also require that the contractor select staging areas as far as feasibly possible from sensitive receptors.</p>		
Implementation:	City of Folsom Utilities Department	
Timing:	During construction of all Off-site Water Facility components	
Enforcement:	<ol style="list-style-type: none"> <li>1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</li> <li>2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</li> <li>3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</li> </ol>	
<p><b>Mitigation Measure 3B.11-1c: Maximize the Use of Noise Barriers.</b> Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from nearby residences. If feasible, noise barriers shall be used at the construction site and staging area. Temporary walls, stockpiles of excavated materials, or moveable sound barrier curtains would be appropriate in instances where construction noise would exceed 90 dBA and occur within less than 50 feet from a sensitive receptor. The final selection of noise barriers will be subject to the City’s approval and shall provide a minimum 10 dBA reduction in construction noise levels.</p>		
Implementation:	City of Folsom Utilities Department	

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<b>Mitigation</b>	
Timing:	During construction of all Off-site Water Facility components
Enforcement:	<ol style="list-style-type: none"> <li>1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</li> <li>2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</li> <li>3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</li> </ol>
<p><b>Mitigation Measure 3B.11-1d: Prohibit Non-Essential Noise Sources During Construction.</b> No amplified sources (e.g., stereo “boom boxes”) shall be used in the vicinity of residences during project construction.</p>	
Implementation:	City of Folsom Utilities Department
Timing:	During construction of all Off-site Water Facility components
Enforcement:	<ol style="list-style-type: none"> <li>1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</li> <li>2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</li> <li>3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</li> </ol>
<p><b>Mitigation Measure 3B.11-1e: Monitor Construction Noise and Provide a Mechanism for Filing Noise Complaints.</b> An on-site complaint and enforcement manager shall track and respond to noise complaints. The City shall also provide a mechanism for residents, businesses, and agencies to register complaints with the City if construction noise levels are overly intrusive or construction occurs outside the required hours.</p>	
Implementation:	City of Folsom Utilities Department
Timing:	During construction of all Off-site Water Facility components
Enforcement:	<ol style="list-style-type: none"> <li>1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</li> <li>2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</li> <li>3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</li> </ol>
<p><b>Significance after Mitigation: significant and unavoidable</b></p>	

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
	<b>Impact Lan</b>	<b>d/Water/GPA</b>			<b>Significance</b>
<b>Mitigation</b>					
<p><b>3B.11-2: Exposure to and/or Generation of Groundborne Vibration.</b> The Off-site Water Facilities could expose persons to or generate excessive groundborne vibration or groundborne noise levels.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>					
<p><b>3B.11-3: Permanent Increase in Ambient Noise Levels.</b> The Off-site Water Facilities could create a substantial permanent increase in ambient noise levels in the vicinity of new pumping facilities.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS, no indirect (<i>Pump Station(s)</i>); direct LTS, no indirect (<i>Water Treatment Plant &amp; Traffic Noise</i>)</p> <p><b>1, 1A, 3, 3A, 4, 4A:</b> direct PS, no indirect (<i>pumping noise</i>)</p> <p><b>2, 2A, 2B:</b> direct LTS, no indirect</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.11-3a: Implement Operational Noise Minimization Measures.</b> The following mitigation measures shall be implemented for the design of the WTP and the pump station(s) to ensure that operational noise levels at the property line do not exceed the City/County standards:</p> <ul style="list-style-type: none"> <li>▶ Shielding and other specified measures as deemed appropriate and effective by the design engineer shall be incorporated into the design in order to comply with performance standards.</li> <li>▶ Pumps located underground shall be shielded to not affect nearby sensitive receptors.</li> <li>▶ Project equipment shall be outfitted and maintained with noise-reduction devices such as equipment closures, fan silencers, mufflers, acoustical louvers, noise barriers, and acoustical panels to minimize operational noise.</li> <li>▶ Particularly noisy equipment shall be located as far away as feasibly possible from nearby sensitive receptors.</li> <li>▶ The orientation of acoustical exits shall always be facing away from nearby sensitive receptors.</li> <li>▶ Buildings and landscaping shall be incorporated, where possible, to absorb or redirect noise away from nearby sensitive receptors.</li> </ul> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Approval of engineering plans for the On- or Off-site WTPs and Off-site booster pumping facilities prior to construction</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</li> <li>2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</li> <li>3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</li> </ol> <p><i>Significance after Mitigation: significant and unavoidable</i></p>					

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Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3A.12 PARKS AND RECREATION - LAND</b>		
<p><b>3A.12-1: Sufficiency of Proposed Parkland to Meet Increased Demand and Potential Increased Use and Deterioration of Existing Facilities.</b> Residential development proposed for the SPA would require 5 acres of parkland per 1,000 residents to meet the adopted City of Folsom standards. Increased population could increase the demand on existing neighborhood and community parks such that the physical deterioration of the existing facilities could occur or be accelerated.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> indirect LTS, no direct <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>
<p><b>3A.12-2: Increased Use and Potential Physical Deterioration of Existing Off-site Local or Regional Park Facilities.</b> Project implementation would result in a large number of new residents, which would increase the use and could cause the potential physical deterioration of existing off-site local and regional park facilities.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>Direct</b> impacts are analyzed in Impact 3A.12-1.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> indirect LTS <b>NCP, PP, RIM, CD, RHD:</b> indirect LTS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No indirect</p>
<b>3B.12 PARKS AND RECREATION - WATER</b>		
<p><b>3B.12-1: Temporary Disruptions to Existing Recreational Facilities and Opportunities.</b> Implementation of the Off-site Water Facilities could temporarily disrupt trail, golf course, or park facility access.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4 &amp; 4A: Mitigation Measure 3B.12-1: Provide for Continued Recreational Access as Identified in Mitigation Measure 3.14-1a.</b> As part of the Traffic Control Plan identified in Mitigation Measure 3.14-1a, the City shall ensure that trail access is maintained throughout the construction period through the use of detours. Proper signage shall be included in multiple locations, where necessary, to provide advance notice to hikers and equestrian riders of up-comings construction activities.</p> <p>Implementation: City of Folsom Utilities Department Timing: Prior to and during construction activities Enforcement: 1. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 3, 3A, 4 &amp; 4A:</b> direct PS, no indirect <b>2B:</b> no impacts</p>

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<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<p style="text-align: center;">2. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</p> <p><b>2B:</b> No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>		
<p><b>3B.12-2: Effects to Water-Oriented Recreational Facilities and Opportunities.</b> Implementation of the Off-site Water Facilities would not cause an adverse change in river flows or lake elevations that could result in substantial changes to existing recreational opportunities.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS, no indirect</p>
<b>3A.13 POPULATION, EMPLOYMENT, AND HOUSING - LAND</b>		
<p><b>3A.13-1: Temporary Increase in Population and Subsequent Housing Demand during Construction.</b> Project implementation would generate a temporary increase in employment and subsequent housing demand in Sacramento County and the City of Folsom from construction jobs.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>NP:</b> direct LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p>
<p><b>3A.13-2: Permanent Increase in Population Growth.</b> Project implementation would result in the development of new residential dwelling units, which would cause a direct long-term increase in population.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, indirect impacts evaluated throughout EIR/EIS <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>direct LTS, indirect impacts evaluated throughout EIR/EIS</p>

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Mitigation		
<p><b>3A.13-3: Displacement of Existing Housing or People Resulting from Project Development.</b> Project implementation would displace one existing residence located in the SPA.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> no direct or indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>
<p><b>3A.14 PUBLIC SERVICES - LAND</b></p>		
<p><b>3A.14-1: Temporary Reduction in Emergency Response Services during Construction.</b> Project implementation could obstruct roadways in the project vicinity during construction, potentially obstructing or slowing emergency vehicles attempting to access the area.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.14-1: Prepare and Implement a Construction Traffic Control Plan.</b> The project applicant(s) of all project phases shall prepare and implement traffic control plans for construction activities that may affect road rights-of-way. The traffic control plans must follow any applicable standards of the agency responsible for the affected roadway and must be approved and signed by a professional engineer. Measures typically used in traffic control plans include advertising of planned lane closures, warning signage, a flagperson to direct traffic flows when needed, and methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses shall be maintained at all times, with detours used as necessary during road closures. Traffic control plans shall be submitted to the appropriate City or County department or the California Department of Transportation (Caltrans) for review and approval before the approval of all project plans or permits, for all project phases where implementation may cause impacts on traffic. Mitigation for the off-site elements outside of the City of Folsom’s jurisdictional boundaries must be coordinated by the project applicant(s) of each applicable project phase with the affected oversight agency(ies) (i.e., El Dorado and/or Sacramento Counties and Caltrans).</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before the approval of all relevant plans and/or permits and during construction of all project phases.</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For those roadways that would be annexed into the City of Folsom: City of Folsom Public Works Department.</li> <li>2. For those roadways that would remain under the control of Sacramento County: Sacramento County Department of Transportation.</li> <li>3. For the two off-site roadway connections into El Dorado Hills: El Dorado County Department of Transportation.</li> <li>4. For U.S. 50 interchange improvements: Caltrans.</li> </ol> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p><b>NP:</b> direct LTS, no indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p>

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.14-2: Increased Demand for Fire Protection Facilities, Systems, Equipment, and Services.</b> Project development would result in increased demand for fire protection facilities and services, potentially resulting in the need for additional staff and equipment to maintain an adequate level of service.</p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b>  <b>NP:</b> direct LTS, no indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct PS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b>                      No direct or indirect</p>
<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.  <b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.14-2: Incorporate California Fire Code; City of Folsom Fire Code Requirements; and EDHFD Requirements, if Necessary, into Project Design and Submit Project Design to the City of Folsom Fire Department for Review and Approval.</b> To reduce impacts related to the provision of new fire services, the project applicant(s) of all project phases shall do the following, as described below.</p> <ol style="list-style-type: none"> <li>1. Incorporate into project designs fire flow requirements based on the California Fire Code, Folsom Fire Code (City of Folsom Municipal Code Title 8, Chapter 8.36), and other applicable requirements based on the City of Folsom Fire Department fire prevention standards. Improvement plans showing the incorporation automatic sprinkler systems, the availability of adequate fire flow, and the locations of hydrants shall be submitted to the City of Folsom Fire Department for review and approval. In addition, approved plans showing access design shall be provided to the City of Folsom Fire Department as described by Zoning Code Section 17.57.080 (“Vehicular Access Requirements”). These plans shall describe access-road length, dimensions, and finished surfaces for firefighting equipment. The installation of security gates across a fire apparatus access road shall be approved by the City of Folsom Fire Department. The design and operation of gates and barricades shall be in accordance with the Sacramento County Emergency Access Gates and Barriers Standard, as required by the City of Folsom Fire Code.</li> <li>2. 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.</li> </ol> <p>In addition to the above measures, the project applicant(s) of all project phases shall incorporate the provisions described below for the portion of the SPA within the EDHFD service area, if it is determined through City/El Dorado County negotiations that EDHFD would serve the 178-acre portion of the SPA.</p> <ol style="list-style-type: none"> <li>3. Incorporate into project designs applicable requirements based on the EDHFD fire prevention standards. For commercial development, improvement plans showing roadways, land splits, buildings, fire sprinkler systems, fire alarm systems, and other commercial building improvements shall be submitted to the EDHFD for review and approval. For residential development, improvement plans showing property lines and adjacent streets or roads; total acreage or square footage of the parcel; the footprint of all structures; driveway plan views describing width, length, turnouts, turnarounds, radiuses, and surfaces; and driveway profile views showing the percent grade from the access road to the structure and vertical clearance shall be submitted to the EDHFD for review and approval.</li> <li>4. Submit a Fire Prevention Plan Checklist to the EDHFD for review and approval before the issuance of building permits. In addition, residential development requiring automation fire sprinklers shall submit sprinkler design sheet(s) and hydraulic calculations from a California State Licensed C-16 Contractor.</li> </ol> <p>The City shall not authorize the occupancy of any structures until the project applicant(s) have obtained a Certificate of Occupancy from the City of Folsom Community Development Department verifying that all fire prevention items have been addressed on-site to the satisfaction of the City of Folsom Fire Department</p>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>and/or the EDHFD for the 178-acre area of the SPA within the EDHFD service area.</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before issuance of building permits and issuance of occupancy permits or final inspections for all project phases.</p> <p>Enforcement: City of Folsom Fire Department, and City of Folsom Community Development Department, and/or EDHFD for the portion of the SPA within the EDHFD service area.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>		
<p><b>3A.14-3: Increased Demand for Fire Flow.</b> Project implementation would include the development of residential, commercial, school, and other uses that would require adequate available water flow for fire suppression. Lack of adequate fire flow would impede effective fire suppression at the SPA.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures are required. <b>NCP, PP, RIM, CD, RHD:</b> Implement Mitigation Measure 3A.14-2.</p> <p><b>Mitigation Measure 3A.14-3: Incorporate Fire Flow Requirements into Project Designs.</b> The project applicant(s) of all project phases shall incorporate into their project designs fire flow requirements based on the California Fire Code, Folsom Fire Code, and/or EDHFD for those areas of the SPA within the EDHFD service area and shall verify to City of Folsom Fire Department that adequate water flow is available, prior to approval of improvement plans and issuance of occupancy permits or final inspections for all project phases.</p> <p>Implementation: Project applicant(s) of all project phases.</p> <p>Timing: Before issuance of building permits and issuance of occupancy permits or final inspections for all project phases.</p> <p>Enforcement: City of Folsom Fire Department, City of Folsom Community Development Department, and/or EDHFD for the 178-acre portion of the SPA within the EDHFD service area.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> direct significant, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>

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Mitigation		
<p><b>3A.14-4: Increased Demand for Police Protection Facilities, Services, and Equipment.</b> Project development would increase the demand for police protection facilities and services, resulting in the need for additional staff and equipment to maintain an adequate level of service.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, indirect impacts evaluated in EIR/EIS <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>
<p><b>3A.14-5: Increased Demand for Public Elementary School Facilities and Services.</b> Project implementation would increase demand for elementary schools (grades K–5) to serve the project.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>
<p><b>3A.14-6: Increased Demand for Public Middle and High School Facilities and Services.</b> Project implementation would increase demand for middle schools (grades 6–8) and high schools (grades 9–12) to serve the project.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>

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Mitigation		
<b>3A.15 TRAFFIC AND TRANSPORTATION - LAND</b>		
<p><b>3A.15-1: Increases to Peak-Hour and Daily Traffic Volumes, Resulting in Unacceptable Levels of Service.</b> Implementation of development of the Project or build alternatives would cause an increase in a.m. peak-hour, p.m. peak-hour, and/or daily traffic volumes on area roadways, resulting in unacceptable LOS and warranting the need for improvements such as traffic signals and additional lanes.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Project Participation in Funding Transportation Improvements</b></p> <p>a. Within and adjacent to the project boundaries, the Applicant shall construct all feasible physical improvements necessary and available to reduce the severity of the project’s significant transportation-related impacts, which may be subject to fee credits and/or reimbursement, coordinated by the City, from other fee-paying development projects if available with respect to roads or other facilities that would also serve those non-project fee-paying development projects. Funding of improvements on the perimeter of the project boundaries will be shared with other development/jurisdictions.</p> <p>b. Outside the project boundaries, the Applicant shall be responsible for the project’s fair share of feasible physical improvements necessary and available to reduce the severity of the project’s significant transportation-related impacts within the City of Folsom, in other jurisdictions and on State facilities, based on “cumulative plus project conditions.” For purposes of this measure, “cumulative plus project conditions” refers to development authorized under the project as well as development consistent with approved general plans, specific plans, and other entitlements in the City and other jurisdictions. In cases where the project’s fair share contribution is identified, the share will be based on the project’s relative contribution to traffic growth under “cumulative plus project conditions.” The project’s contribution toward such improvements may take any, or some combination, of the following forms:</p> <ol style="list-style-type: none"> <li>1. Construction of roads, road improvements, or other transportation facilities outside the boundaries of the project, subject in some instances to fee credit against other improvements necessitated by the project or future reimbursement, coordinated by the City, from other fee-paying development projects if available where the roads or improvements at issue would also serve those non-project fee paying development projects;</li> <li>2. The payment of impact fees to the City of Folsom in amounts that constitute the project’s fair share contributions to the construction of transportation facilities to be built or improved within the City, consistent with the City’s Capital Improvement Program (“CIP”);</li> <li>3. The payment of other adopted regional impact fees that would provide improvements to roadways, intersections and/or interchanges that are affected by multiple jurisdictions, except where the project applicant’s payments of other fees or construction of improvements within the City of Folsom creates credit against the payment of regional impact fees;</li> <li>4. The payment of impact fees to the City of Folsom in amounts that constitute the project’s fair share contributions to the construction of transportation facilities and/or improvements within affected jurisdictions outside of Folsom, which payments to the City of Folsom and transmittal of fees to other agencies would occur through one or more enforceable agreements provided that for each required improvement, there is a reasonable mitigation plan that ensures that (i) the fees collected from the project will be used for their intended purposes, and (ii) the improvements will actually be built within a reasonable period of time, and</li> </ol>	<p>Land</p>	<p><b>NP:</b> no impact <b>NCP, PP, RIM, CD, RHD:</b> direct SU</p>

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	<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>		
<b>Mitigation</b>					
5.	<p>The payment of impact fees to the City of Folsom in amounts that constitute the project’s fair share contributions to the construction of transportation facilities and/or improvements on federal or state highways or freeways needed in part because of the project, to be made available to the California Department of Transportation (“Caltrans”) if and when Caltrans and the City of Folsom enter into an enforceable agreement consistent with state law provided that, for each required improvement, Caltrans has a reasonable mitigation plan that ensures that (i) the fees collected from the project will be used for their intended purposes, and (ii) the improvements will actually be built within a reasonable period of time.</p>				
c.	<p>In pursuing a single agreement or multiple agreements with any jurisdictions outside of the City of Folsom that will be affected by traffic from the project in order to effectuate proposed mitigation measures for improvements outside the City of Folsom, the City will seek to negotiate in good faith with these other jurisdictions to enter into fair and reasonable arrangements with the intention of achieving, within a reasonable time period after approval of the project’s, commitments for (i) the provision of adequate “fair share” mitigation payments from the project for out-of-jurisdiction traffic impacts and impacts on federal and state freeways and highways, and (ii) reciprocal payments from regional development projects to the City of Folsom to address cumulative “fair share” mitigation payments towards federal and state freeways and highways for transportation-related facilities and/or improvements within the City of Folsom necessitated by the development within the region. It is intended that these agreements shall permit the participating agencies flexibility in providing cross-jurisdictional credits and reimbursements consistent with the general “fair share” mitigation standard, and require an updated model run incorporating the best available information in order to obtain the most accurate, up-to-date impact assessment feasible and to generate the most accurate, up-to-date estimates of regional fair share contributions. Best efforts should be made to secure funding from federal, state and regional sources. These agreements, moreover, should also include provisions that allow for periodic updates to the traffic modeling on which fair share payment calculations depend in order to account for (i) newly approved projects cumulatively contributing to transportation-related impacts and that therefore should contribute to the funding of necessary improvements (ii) additional physical improvements necessitated in whole or in part by newly approved projects, <u>and</u> (iii) changing cost calculations for the construction of needed improvements based on changes in the costs of materials, labor, and other inputs.</p>				
d.	<p>If transportation improvements required to be constructed as mitigation are constructed prior to project implementation, the project will pay its fair share portion for those improvements.</p>				
e.	<p>In considering individual projects within the project area (e.g., small-lot tentative subdivision maps or similar discretionary non-residential approvals), the City of Folsom shall identify required improvements, and shall base its calculations for such projects’ fair share payments, based on the most recent traffic modeling (i.e., modeling that accounts for (i) newly approved projects cumulatively contributing to transportation-related impacts and that therefore should contribute to the funding of necessary improvements, (ii) additional physical improvements necessitated in whole or in part by newly approved projects, and (iii) changing cost calculations for the construction of needed improvements based on changes in the costs of materials, labor, and other inputs).</p>				
<p><b><i>Significance after Mitigation: significant and unavoidable</i></b></p>					

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1a: Unacceptable LOS at the Folsom Boulevard/Blue Ravine Road Intersection (Intersection 1).</b> Project or build alternative traffic would cause signalized intersection operations at the Folsom Boulevard/Blue Ravine Road intersection to deteriorate with an increase in delay of more than 5 seconds during either or both a.m./p.m. peak hours.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1a: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Folsom Boulevard/Blue Ravine Road Intersection (Intersection 1).</b> To ensure that the Folsom Boulevard/Blue Ravine Road intersection operates at an acceptable LOS, the eastbound approach must be reconfigured to consist of two left-turn lanes, one through lane, and one right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Folsom Boulevard/Blue Ravine Road intersection (Intersection 1).</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented and when fair share funding should be paid.</p> <p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>
<p><b>3A.15-1b: Unacceptable LOS at the Sibley Street/ Blue Ravine Road Intersection (Intersection 2).</b> Project or build alternative traffic would cause signalized intersection operations at the Sibley Street/Blue Ravine Road intersection to deteriorate with an increase in delay of more than 5 seconds during the a.m. peak hour.</p> <p><b>NCP, RIM:</b> No mitigation measures are required.</p> <p><b>PP, CD, RHD: Mitigation Measure 3A.15-1b: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements at the Sibley Street/ Blue Ravine Road Intersection (Intersection 2).</b> To ensure that the Sibley Street/Blue Ravine Road intersection operates at an acceptable LOS, the northbound approach must be reconfigured to consist of two left-turn lanes, two through lanes, and one right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection (Intersection 2).</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented and when fair share funding should be paid.</p> <p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p><b>NCP, RIM: LTS PP, CD, RHD: significant</b></p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1c: Unacceptable LOS at the Scott Road (West)/White Rock Road Intersection (Intersection 28).</b> Unsignalized intersection operations at Scott Road (West)/White Rock Road would degrade to LOS D during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1c: The Applicant Shall Fund and Construct Improvements to the Scott Road (West)/White Rock Road Intersection (Intersection 28).</b> To ensure that the Scott Road (West)/White Rock Road intersection operates at an acceptable LOS, a traffic signal must be installed.</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.</p> <p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>
<p><b>3A.15-1d: Unacceptable LOS D at the Scott Road (East)/Easton Valley Parkway Intersection (Intersection 38).</b> Signalized intersection operations at Scott Road (East)/Easton Valley Parkway would operate at unacceptable LOS D during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>NCP, PP, RIM, CD, RHD: LTS</b></p>
<p><b>3A.15-1e: Unacceptable LOS at the Hillside Drive/Easton Valley Parkway Intersection (Intersection 41).</b> Unsignalized intersection operations at Hillside Drive/Easton Valley Parkway would be at LOS D during both a.m. and p.m. peak hours.</p> <p><b>NCP, PP, RIM, CD:</b> No mitigation measures are required.</p> <p><b>RHD: Mitigation Measure 3A.15-1e: Fund and Construct Improvements to the Hillside Drive/Easton Valley Parkway Intersection (Intersection 41).</b> To ensure that the Hillside Drive/Easton Valley Parkway intersection operates at an acceptable LOS, the eastbound approach must be reconfigured to consist of one dedicated left turn lane and two through lanes, and the westbound approach must be reconfigured to consist of two through lanes and one dedicated right-turn lane. The applicant shall fund and construct these improvements.</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.</p>	Land	<p><b>NCP, PP, RIM, CD: LTS</b> <b>RHD: significant</b></p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
<b>Impact Lan</b>		<b>d/Water/GPA</b>		<b>Significance</b>	
<b>Mitigation</b>					
Enforcement: City of Folsom Public Works Department					
<i>Significance after Mitigation: less than significant</i>					
<b>3A.15-1f: Unacceptable LOS at the Oak Avenue Parkway/Middle Road Intersection (Intersection 44).</b> Unsignalized intersection operations at Oak Avenue Parkway/Middle Road would operate at unacceptable LOS D during either or both a.m./p.m. peak hours.		Land		<b>NCP, RIM: LTS</b> <b>PP, CD, RHD: significant</b>	
<b>NCP, RIM:</b> No mitigation measures are required. <b>PP, CD, RHD: Mitigation Measure 3A.15-1f: Fund and Construct Improvements to the Oak Avenue Parkway/Middle Road Intersection (Intersection 44).</b> To ensure that the Oak Avenue Parkway/Middle Road intersection operates at an acceptable LOS, control all movements with a stop sign. The applicant shall fund and construct these improvements.					
Implementation: City of Folsom Public Works Department.					
Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.					
Enforcement: City of Folsom Public Works Department					
<i>Significance after Mitigation: less than significant</i>					
<b>3A.15-1g: Unacceptable LOS at the Hazel Avenue/Gold Country Blvd Intersection (Sacramento County Intersection 1).</b> Signalized intersection operations at Hazel Avenue/Gold Country Boulevard would deteriorate, with the volume-to-capacity ratio increasing by more than 0.05 during the p.m. peak hour.		Land		<b>NCP, PP, RIM, CD, RHD: LTS</b>	
<b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required. <b>Significance after Mitigation: less than significant</b>					
<b>3A.15-1h: Unacceptable LOS at the Hazel Avenue/Folsom Blvd Intersection (Sacramento County Intersection 2).</b> Signalized intersection operations at Hazel Avenue/Folsom Boulevard would deteriorate, with the volume-to-capacity ratio increasing by more than 0.05 during the p.m. peak hour.		Land		<b>NCP, CD: significant</b> <b>PP, RIM, RHD: LTS</b>	
<b>NCP, CD: Mitigation Measure 3A.15-1h: Participate in Fair Share Funding of Improvements to Reduce Impacts to the Hazel Avenue/Folsom Boulevard Intersection (Sacramento County Intersection 2).</b> To ensure that the Hazel Avenue/Folsom Boulevard intersection operates at an acceptable LOS, this intersection must be grade separated including “jug handle” ramps. No at grade improvement is feasible. Grade separating and extended (south) Hazel Avenue with improvements to the U.S. 50/Hazel Avenue interchange is a mitigation measure for the approved Easton-Glenbrough Specific Plan development project. The					

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)		
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)			
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)	S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Hazel Avenue/Folsom Boulevard intersection (Sacramento County Intersection 2).</p> <p>Implementation: Sacramento County Public Works Department and Caltrans.</p> <p>Timing: A phasing analysis shall be performed prior to approval of the first subdivision map to determine when the improvement should be implemented.</p> <p>Enforcement: Sacramento County Public Works Department and Caltrans</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p> <p><b>PP, RIM, RHD:</b> No mitigation measures are required.</p> <p><b>Significance after Mitigation: less than significant</b></p>		
<p><b>3A.15-1i: Unacceptable LOS at the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3).</b> Delay at the unsignalized Grant Line Road/White Rock Road intersection would increase delay by more than 5 seconds during the a.m. and p.m. peak hours.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1i: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/White Rock Road Intersection and to White Rock Road widening between the Rancho Cordova City limit to Prairie City Road (Sacramento County Intersection 3).</b> Improvements must be made to ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS. The currently County proposed White Rock Road widening project will widen and realign White Rock Road from the Rancho Cordova City limit to the El Dorado County line (this analysis assumes that the Proposed Project and build alternatives will widen White Rock Road to five lanes from Prairie City road to the El Dorado County Line). This widening includes improvements to the Grant Line Road intersection and realigning White Rock Road to be the through movement. The improvements include two eastbound through lanes, one eastbound right turn lane, two northbound left turn lanes, two northbound right turn lanes, two westbound left turn lanes and two westbound through lanes. This improvement also includes the signalization of the White Rock Road and Grant Line Road intersection. With implementation of this improvement, the intersection would operate at an acceptable LOS A. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road intersection (Sacramento County Intersection 3).</p> <p>Implementation: Sacramento County Public Works Department.</p> <p>Timing: Before project build out. Design of the White Rock Road widening to four lanes, from Grant Line Road to Prairie City Road, with intersection improvements has begun, and because this widening project is environmentally cleared and fully funded, it's construction is expected to be complete before the first phase of the Proposed Project or alternative is built.</p> <p>Enforcement: Sacramento County Public Works Department</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)



<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1j: Unacceptable LOS on Hazel Avenue between Madison Avenue and Curragh Downs Drive (Sacramento County Roadway Segment 10).</b> The volume-to-capacity ratio on this LOS F segment would increase by more than 0.05 with project-related traffic.</p> <p><b>NCP, RIM:</b> No mitigation measures are required.</p> <p><b>PP, CD, RHD: Mitigation Measure 3A.15-1j: Participate in Fair Share Funding of Improvements to Reduce Impacts on Hazel Avenue between Madison Avenue and Curragh Downs Drive (Roadway Segment 10).</b> To ensure that Hazel Avenue operates at an acceptable LOS between Curragh Downs Drive and Gold Country Boulevard, Hazel Avenue must be widened to six lanes. This improvement is part of the County adopted Hazel Avenue widening project.</p> <p>Implementation: Sacramento County Public Works Department.</p> <p>Timing: Before project build out. Construction of phase two of the Hazel Avenue widening, from Madison Avenue to Curragh Downs Drive, is expected to be completed by year 2013, before the first phase of the Proposed Project or alternative is complete. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Hazel Avenue between Madison Avenue and Curragh Downs Drive (Sacramento County Roadway Segment 10).</p> <p>Enforcement: Sacramento County Public Works Department</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	<p>Land</p>	<p><b>NCP, RIM: LTS</b> <b>PP, CD, RHD: significant</b></p>
<p><b>3A.15-1k: Unacceptable LOS on Hazel Avenue between Curragh Downs Drive and Gold Country Boulevard (Sacramento County Roadway Segment 11).</b> Operations on this roadway segment would deteriorate, with an increase in the volume-to-capacity ratio of this LOS F segment by more than 0.05 under the project and all build alternatives.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: LTS</b></p>
<p><b>3A.15-1l: Unacceptable LOS at the White Rock Road/Windfield Way Intersection (El Dorado County Intersection 3).</b> Unsignalized intersection operations at White Rock Road/Windfield Way would degrade as the delay would increase by more than 5 seconds under unacceptable LOS F conditions during the p.m. peak traffic hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1l: Participate in Fair Share Funding of Improvements to Reduce Impacts on the White Rock Road/Windfield Way Intersection (El Dorado County Intersection 3).</b> To ensure that the White Rock Road/Windfield Way intersection operates at an acceptable LOS, the intersection must be signalized and separate northbound left and right turn lanes must be striped. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White</p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
Impact Lan	d/Water/GPA	Significance			
Mitigation					
<p>Rock Road/Windfield Way intersection (El Dorado County Intersection 3).                      Implementation: El Dorado County Department of Transportation.                      Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.                      Enforcement: El Dorado County Department of Transportation  <i>Significance after Mitigation: significant and unavoidable</i></p>					
<p><b>3A.15-1m: Unacceptable LOS at the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1).</b> Signalized intersection operations at Hazel Avenue/U.S. 50 westbound ramps would degrade as the delay increases with the addition of project or alternative traffic.  <b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>	Land	<b>NCP, PP, RIM, CD, RHD: LTS</b>			
<p><b>3A.15-1n: Unacceptable LOS at the Hazel Avenue/U.S. 50 Eastbound Ramps Intersection (Caltrans Intersection 2).</b> Signalized intersection operations at Hazel Avenue/U.S. 50 eastbound ramps would degrade as the delay would increase during the p.m. peak hour.  <b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>	Land	<b>NCP, PP, RIM, CD, RHD: LTS</b>			
<p><b>3A.15-1o: Unacceptable LOS at the Folsom Boulevard/U.S. 50 Eastbound Ramps Intersection (Caltrans Intersection 4).</b> The signalized intersection of Folsom Boulevard/U.S. 50 eastbound ramps would degrade from an acceptable LOS C to an unacceptable LOS F during the p.m. peak traffic hour with project-related traffic.  <b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1o: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 as an alternative to improvements at the Folsom Boulevard/U.S. 50 Eastbound Ramps Intersection (Caltrans Intersection 4).</b> Congestion on eastbound U.S. 50 is causing vehicles to use Folsom Boulevard as an alternate parallel route until they reach U.S. 50, where they must get back on the freeway due to the lack of a parallel route. It is preferred to alleviate the congestion on U.S. 50 than to upgrade the intersection at the end of this reliever route. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Folsom Boulevard/U.S. 50 Eastbound Ramps intersection (Caltrans Intersection 4).                      To ensure that the Folsom Boulevard/U.S. 50 eastbound ramps intersection operates at an acceptable LOS, auxiliary lanes should be added to eastbound U.S. 50</p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>			

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>from Hazel Avenue to east of Folsom Boulevard. This was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project.</p> <p>Implementation: <u>Caltrans</u> City of Folsom Public Works Department and Sacramento County Department of Transportation</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>Caltrans</u> City of Folsom Public Works Department and Sacramento County Department of Transportation</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.15-1p: Unacceptable LOS at the Grant Line Road/ State Route 16 Intersection (Caltrans Intersection 12).</b> The signalized intersection of Grant Line Road/State Route 16 would experience an increase in delay during the a.m. peak traffic hour and degrade to an unacceptable LOS F during the p.m. peak traffic hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1p: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/ State Route 16 Intersection (Caltrans Intersection 12).</b> To ensure that the Grant Line Road/State Route 16 intersection operates at an acceptable LOS, the northbound and southbound approaches must be reconfigured to consist of one left-turn lane and one shared through/right-turn lane. Protected left-turn signal phasing must be provided on the northbound and southbound approaches. Improvements to the Grant Line Road/State Route 16 intersection are contained within the County Development Fee Program, and are scheduled for Measure A funding.</p> <ul style="list-style-type: none"> <li>Improvements to this intersection must be implemented by Caltrans, Sacramento County, and the City of Rancho Cordova.</li> </ul> <p>The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/State Route 16 intersection (Caltrans Intersection 12).</p> <p>Implementation: <u>Caltrans</u>, Sacramento County Department of Transportation and the City of Rancho Cordova Department of Public Works</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>Caltrans</u>, Sacramento County Department of Transportation and the City of Rancho Cordova Department of Public Works</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>
<p><b>3A.15-1q: Unacceptable LOS on Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1).</b> This freeway segment would degrade to an unacceptable LOS F during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1q: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1).</b> To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, a bus-carpool (HOV) lane must be constructed. This improvement is currently planned as part of the Sacramento 50 Bus-Carpool</p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>Lane and Community Enhancements Project. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1).</p> <p>Implementation: Caltrans</p> <p>Timing: Before project build out. Construction of the Sacramento 50 Bus-Carpool Lane and Community Enhancements Project is expected to be completed by year 2013, before the first phase of the Proposed Project or alternative is complete. <u>Construction of the Sacramento 50 Bus-Carpool Lane and Community Enhancements Project has started since the writing of the Draft EIS/EIR.</u></p> <p>Enforcement: Caltrans</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.15-1r: Unacceptable LOS on Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard (Freeway Segment 3).</b> This freeway segment would degrade to an unacceptable LOS F during the p.m. peak hour with project-related traffic.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1r: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard (Freeway Segment 3).</b> To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Folsom Boulevard, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Hazel Avenue and Folsom Boulevard (Freeway Segment 3).</p> <p>Implementation: <del>Caltrans</del> City of Folsom Public Works Department and Sacramento County Department of Transportation</p> <p>Timing: Before project build out. A phasing analysis should be performed to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>Caltrans</del> City of Folsom Public Works Department and Sacramento County Department of Transportation</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>
<p><b>3A.15-1s: Unacceptable LOS on Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 4).</b> This freeway segment would degrade to an unacceptable LOS F during the p.m. peak hour and would experience an increase in the volume to capacity ratio under unacceptable LOS F conditions during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1s: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 4).</b> To ensure that Eastbound U.S. 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the</p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 4).</p> <p>Implementation: <u>Caltrans</u> City of Folsom Public Works Department and Sacramento County Department of Transportation</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>Caltrans</u> City of Folsom Public Works Department and Sacramento County Department of Transportation</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.15-1t: Unacceptable LOS on Eastbound U.S. 50 between El Dorado Hills Boulevard – Latrobe Road and Bass Lake Grade (Freeway Segment 9).</b> This freeway segment would experience an increase in the volume to capacity ratio under unacceptable LOS F conditions during the p.m. peak.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><b>Significance after Mitigation: less than significant</b></p>	Land	<b>NCP, PP, RIM, CD, RHD: LTS</b>
<p><b>3A.15-1u: Unacceptable LOS on Westbound U.S. 50 between Prairie City Road and Folsom Boulevard (Freeway Segment 16).</b> This freeway segment would experience an increase in the volume to capacity ratio under unacceptable LOS F conditions during the a.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1u: Participate in Fair Share Funding of Improvements to Reduce Impacts on Westbound U.S. 50 between Prairie City Road and Folsom Boulevard (Freeway Segment 16).</b> To ensure that Westbound U.S. 50 operates at an acceptable LOS between Prairie City Road and Folsom Boulevard, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Westbound U.S. 50 between Prairie City Road and Folsom Boulevard (Freeway Segment 16).</p> <p>Implementation: <u>Caltrans</u> City of Folsom Public Works Department and Sacramento County Department of Transportation</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>Caltrans</u> City of Folsom Public Works Department and Sacramento County Department of Transportation</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1v: Unacceptable LOS on Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard (Freeway Segment 18).</b> This freeway segment would experience an increase in the volume to capacity ratio under unacceptable LOS F conditions during the a.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1v: Participate in Fair Share Funding of Improvements to Reduce Impacts on Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard (Freeway Segment 18).</b> To ensure that Westbound U.S. 50 operates at an acceptable LOS between Hazel Avenue and Sunrise Boulevard, an auxiliary lane must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project, and included in the proposed Rancho Cordova Parkway interchange project. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Westbound U.S. 50 between Hazel Avenue and Sunrise Boulevard (Freeway Segment 18).</p> <p>Implementation: <u>Caltrans City of Rancho Cordova Department of Public Works and Sacramento County Department of Transportation</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement</p> <p>Enforcement: <u>Caltrans City of Rancho Cordova Department of Public Works and Sacramento County Department of Transportation</u></p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p><b>3A.15-1w: Unacceptable LOS at the U.S. 50 Eastbound/Folsom Boulevard Ramp Merge (Freeway Merge 4).</b> This freeway merge would experience an increase in density under unacceptable LOS F conditions during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1w: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Folsom Boulevard Ramp Merge (Freeway Merge 4).</b> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard merge, an auxiliary lane from the Folsom Boulevard merge to the Prairie City Road diverge must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Eastbound/Folsom Boulevard Ramp Merge (Freeway Merge 4).</p> <p>Implementation: <u>Caltrans City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>Caltrans City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1x: Unacceptable LOS at the U.S. 50 Eastbound/Prairie City Road Diverge (Freeway Diverge 5).</b> This freeway diverge would experience an increase in density under unacceptable LOS F conditions during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1x: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Prairie City Road Diverge (Freeway Diverge 5).</b> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road off-ramp diverge, an auxiliary lane from the Folsom Boulevard merge must be constructed. This improvement was recommended in the Traffic Operations Analysis Report for the U.S. 50 Auxiliary Lane Project. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road diverge (Freeway Diverge 5).</p> <p>Implementation: <u>Caltrans City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>Caltrans City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>
<p><b>3A.15-1y: Unacceptable LOS at the U.S. 50 Eastbound/Prairie City Road Merge (Freeway Merge 6).</b> This freeway merge would degrade to an unacceptable LOS F during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1y: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Prairie City Road Direct Merge (Freeway Merge 6).</b> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road on-ramp direct merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound/Prairie City Road direct merge (Freeway Merge 6).</p> <p>Implementation: <u>Caltrans City of Folsom Public Works Department</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>Caltrans City of Folsom Public Works Department</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1z: Unacceptable LOS at the U.S. 50 Eastbound/Prairie City Road Flyover On-Ramp to Oak Avenue Parkway Off-Ramp Weave (Freeway Weave 8).</b> This new freeway weave would operate an unacceptable LOS F during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1z: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Prairie City Road Flyover On-Ramp to Oak Avenue Parkway Off-Ramp Weave (Freeway Weave 8).</b> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave, an improvement acceptable to Caltrans should be implemented to eliminate the unacceptable weaving conditions. Such an improvement may involve a “braided ramp”. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road flyover on-ramp to Oak Avenue Parkway off-ramp weave (Freeway Weave 8).</p> <p>Implementation: <del>Caltrans</del> <u>City of Folsom Public Works Department</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>Caltrans</del> <u>City of Folsom Public Works Department</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>
<p><b>3A.15-1aa: Unacceptable LOS at the U.S. 50 Eastbound/Oak Avenue Parkway Loop Merge (Freeway Merge 9).</b> This new freeway merge would operate an unacceptable LOS F during the p.m. peak.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1aa: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Oak Avenue Parkway Loop Merge (Freeway Merge 9).</b> To ensure that Eastbound U.S. 50 operates at an acceptable LOS at the Oak Avenue Parkway loop merge, an auxiliary lane to the East Bidwell Street – Scott Road diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound/ Oak Avenue Parkway loop merge (Freeway Merge 9).</p> <p>Implementation: <del>Caltrans</del> <u>City of Folsom Public Works Department</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>Caltrans</del> <u>City of Folsom Public Works Department</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)



<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1bb: Unacceptable LOS at the U.S. 50 Eastbound/El Dorado Hills Boulevard – Latrobe Road Merge (Freeway Merge 19).</b> This freeway merge would experience an increase in density under unacceptable LOS F conditions during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<b>NCP, PP, RIM, CD, RHD: LTS</b>
<p><b>3A.15-1cc: Unacceptable LOS at the U.S. 50 Westbound/El Dorado Hills Boulevard Diverge (Freeway Diverge 20).</b> This freeway diverge would experience an increase in density under unacceptable LOS F conditions during the a.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<b>NCP, PP, RIM, CD, RHD: LTS</b>
<p><b>3A.15-1dd: Unacceptable LOS at the U.S. 50 Westbound/Empire Ranch Road Loop Ramp Merge (Freeway Merge 23).</b> This freeway merge would operate at an unacceptable LOS F during the a.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1dd: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Empire Ranch Road Loop Ramp Merge (Freeway Merge 23).</b> To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on ramp from southbound Empire Ranch Road would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Empire Ranch Road loop ramp merge (Freeway Merge 23).</p> <p>Implementation: <del>Caltrans</del> <u>City of Folsom Public Works Department</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>Caltrans</del> <u>City of Folsom Public Works Department</u></p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1ee: Unacceptable LOS at the U.S. 50 Westbound/Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 29).</b> This freeway merge would operate at an unacceptable LOS F during the a.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1ee: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 29).</b> To ensure that Westbound U.S. 50 operates at an acceptable LOS, the northbound Oak Avenue Parkway loop on ramp should start the westbound auxiliary lane that ends at the Prairie City Road off ramp. The slip on ramp from southbound Oak Avenue Parkway would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Oak Avenue Parkway loop ramp merge (Freeway Merge 29).</p> <p>Implementation: <del>Caltrans</del> <u>City of Folsom Public Works Department</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>Caltrans</del> <u>City of Folsom Public Works Department</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p><b>3A.15-1ff: Unacceptable LOS at the U.S. 50 Westbound/Prairie City Road Loop Ramp Merge (Freeway Merge 32).</b> This freeway merge would degrade to an unacceptable LOS F during the a.m. peak hour. □</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1ff: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Prairie City Road Loop Ramp Merge (Freeway Merge 32).</b> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road loop ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Prairie City Road Loop Ramp Merge (Freeway Merge 32).</p> <p>Implementation: <del>Caltrans</del> <u>City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>Caltrans</del> <u>City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1gg: Unacceptable LOS at the U.S. 50 Westbound/Prairie City Road Ramp Merge (Freeway Merge 33).</b> This freeway merge would experience an increase in density under unacceptable LOS F conditions during the a.m. peak hour. □</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1gg: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Prairie City Road Direct Ramp Merge (Freeway Merge 33).</b> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Prairie City Road direct ramp merge, an auxiliary lane to the Folsom Boulevard off ramp diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound/Prairie City Road direct ramp merge (Freeway Merge 33).</p> <p>Implementation: <u>Caltrans City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>Caltrans City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p><b>3A.15-1hh: Unacceptable LOS at the U.S. 50 Westbound/Folsom Boulevard Diverge (Freeway Diverge 34).</b> This freeway diverge would experience an increase in density under unacceptable LOS F conditions during the a.m. peak hour, and degrade from an acceptable LOS D to an unacceptable LOS F during the p.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1hh: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound/Folsom Boulevard Diverge (Freeway Diverge 34).</b> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Folsom Boulevard Diverge, an auxiliary lane from the Prairie City Road loop ramp merge must be constructed. Improvements to this freeway segment must be implemented by Caltrans. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Folsom Boulevard diverge (Freeway Diverge 34).</p> <p>Implementation: <u>Caltrans City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>Caltrans City of Folsom Public Works Department and Sacramento County Department of Transportation</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-1ii: Unacceptable LOS at the U.S. 50 Westbound/Hazel Avenue Ramp Merge (Freeway Merge 38).</b> This freeway merge would experience an increase in density under unacceptable LOS F conditions during the a.m. peak hour.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-1ii: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound/Hazel Avenue Direct Ramp Merge (Freeway Merge 38).</b> To ensure that Westbound U.S. 50 operates at an acceptable LOS at the Hazel Avenue direct ramp merge, an auxiliary lane to the Sunrise Boulevard off ramp diverge must be constructed. This auxiliary lane improvement is included in the proposed 50 Corridor Mobility Fee Program. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the U.S. 50 Westbound/Hazel Avenue direct ramp merge (Freeway Merge 38).</p> <p>Implementation: <del>Caltrans</del> Sacramento County Department of Transportation and City of Rancho Cordova Department of Public Works</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>Caltrans</del> Sacramento County Department of Transportation and City of Rancho Cordova Department of Public Works</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p><b>3A.15-2: Increased Demand for Single-Occupant Automobile Travel in the Project Area.</b> Project implementation would increase demand for single-occupant automobile travel on area roadways and intersections causing roadway and intersection impacts.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-2a: Develop Commercial Support Services and Mixed-use Development Concurrent with Housing Development, and Develop and Provide Options for Alternative Transportation Modes.</b> The project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application including commercial or mixed-use development along with residential uses</u> shall develop commercial and mixed-use development concurrent with housing development, to the extent feasible in light of market realities and other considerations, to internalize vehicle trips. Pedestrian and bicycle facilities shall be implemented to the satisfaction of the City Public Works Department. To further minimize impacts from the increased demand on area roadways and intersections, the project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application involving schools or commercial centers</u> shall develop and implement safe and secure bicycle parking <del>at schools and commercial centers</del> to promote alternative transportation uses and reduce the volume of single-occupancy vehicles using area roadways and intersections.</p> <p>Implementation: City of Folsom and Applicant(s)</p> <p>Timing: Before approval of improvement plans for <del>all project phases</del> <u>any particular discretionary development application that includes residential and commercial or mixed-use development.</u></p> <p>Enforcement: City of Folsom Public Works Department.</p> <p>The project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> shall participate in capital improvements and operating funds</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>for transit service to increase the percent of travel by transit. The project’s fair-share participation and the associated timing of the improvements and service shall be identified in the project conditions of approval and/or the project’s development agreement. Improvements and service shall be coordinated, as necessary, with Folsom Stage Lines and Sacramento RT.</p> <p>Implementation: City of Folsom, Regional Transit, and Applicant(s)                      Timing: As a condition of project approval and/or as a condition of the development agreement for all project phases.                      Enforcement: City of Folsom Public Works Department.</p> <p><b>Mitigation Measure 3A.15-2b: Participate in the City’s Transportation System Management Fee Program.</b> The project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> shall pay an appropriate amount into the City’s existing Transportation System Management Fee Program to reduce the number of single-occupant automobile travel on area roadways and intersections.</p> <p>Implementation: City of Folsom and Applicant(s)                      Timing: Concurrent with construction for all project phases.                      Enforcement: City of Folsom Public Works Department.</p> <p><b>Mitigation Measure 3A.15-2c: Participate with the 50 Corridor Transportation Management Association.</b> The project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> shall join and participate with the 50 Corridor Transportation Management Association to reduce the number of single-occupant automobile travel on area roadways and intersections.</p> <p>Implementation: 50 Corridor Transportation Management Association and Applicant(s)                      Timing: Concurrent with construction for all project phases.                      Enforcement: City of Folsom Public Works Department.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.15-3: Potential Impacts Associated with the City’s Transportation Impact Fee Program.</b> The City of Folsom has a transportation impact fee program to implement roadway facilities (those identified in the City General Plan for implementation before Year 2030) within the city limits. However, this fee program does not cover the new roadway facilities that will be needed due to the Proposed Project or alternative. □</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-3: Pay Full Cost of Identified Improvements that Are Not Funded by the City’s Fee Program.</b>                      In accordance with Measure W, the project applicant(s) for <del>all project phases</del> <u>any particular discretionary development application</u> shall provide fair-share contributions to the City’s transportation impact fee program to fully fund improvements only required because of the Specific Plan.</p> <p>Implementation: City of Folsom and Applicant(s)                      Timing: As a condition of project approval and/or as a condition of the development agreement for all project phases.                      Enforcement: City of Folsom Public Works Department.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-4: Increases to Peak-Hour and Daily Traffic Volumes, Resulting in Unacceptable Levels of Service, under Cumulative (2030) Conditions.</b> Implementation of the Proposed Project (or alternatives) and other reasonably foreseeable development would cause an increase in a.m. peak traffic hour, p.m. peak traffic hour, and/or daily traffic volumes on area roadways, resulting in unacceptable LOS and warranting the need for improvements such as traffic signals and additional lanes under cumulative (2030) conditions.</p> <p><b>NP:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>NP:</b> no direct or indirect</p>
<p><b>3A.15-4a: Unacceptable LOS at the Sibley Street/Blue Ravine Road Intersection (Folsom Intersection 2) under Cumulative (2030) Conditions.</b> This signalized intersection would degrade to an unacceptable level of service D or E with an increase of five or more seconds of delay during the a.m. peak traffic hour under cumulative (2030) conditions.</p> <p><b>NCP, RIM:</b> No mitigation measures are required.</p> <p><b>PP, CD, RHD: Mitigation Measure 3A.15-4a: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Sibley Street/Blue Ravine Road Intersection (Folsom Intersection 2).</b> To ensure that the Sibley Street/Blue Ravine Road intersection operates at a LOS D with less than the Cumulative No Project delay, the northbound approach must be reconfigured to consist of two left-turn lane, two through lanes, and one dedicated right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Sibley Street/Blue Ravine Road intersection (Folsom Intersection 2).</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	<p><b>NCP, RIM:</b> LTS <b>PP, CD, RHD:</b> significant</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-4b: Unacceptable LOS at the Oak Avenue Parkway/East Bidwell Street Intersection (Folsom Intersection 6) under Cumulative (2030) Conditions.</b> This signalized intersection would degrade to an unacceptable level of service D with an increase of five or more seconds of delay during the p.m. peak traffic hours under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4b: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Oak Avenue Parkway/East Bidwell Street Intersection (Folsom Intersection 6).</b> To ensure that the Oak Avenue Parkway/East Bidwell Street intersection operates at an acceptable LOS, the eastbound (East Bidwell Street) approach must be reconfigured to consist of two left-turn lanes, four through lanes and a right-turn lane, and the westbound (East Bidwell Street) approach must be reconfigured to consist of two left-turn lanes, four through lanes, and a right-turn lane. It is against the City of Folsom policy to have eight lane roads because of the impacts to non motorized traffic and adjacent development; therefore, this improvement is infeasible.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p><b>3A.15-4c: Unacceptable LOS at the East Bidwell Street/College Street Intersection (Folsom Intersection 7) under Cumulative (2030) Conditions.</b> Project or build alternative traffic would increase delay at this deficient intersection by more than 5 seconds during the p.m. peak traffic hour under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-7c: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the East Bidwell Street/College Street Intersection (Folsom Intersection 7).</b> To ensure that the East Bidwell Street/College Street intersection operates at acceptable LOS C or better, the westbound approach must be reconfigured to consist of one left-turn lane, one left-through lane, and two dedicated right-turn lanes. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the East Bidwell Street/Nesmith Court intersection (Folsom Intersection 7).</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-4d: Unacceptable LOS at the East Bidwell Street /Iron Point Road Intersection (Folsom Intersection 21) under Cumulative (2030) Conditions.</b> This signalized intersection would degrade to an unacceptable LOS F during the p.m. peak traffic hours under the Proposed Project Alternative and all of the build alternatives under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4d: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the East Bidwell Street/Iron Point Road Intersection (Folsom Intersection 21).</b> To ensure that the East Bidwell Street /Iron Point Road intersection operates at an acceptable LOS, the northbound approach must be reconfigured to consist of two left-turn lanes, four through lanes and a right-turn lane, and the southbound approach must be reconfigured to consist of two left-turn lanes, four through lanes and a right-turn lane. It is against the City of Folsom policy to have eight lane roads because of the impacts to non motorized traffic and adjacent development; therefore, this improvement is infeasible.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>
<p><b>3A.15-4e: Unacceptable LOS at the Serpa Way/ Iron Point Road Intersection (Folsom Intersection 23) under Cumulative (2030) Conditions.</b> Traffic increases would increase the delay at this deficient intersection by more than 5 seconds under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM:</b> No mitigation measures are required.</p> <p><b>CD, RHD: Mitigation Measure 3A.15-4e: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Serpa Way/ Iron Point Road Intersection (Folsom Intersection 23).</b> To improve LOS at the Serpa Way/ Iron Point Road intersection, the northbound approaches must be restriped to consist of one left-turn lane, one shared left-through lanes, and one right-turn lane. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Serpa Way/Iron Point Road Intersection (Folsom Intersection 23).</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be build.</p> <p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p><b>NCP, PP, RIM: LTS CD, RHD: significant</b></p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)



<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-4f: Unacceptable LOS at the Empire Ranch Road/Iron Point Road Intersection (Folsom Intersection 24) under Cumulative (2030) Conditions.</b> During the p.m. peak traffic hour, this intersection would operate at LOS E or F with an increase in delay of 5 or more seconds under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4f: The Applicant Shall Pay a Fair Share to Fund the Construction of Improvements to the Empire Ranch Road/Iron Point Road Intersection (Folsom Intersection 24).</b> To ensure that the Empire Ranch Road / Iron Point Road intersection operates at a LOS D or better, all of the following improvements are required:</p> <ul style="list-style-type: none"> <li>▶ The eastbound approach must be reconfigured to consist of one left-turn lane, two through lanes, and a right-turn lane.</li> <li>▶ The westbound approach must be reconfigured to consist of two left-turn lanes, one through lane, and a through-right lane.</li> <li>▶ The northbound approach must be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane.</li> <li>▶ The southbound approach must be reconfigured to consist of two left-turn lanes, three through lanes, and a right-turn lane.</li> </ul> <p>The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the Empire Ranch Road / Iron Point Road Intersection (Folsom Intersection 24).</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: City of Folsom Public Works Department</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>
<p><b>3A.15-4g: Unacceptable LOS at the Oak Avenue Parkway/Easton Valley Parkway Intersection (Folsom Intersection 33) under Cumulative (2030) Conditions.</b> This new signalized intersection would operate at an unacceptable LOS D during the a.m. peak traffic hour with the addition of Proposed Project Alternative and alternative traffic under cumulative (2030) conditions.</p> <p><b>NCP, RIM:</b> No mitigation measures are required.</p> <p><b>PP, CD, RHD: Mitigation Measure 3A.15-4g: The Applicant Shall Fund and Construct Improvements to the Oak Avenue Parkway/Easton Valley Parkway Intersection (Folsom Intersection 33).</b> To ensure that the Oak Avenue Parkway/Easton Valley Parkway intersection operates at an acceptable LOS the southbound approach must be reconfigured to consist of two left-turn lanes, two through lanes, and two right-turn lanes. The applicant shall fund and construct these improvements.</p> <p>Implementation: City of Folsom Public Works Department.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which</p>	<p>Land</p>	<p><b>NCP, RIM: LTS PP, CD, RHD: significant</b></p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>project phase the improvement should be built.                      Enforcement: City of Folsom Public Works Department  <i>Significance after Mitigation: <u>less than significant and unavoidable</u></i></p>		
<p><b>3A.15-4h: LOS D at the Scott Road (East)/Easton Valley Parkway Intersection (Intersection 38) under Cumulative (2030) Conditions.</b> This new signalized intersection would operate at LOS D during the p.m. peak traffic hour with project traffic under cumulative (2030) conditions.   <b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>	Land	<b>NCP, PP, RIM, CD, RHD: LTS</b>
<p><b>3A.15-4i: Unacceptable LOS at the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3) under Cumulative (2030) Conditions.</b> This signalized intersection would degrade to an unacceptable LOS F during the a.m. peak traffic hours under cumulative (2030) conditions.   <b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4i: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3).</b> To ensure that the Grant Line Road/White Rock Road intersection operates at an acceptable LOS E or better this intersection should be replaced by some type of grade separated intersection or interchange.                       Improvements to this intersection are identified in the Sacramento County’s Proposed General Plan. Implementation of these improvements would assist in reducing traffic impacts on this intersection by providing acceptable operation. Intersection improvements must be implemented by Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Grant Line Road/White Rock Road Intersection (Sacramento County Intersection 3).                       Implementation: Sacramento County Department of Transportation.                      Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.                       Enforcement: Sacramento County Department of Transportation.  <i>Significance after Mitigation: significant and unavoidable</i></p>	Land	<b>NCP, PP, RIM, CD, RHD: significant</b>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-4j: Unacceptable LOS on Grant Line Road between White Rock Road and Kiefer Boulevard (Sacramento County Roadway Segments 5-7) under Cumulative (2030) Conditions.</b> Operating conditions of these deficient roadway segments would deteriorate and the V/C ratio would increase by more than 0.05 with project traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4j: Participate in Fair Share Funding of Improvements to Reduce Impacts on Grant Line Road between White Rock Road and Kiefer Boulevard (Sacramento County Roadway Segments 5-7).</b> To improve operation on Grant Line Road between White Rock Road and Kiefer Boulevard, this roadway segment must be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between White Rock Road and Kiefer Boulevard (Sacramento County Roadway Segments 5-7).</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment.</p> <p>Implementation: Sacramento County Department of Transportation.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Sacramento County Department of Transportation.</p> <p><b>Significance after Mitigation: less than significant</b></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p><b>3A.15-4k: Unacceptable LOS on Grant Line Road between Kiefer Boulevard and Jackson Highway (Sacramento County Roadway Segment 8) under Cumulative (2030) Conditions.</b> Operating conditions of this deficient roadway segment would degrade by increasing the V/C by 0.05 with increased traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, CD, RHD: Mitigation Measure 3A.15-4k: Participate in Fair Share Funding of Improvements to Reduce Impacts on Grant Line Road between Kiefer Boulevard and Jackson Highway (Sacramento County Roadway Segment 8).</b> To improve operation on Grant Line Road between Kiefer Boulevard and Jackson Highway, this roadway segment could be widened to six lanes. This improvement is proposed in the Sacramento County and the City of Rancho Cordova General Plans; however, it is not in the 2035 MTP. Improvements to this roadway segment must be implemented by Sacramento County and the City of Rancho Cordova. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Grant Line Road between Kiefer Boulevard and Jackson Highway (Sacramento County Roadway Segment 8).</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment.</p>	Land	NCP, PP, CD, RHD: significant RIM: LTS

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<p>Implementation: Sacramento County Department of Transportation.                      Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.                      Enforcement: Sacramento County Department of Transportation.  <b>RIM:</b> No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>		
<p><b>3A.15-4l: Unacceptable LOS on Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps (Sacramento County Roadway Segment s 12-13) under Cumulative (2030) Conditions.</b> Operation of these deficient roadway segments degrade with the V/C ratio increasing by more than 0.05 with project and alternative traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4l: Participate in Fair Share Funding of Improvements to Reduce Impacts on Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps (Sacramento County Roadway Segment s 12-13).</b> To improve operation on Hazel Avenue between Curragh Downs Drive and the U.S. 50 westbound ramps, this roadway segment could be widened to eight lanes. This improvement is inconsistent with Sacramento County’s general plan because the county’s policy requires a maximum roadway cross section of six lanes.</p> <p>Analysis shown later indicates that improvements at the impacted intersection in this segment can be mitigated (see Mitigation Measure 3A.15-4q). Improvements to impacted intersections on this segment will improve operations on this roadway segment and, therefore; mitigate this segment impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Hazel Avenue between Curragh Downs Drive and U.S. 50 Westbound Ramps (Sacramento County Roadway Segments 12-13).</p> <p>Implementation: Sacramento County Department of Transportation.                      Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.                      Enforcement: Sacramento County Department of Transportation.  <i>Significance after Mitigation: significant and unavoidable</i></p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-4m: Unacceptable LOS on White Rock Road between Grant Line Road and Prairie City Road (Sacramento County Roadway Segment 22) under Cumulative (2030) Conditions.</b> Operation of this roadway segment would degrade this LOS F segment by increasing the V/C ratio by more than 0.05 with project and alternative traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4m: Participate in Fair Share Funding of Improvements to Reduce Impacts on White Rock Road between Grant Line Road and Prairie City Road (Sacramento County Roadway Segment 22).</b> To improve operation on White Rock Road between Grant Line Road and Prairie City Road, this roadway segment must be widened to six lanes. This improvement is included in the 2035 MTP but is not included in the Sacramento County General Plan. Improvements to this roadway segment must be implemented by Sacramento County.</p> <p>The identified improvement would more than offset the impacts specifically related to the Folsom South of U.S. 50 project on this roadway segment. However, because of other development in the region that would substantially increase traffic levels, this roadway segment would continue to operate at an unacceptable LOS F even with the capacity improvements identified to mitigate Folsom South of U.S. 50 impacts. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to White Rock Road between Grant Line Road and Prairie City Road (Sacramento County Roadway Segment 22).</p> <p>Implementation: Sacramento County Department of Transportation.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Sacramento County Department of Transportation.</p> <p><b><i>Significance after Mitigation: significant and unavoidable</i></b></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p><b>3A.15-4n: Unacceptable LOS on White Rock Road between Empire Ranch Road and Carson Crossing Road (Sacramento County Roadway Segment 28) under Cumulative (2030) Conditions.</b> Operating conditions on this roadway segment would deteriorate from an acceptable LOS D to an unacceptable LOS F with the Centralized Development , Reduced Hillside Development alternative under cumulative (2030) conditions, and deteriorate from an acceptable LOS D to an unacceptable LOS E with the Propose Project, No Federal Action and Resource Impact Minimization alternatives under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4n: Participate in Fair Share Funding of Improvements to Reduce Impacts on White Rock Road between Empire Ranch Road and Carson Crossing Road (Sacramento County Roadway Segment 28).</b> To improve operation on White Rock Road between Empire Ranch Road and Carson Crossing Road, this roadway segment must be widened to six lanes. Improvements to this roadway segment must be implemented by Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
	<b>Impact Lan</b>		<b>d/Water/GPA</b>		<b>Significance</b>
<b>Mitigation</b>					
<p>program established by that agency to reduce the impacts to White Rock Road between Empire Ranch Road and Carson Crossing Road (Sacramento County Roadway Segment 28).</p> <p>Implementation: Sacramento County Department of Transportation.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Sacramento County Department of Transportation.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>					
<p><b>3A.15-4o: Unacceptable LOS at the White Rock Road/Carson Crossing Road Intersection (El Dorado County 1) under Cumulative (2030) Conditions.</b> This signalized intersection would degrade to an unacceptable LOS F during the a.m. peak traffic hour under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4o: Participate in Fair Share Funding of Improvements to Reduce Impacts on the White Rock Road/Carson Crossing Road Intersection (El Dorado County 1).</b> To ensure that the White Rock Road/Carson Crossing Road intersection operates at an acceptable LOS, the eastbound right turn lane must be converted into a separate free right turn lane, or double right. Improvements to this intersection must be implemented by El Dorado County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the White Rock Road/Carson Crossing Road Intersection (El Dorado County 1).</p> <p>Implementation: El Dorado County Department of Public Works.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: El Dorado County Department of Public Works.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>					
<p><b>3A.15-4p: Unacceptable LOS at the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1) under Cumulative (2030) Conditions.</b> This signalized intersection would degrade from an unacceptable LOS F during the a.m. and p.m. peak traffic hours with an increase in the delay at this intersection during the a.m. and p.m. peak traffic hours by more than 5 seconds under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4p: Participate in Fair Share Funding of Improvements to Reduce Impacts on the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1).</b> To ensure that the Hazel Avenue/U.S. 50 westbound ramps intersection operates at an acceptable LOS, the westbound approach must be reconfigured to consist of one dedicated left turn lane, one shared left- through lane and three dedicated right-</p>					

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CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>turn lanes. Improvements to this intersection must be implemented by Caltrans and Sacramento County. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to the Hazel Avenue/U.S. 50 Westbound Ramps Intersection (Caltrans Intersection 1)</p> <p>Implementation: <del>California Department of Transportation</del> Sacramento County Department of Transportation.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>California Department of Transportation</del> Sacramento County Department of Transportation.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.15-4q: Unacceptable LOS on Eastbound US 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1) under Cumulative (2030) Conditions.</b> Project traffic would increase on this LOS F freeway segment under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4q: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1).</b> To ensure that Eastbound US 50 operates at an acceptable LOS between Zinfandel Drive and Sunrise Boulevard, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic from U.S. 50 and partially mitigate the project’s impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Zinfandel Drive and Sunrise Boulevard (Freeway Segment 1).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Capitol Southeast Connector Joint Powers Authority.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-4r: Unacceptable LOS on Eastbound US 50 between Rancho Cordova Parkway and Hazel Avenue (Freeway Segment 3) under Cumulative (2030) Conditions.</b> Project traffic would increase on this LOS F freeway segment under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4r: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Rancho Cordova Parkway and Hazel Avenue (Freeway Segment 3).</b> To ensure that Eastbound US 50 operates at an acceptable LOS between Rancho Cordova Parkway and Hazel Avenue, an additional eastbound lane could be constructed. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project’s impact. The applicant shall pay its proportionate share of funding of improvements to the agency responsible for improvements, based on a program established by that agency to reduce the impacts to Eastbound U.S. 50 between Rancho Cordova Parkway and Hazel Avenue (Freeway Segment 3).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Capitol Southeast Connector Joint Powers Authority.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>
<p><b>3A.15-4s: Unacceptable LOS on Eastbound US 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 5) under Cumulative (2030) Conditions.</b> This freeway segment would deteriorate from LOS E to LOS F during the a.m. and p.m. peak traffic hours with project and build alternative traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4s: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 5).</b> To ensure that Eastbound US 50 operates at an acceptable LOS between Folsom Boulevard and Prairie City Road, the eastbound auxiliary lane should be converted to a mixed flow lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4t). Improvements to this freeway segment must be implemented by Caltrans. This improvement is not consistent with the Concept Facility in Caltrans State Route 50 Corridor System Management Plan; therefore, it is not likely to be implemented by Caltrans by 2030.</p> <p>Construction of the Capitol South East Connector, including widening White Rock Road and Grant Line Road to six lanes with limited access, could divert some traffic off of U.S. 50 and partially mitigate the project’s impact.</p> <p>The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism</p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)



<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Folsom Boulevard and Prairie City Road (Freeway Segment 5).</p> <p>Implementation: Capitol Southeast Connector Joint Powers Authority.</p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: Capitol Southeast Connector Joint Powers Authority.</p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.15-4t: Unacceptable LOS on Eastbound US 50 between Prairie City Road and Oak Avenue Parkway (Freeway Segment 6) under Cumulative (2030) Conditions.</b></p> <p>This freeway segment would degrade to an unacceptable LOS F during the a.m. peak traffic hour with project and build alternative traffic, and this deficient freeway segment (LOS F) would experience higher volumes during the p.m. peak traffic hour with the addition of traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4t: Participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound US 50 between Prairie City Road and Oak Avenue Parkway (Freeway Segment 6).</b> To ensure that Eastbound US 50 operates at an acceptable LOS between Prairie City Road and Oak Avenue Parkway, the northbound Prairie City Road slip on ramp should merge with the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see Mitigation Measures 3A.15-4u, v and w), and the southbound Prairie City Road flyover on ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to Eastbound U.S. 50 between Prairie City Road and Oak Avenue Parkway (Freeway Segment 6).</p> <p>Implementation: <del>California Department of Transportation</del> <u>City of Folsom Public Works Department</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>California Department of Transportation</del> <u>City of Folsom Public Works Department</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.15-4u: Unacceptable LOS at the U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge (Freeway Merge 6).</b> Project and alternative traffic would increase at this LOS F freeway merge during the a.m. and p.m. peak traffic hours with project and build alternative traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4u: Participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge (Freeway Merge 6).</b> To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, w and x), and the southbound Prairie City Road flyover on ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road slip ramp merge (Freeway Merge 6).</p> <p>Implementation: <del>California Department of Transportation</del> <u>City of Folsom Public Works Department.</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <del>California Department of Transportation</del> <u>City of Folsom Public Works Department.</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	Land	NCP, PP, RIM, CD, RHD: significant
<p><b>3A.15-4v: Unacceptable LOS at the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave (Freeway Weave 7).</b> Project and alternative traffic would increase at this LOS F freeway weave during the a.m. and p.m. peak traffic hours with project and build alternative traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4v: Participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave (Freeway Weave 7).</b> To ensure that Eastbound US 50 operates at an acceptable LOS, the northbound Prairie City Road slip on ramp should start the eastbound auxiliary lane that extends to and drops at the Oak Avenue Parkway off ramp (see mitigation measure 3A.15-4u, v and x), and the southbound Prairie City Road flyover on ramp should be braided over the Oak Avenue Parkway off ramp and start an extended full auxiliary lane to the East Bidwell Street – Scott Road off ramp. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave (Freeway Weave 7).</p> <p>Implementation: <del>California Department of Transportation</del> <u>City of Folsom Public Works Department.</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which</p>	Land	NCP, PP, RIM, CD, RHD: significant

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
	<b>Impact Lan</b>	<b>d/Water/GPA</b>			<b>Significance</b>
<b>Mitigation</b>					
<p>project phase the improvement should be built.</p> <p>Enforcement: <u>California Department of Transportation</u> <u>City of Folsom Public Works Department.</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>					
<p><b>3A.15-4w: Unacceptable LOS at the U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 8).</b> Project and alternative traffic would increase at this LOS F freeway merge during the a.m. and p.m. peak traffic hours with project traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4w: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 8).</b> To ensure that Eastbound US 50 operates at an acceptable LOS, the southbound Oak Avenue Parkway loop on ramp should merge with the eastbound auxiliary lane that starts at the southbound Prairie City Road braided flyover on ramp and ends at the East Bidwell Street – Scott Road off ramp (see mitigation measure 3A.15-4u, v and w). Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to U.S. 50 Eastbound / Oak Avenue Parkway Loop Ramp Merge (Freeway Merge 8).</p> <p>Implementation: <u>California Department of Transportation</u> <u>City of Folsom Public Works Department.</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be built.</p> <p>Enforcement: <u>California Department of Transportation</u> <u>City of Folsom Public Works Department.</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>					
<p><b>3A.15-4x: Unacceptable LOS at the U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge (Freeway Merge 27).</b> This freeway merge would degrade to an unacceptable LOS F during the a.m. and p.m. peak traffic hours with the project and build alternative traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4x: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Empire Ranch Road Loop Ramp Merge (Freeway Merge 27).</b> To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Empire Ranch Road loop on ramp should start the westbound auxiliary lane that ends at the East Bidwell Street – Scott Road off ramp. The slip on ramp from southbound Empire Ranch Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound / Empire Ranch Road loop ramp merge (Freeway Merge 27).</p> <p>Implementation: <u>California Department of Transportation</u> <u>City of Folsom Public Works Department.</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which</p>					

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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>project phase the improvement should be built.</p> <p>Enforcement: <u>California Department of Transportation</u> <u>City of Folsom Public Works Department.</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>		
<p><b>3A.15-4y: Unacceptable LOS at the U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 35).</b> Project and alternative traffic would increase at this LOS F freeway merge during the a.m. and p.m. peak traffic hours with project and build alternative traffic under cumulative (2030) conditions.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.15-4y: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 35).</b> To ensure that Westbound US 50 operates at an acceptable LOS, the northbound Prairie City Road loop on ramp should start the westbound auxiliary lane that continues beyond the Folsom Boulevard off ramp. The slip on ramp from southbound Prairie City Road slip ramp would merge into this extended auxiliary lane. Improvements to this freeway segment must be implemented by Caltrans. The applicant shall pay its proportionate share of funding of improvements, as may be determined by a nexus study or other appropriate and reliable mechanism paid for by applicant, to reduce the impacts to the U.S. 50 Westbound / Prairie City Road Loop Ramp Merge (Freeway Merge 35).</p> <p>Implementation: <u>California Department of Transportation</u> <u>City of Folsom Public Works Department and Sacramento County Department of Transportation.</u></p> <p>Timing: Before project build out. A phasing analysis should be performed prior to approval of the first subdivision map to determine during which project phase the improvement should be build.</p> <p>Enforcement: <u>California Department of Transportation</u> <u>City of Folsom Public Works Department and Sacramento County Department of Transportation.</u></p> <p><b>Significance after Mitigation: significant and unavoidable</b></p>	<p>Land</p>	<p><b>NCP, PP, RIM, CD, RHD: significant</b></p>
<b>3B.15 TRAFFIC AND TRANSPORTATION - WATER</b>		
<p><b>3B.15-1: Temporary and Short-Term Reduction in Roadway Capacity during Construction.</b> Off-site Water Facility Alternatives construction could result in temporary reductions in roadway capacities, which could be substantial in relation to existing volume-to-capacity ratios on local roadways and congestion at intersections.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.15-1a: Prepare Traffic Control Plan.</b> Prior to construction, the City shall prepare a Traffic Control Plan for roadways and intersections affected by Off-site Water Facilities-related construction. The Traffic Control Plan shall designate haul routes and comply with requirements in the encroachment permits issued by the City of Rancho Cordova, Sacramento County, and Caltrans. The Traffic Control Plan to be prepared by the construction contractor(s) shall, at minimum, include the following measures:</p> <ul style="list-style-type: none"> <li>▶ Maintaining the maximum amount of travel lane capacity during non-construction periods, possible, and advanced notice to drivers through the provision of construction signage.</li> </ul>	<p>Water</p>	<p><b>NCP, PA, 1, 1A:</b> direct &amp; indirect PS (<i>construction</i>) direct significant (<i>heavy trucks</i>)</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS, no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>	
<b>Impact Lan</b>	<b>d/Water/GPA</b>
<b>Significance</b>	
<b>Mitigation</b>	
<ul style="list-style-type: none"> <li>▶ Maintaining alternate one-way traffic flow past the lay down area and site access when feasible.</li> <li>▶ 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).</li> <li>▶ The City shall provide a minimum 72-hour advance notice of access restrictions for residents, businesses, and local emergency response agencies. This shall include the identification of alternative routes and detours to enable for the avoidance of the immediate construction zone.</li> <li>▶ The City, in cooperation with its contractor(s), shall provide a phone number and community contact for inquiries about the schedule of the Off-site Water Facilities throughout the construction period. This information will be posted in a local newspaper, via the City’s web site, or at City Hall and will be updated on a monthly basis.</li> <li>▶ To the extent practical depending the alignment of the selected Off-site Water Facility Alternative, the City shall maximize opportunities for coordinated construction and installation of the conveyance pipeline with other planned roadway improvement projects.</li> </ul> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-site Water Facilities</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</li> <li>2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</li> <li>3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</li> </ol> <p><b>Mitigation Measure 3B.15-1b: Assess Pre-Off-site Water Facilities Roadway Conditions.</b></p> <p>Prior to construction, the City’s construction contractor(s) shall be responsible for assessing current road conditions for Off-site Water Facilities-related haul routes including the local access roads and develop post construction road restoration requirements. As part of the encroachment permitting process, an agreement shall be entered into with applicable jurisdictions prior to construction that details post construction road restoration requirements. Staff with the City of Rancho Cordova and Sacramento County shall review the post construction restoration standards for each of the affected roadways. The City shall perform roadway repairs or rehabilitation as necessary such that post construction requirements are met.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to and during construction of all Off-site Water Facilities</p> <p>Enforcement:</p> <ol style="list-style-type: none"> <li>1. For structural improvements that would be located within the City of Folsom: City of Folsom Neighborhood Services Department and City of Folsom Community Development Department.</li> <li>2. For structural improvements that would be located within unincorporated Sacramento County: Sacramento County Planning and Community Development Department.</li> <li>3. For structural improvements that would be located within the City of Rancho Cordova: City of Rancho Cordova Planning Department.</li> </ol> <p><b>Significance after Mitigation: less than significant</b></p>	

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3B.15-2: Exceedance of Established Level of Service Standards for Local Roadways.</b> The implementation of Off-site Water Facility Alternatives could cause traffic conditions to exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measure 3B.15-1a. <i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS, no indirect Direct &amp; indirect LTS (<i>traffic-related impacts</i>)</p>
<p><b>3B.15-3: Increased Traffic Hazards on Local Roadways.</b> Implementation of the Off-site Water Facility Alternatives could substantially increase hazards on local roadways due to the presence of incompatible uses, such as construction equipment.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> Implement Mitigation Measure 3B.15-1a. <i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS, no indirect</p>
<p><b>3B.15-4: Possible Inadequate Emergency Vehicle Access.</b> Construction of the Off-site Water Facilities could result in disruptions to emergency access.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required. <i>Significance after Mitigation: less than significant</i></p>	Water	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS, no indirect</p>
<b>3A.16 UTILITIES AND SERVICE SYSTEMS - LAND</b>		
<p><b>3A.16-1: Increased Demand for On-Site Wastewater Collection and Conveyance Facilities and the Off-Site Force Main.</b> Project implementation would result in increased generation of wastewater.</p> <p style="text-align: center;"><b>ON-SITE</b> <b>NP:</b> No mitigation measures are required. <b>NCP, PP, RIM, CD, RHD:</b> Mitigation Measure 3A.16-1: Submit Proof of Adequate On- and Off-Site Wastewater Conveyance Facilities and Implement On- and Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured. Before the approval of the final map and issuance of building permits for all project phases, the project applicant(s) of all project phases shall submit proof to the City of Folsom that an adequate wastewater conveyance system</p>	Land	<p style="text-align: center;"><b>ON-SITE</b> <b>NP:</b> no direct or indirect <b>NCP, PP, RIM, CD, RHD:</b> direct PS, indirect impacts evaluated throughout EIR/EIS <b>OFF-SITE</b> Direct LTS, indirect impacts evaluated throughout EIR/EIS</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p>either has been constructed or is ensured through payment of the City’s facilities augmentation fee as described under the Folsom Municipal Code Title 3, Chapter 3.40, “Facilities Augmentation Fee – Folsom South Area Facilities Plan,” or other sureties to the City’s satisfaction. Both on-site wastewater conveyance infrastructure and off-site force main sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City.</p> <p>Implementation: The project applicant(s) of all project phases.                      Timing: Before approval of final maps and issuance of building permits for any project phases.                      Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p style="text-align: center;"><b>OFF-SITE</b>                      No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>		
<p><b>3A.16-2: Increased Demand for SRCSD Off-Site Wastewater Collection and Conveyance Facilities.</b> The wastewater generated within the 3,313-acre SRCSD service area would require off-site collection facilities to the Folsom East Interceptor.</p> <p style="text-align: center;"><b>ON-SITE</b>                      NP: No mitigation measures are required.                      NCP, PP, RIM, CD, RHD: No mitigation measures are required.</p> <p style="text-align: center;"><b>OFF-SITE</b>                      No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>	Land	<p style="text-align: center;"><b>ON-SITE</b>                      NP: no direct or indirect                      NCP, PP, RIM, CD, RHD: direct LTS, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b>                      No direct or indirect</p>
<p><b>3A.16-3: Increased Demand for SRWTP Wastewater Treatment Plant Facilities.</b> Project implementation would result in increased generation of wastewater. Collected wastewater flows from the 3,313-acre SRCSD portion of the SPA would ultimately be transported to the SRWTP for treatment and disposal.</p> <p style="text-align: center;"><b>ON-SITE</b>                      NP: No mitigation measures are required.                      NCP, PP, RIM, CD, RHD: <b>Mitigation Measure 3A.16-3: Demonstrate Adequate SRWTP Wastewater Treatment Capacity.</b> The project applicant(s) of all project phases shall demonstrate adequate capacity at the SRWTP for new wastewater flows generated by the project. This shall involve preparing a tentative map–</p>	Land	<p style="text-align: center;"><b>ON-SITE</b>                      NP: no direct or indirect                      NCP, PP, RIM, CD, RHD: direct PS, indirect SU</p> <p style="text-align: center;"><b>OFF-SITE</b>                      Direct LTS &amp; indirect impacts evaluated throughout EIR/EIS</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<p>level study and paying connection and capacity fees as identified by SRCSD. Approval of the final map and issuance of building permits for all project phases shall not be granted until the City verifies adequate SRWTP capacity is available for the amount of development identified in the tentative map.</p> <p>Implementation: The project applicant(s) of all project phases.</p> <p>Timing: Before approval of final maps and issuance of building permits for any project phases.</p> <p>Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures are required.</p> <p><i>Significance after Mitigation: significant and unavoidable</i></p>		
<p><b>3A.16-4: Increased Demand for EID Off-Site Wastewater Collection and Conveyance Facilities.</b> The wastewater generated within the 189-acre EID service area would require off-site wastewater collection and conveyance facilities to the EID facility.</p> <p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> No mitigation measures are required.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.16-4: Submit Proof of Adequate EID Off-Site Wastewater Conveyance Facilities and Implement EID Off-Site Infrastructure Service Systems or Ensure That Adequate Financing Is Secured.</b> Before the approval of the final map and issuance of building permits for all project phases, the project applicant(s) of all project phases shall obtain proof from EID that an adequate wastewater conveyance system either has been constructed or is ensured through the use of bonds or other sureties. The project applicants of all project phases shall submit this proof to the City of Folsom. EID off-site wastewater conveyance infrastructure sufficient to provide adequate service to project shall be in place for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases, <u>and before issuance of occupancy permits</u>, or their financing shall be ensured to the satisfaction of the City.</p> <p>Implementation: The project applicant(s) of all project phases.</p> <p>Timing: Before approval of final maps and issuance of building permits for any project phase.</p> <p>Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No mitigation measures are required.</p> <p><i>Significance after Mitigation: potentially significant and unavoidable</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> no direct or indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct &amp; indirect PS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)



**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.16-5: Increased Demand for El Dorado Hills Wastewater Treatment Plant Facilities.</b> Project implementation would result in increased generation of wastewater. Collected wastewater flows from the 189-acre EID portion of the SPA would ultimately be transported to the El Dorado Hills WWTP for treatment and disposal.</p> <p style="text-align: center;"><b>ON-SITE</b> NP: No mitigation measures are required.</p> <p><b>PP: Mitigation Measure 3A.16-5: Demonstrate Adequate El Dorado Hills Wastewater Treatment Plant Capacity.</b> The project applicant(s) of all project phases shall demonstrate adequate capacity at the El Dorado Hills WWTP for new wastewater flows generated by project development. This shall involve preparing a tentative map-level study and paying connection and capacity fees as identified by EID. Approval of the final map and issuance of building permits for all project phases shall not be granted until the City verifies adequate El Dorado Hills WWTP capacity is available for the amount of development identified in the tentative map.</p> <p>Implementation: The project applicant(s) of all project phases.                      Timing: Before approval of final maps and issuance of building permits for any project phases involving the El Dorado Hills WWTP.                      Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p><b>RIM, CD, RHD, NF:</b> Implement Mitigation Measure 3A.16-6.</p> <p style="text-align: center;"><b>OFF-SITE</b> No mitigation measures are required.  <i>Significance after Mitigation: potentially significant and unavoidable</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b> NP: no direct or indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct &amp; indirect PS</p> <p style="text-align: center;"><b>OFF-SITE</b> No direct or indirect</p>
<p><b>3A.16-6: Short-Term Generation of Solid Waste during Project Construction.</b> Project construction would generate short-term construction-related debris and waste.</p> <p>NP: No mitigation measures are required.  <b>NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.  <i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b> NP: direct LTS, no indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b> No direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.16-7: Increased Long-Term Generation of Solid Waste.</b> Project implementation would increase long-term solid-waste generation.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b>  <b>NP:</b> direct LTS, no indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, no indirect</p> <p style="text-align: center;"><b>OFF-SITE</b>                      No direct or indirect</p>
<p><b>3A.16-8: Increased Demand for Electricity and Infrastructure.</b> Project implementation would increase the demand for electricity and electrical infrastructure.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b>  <b>NP:</b> direct LTS, no indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b>                      No direct or indirect</p>
<p><b>3A.16-9: Increased Demand for Natural Gas and Infrastructure.</b> Project implementation would increase the demand for natural gas and infrastructure and would include the extension of existing natural gas pipelines.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b>  <b>NP:</b> direct LTS, no indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b>                      No direct or indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.16-10: Increased Demand for Telecommunications Service and Infrastructure.</b> Project implementation would increase the demand for telecommunications service and infrastructure and would include the extension of existing telecommunication lines.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>
<p><b>3A.16-11: Increased Demand for Cable Television and Communications Service and Infrastructure.</b> Project implementation would increase the demand for cable television service and infrastructure and would include the extension of existing cable television lines.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>No direct or indirect</p>
<p><b>3A.16-12: Increased Energy Demand.</b> Project implementation would increase energy consumption during construction and operation.</p> <p><b>NP, NCP, PP, RIM, CD, RHD:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> direct LTS, no indirect <b>NCP, PP, RIM, CD, RHD:</b> direct LTS, indirect uncertain</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>direct LTS, no indirect</p>

NP (No Action/No Project)  
CD (Centralized Development)

NCP (No USACE Permit)  
RHD (Reduced Hillside Development)

PP (Proposed Project)  
PA (Preferred Off-site Water Facility Alternative)

RIM (Resource Impact Minimization)

B (Beneficial)

NI (No impact)

LTS (Less than significant)

PS (Potentially significant)

S (Significant)

SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>3B.16 UTILITIES AND SERVICE SYSTEMS - WATER</b>		
<p><b>3B.16-1: Generation of Wastewater.</b> The operation of the Off-site Water Facility Alternatives would generate wastewater that would require off-site conveyance and treatment.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct & indirect LTS
<p><b>3B.16-2: Changes in Operation of the Central Valley Project Water Supply Entitlement.</b> The operation of the Off-site Water Facility Alternatives would not infringe upon the water rights of other legal users of water.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS & no indirect
<p><b>3B.16-3: Potential Disruption to Existing Utilities and Infrastructure.</b> Construction of the Off-site Water Facilities has the potential to disrupt existing public and private utilities and infrastructure.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.16-3a: Minimize Utility Conflicts by Implementing an Underground Services Alert.</b> Underground utilities and service connections shall be identified prior to commencing any excavation work through the implementation of an Underground Services Alert (USA). The exact utility locations will be determined by hand-excavated test pits dug at locations determined and approved by the construction manager (also referred to as “pot-holing”). Temporary disruption of service may be required to allow for construction. No service on such lines would be disrupted until prior approval is received from the construction manager and the service provider.</p> <p>Implementation: City of Folsom Utilities Department</p> <p>Timing: Prior to construction of all Off-site Water Facilities</p> <p>Enforcement: Public and Private Utilities, where applicable, including: Sacramento County Sanitation District, Pacific Gas and Electric, Sacramento Municipal Utility District, City of Folsom Public Works Department, Sacramento County Department of Water Resources, Sacramento County Water Agency, City of Rancho Cordova Public Works Department, Sacramento County Roads and Airports, Golden State Water Company, and Aerojet Corporation.</p> <p><b>Mitigation Measure 3B.16-3b: Coordinate with Utility Providers and Implement Appropriate Installation Methods to Minimize Potential Utility Service Disruptions.</b> Prior to installation, the City shall consult with SCWA, SRCSD, CSD-1, and PG&amp;E to determine proper installation methods and final design criteria to minimize the potential for disruptions to existing and planned utilities.</p> <p>Implementation: City of Folsom Utilities Department</p>	Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS & no indirect

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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
			S (Significant)
			SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>					
<b>Impact Lan</b>		<b>d/Water/GPA</b>		<b>Significance</b>	
<b>Mitigation</b>					
Timing:	Prior to construction of all Off-site Water Facilities				
Enforcement:	Public and Private Utilities, where applicable, including: Sacramento County Sanitation District, Pacific Gas and Electric, Sacramento Municipal Utility District, City of Folsom Public Works Department, Sacramento County Department of Water Resources, Sacramento County Water Agency, City of Rancho Cordova Public Works Department, Sacramento County Roads and Airports, Golden State Water Company, and Aerojet Corporation.				
<i>Significance after Mitigation: less than significant</i>					
<b>3B.16-4: Increased Generation of Solid Waste.</b> Construction and operation of the Off-site Water Facilities would generate solid waste, which could impact the City’s ability to comply with solid waste diversion requirements of the state.		Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS & no indirect		
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: No mitigation measures are required.					
<i>Significance after Mitigation: less than significant</i>					
<b>3B.16-5: Potential Inefficient Energy Consumption.</b> Construction and operation of the Off-site Water Facilities could result in the inefficient consumption of energy thereby adversely affecting current and future energy conservation efforts.		Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS		
NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, & 4A: Implement Mitigation Measures 3B.4-1a and 3B.4-1b.					
<i>Significance after Mitigation: less than significant</i>					
<b>3B.17 GROUNDWATER - WATER</b>					
<b>3B.17-1: Exceedance of Water Quality Standards and Requirements for Groundwater.</b> The Off-site Water Facilities could generate discharges to or contribute to the depletion of groundwater resources thereby potentially directly and indirectly violating water quality standards or waste discharge requirements.		Water	<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct PS & no indirect		
<b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A: Mitigation Measure 3B.17-1a: Implement Construction Dewatering Best Management Practices.</b>					
During construction at site locations containing high groundwater, if groundwater from dewatering activities cannot be contained within the construction area (e.g. pipeline corridor, WTP), it shall be pumped to an authorized onsite land area, existing detention facilities, or Baker tanks or equivalent with sufficient capacity to control the volume of groundwater. Tanks shall be equipped with either a gel coagulant, a filter system, or other containment to remove sediment. The Off-site Water Facilities Stormwater Pollution Prevention Plan (SWPPP) shall include BMPs, as appropriate, to retain, treat, and dispose of groundwater from dewatering activities. Measures shall include, but not limited to, the following:					
<ul style="list-style-type: none"> <li>▶ temporarily retain pumped groundwater, as appropriate, to reduce turbidity and concentrations of suspended sediments before discharge to surface waterways;</li> <li>▶ convey pumped groundwater to a suitable land disposal area capable of percolating flows; and/or</li> </ul>					

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
<b>Impact Lan</b>	<b>d/Water/GPA</b>	<b>Significance</b>
<b>Mitigation</b>		
<p>► incorporate other applicable measures from the Caltrans Storm Water Quality Handbook, Section 7: Dewatering Operations (2004).</p> <p>Implementation: City of Folsom Utilities Department                      Timing: Prior to and during construction                      Enforcement: 1. California Department of Fish and Game or Regional Water Quality Control Board                      2. City of Folsom Community Development Department.                      3. Sacramento County Planning Department or City of Rancho Cordova Planning Department for improvements within their respective jurisdictions.</p> <p><b>Mitigation Measure 3B.17-1b: Implement a Dewatering Discharge Monitoring Program.</b> A groundwater discharge monitoring program shall be implemented to ensure that receiving water quality does not exceed levels that would impact aquatic resources and agricultural use. If monitoring reveals that water quality would impact these beneficial uses, discharges to surface waterways shall be reduced or diluted to acceptable levels, or terminated. If discharges are reduced or terminated, groundwater shall be disposed through land application. Groundwater collected during dewatering shall be tested for contamination prior to disposal and comply with Central Valley RWQCB requirements.</p> <p>Implementation: City of Folsom Utilities Department                      Timing: Prior to and during construction                      Enforcement: 1. California Department of Fish and Game or Regional Water Quality Control Board                      2. City of Folsom Community Development Department.                      3. Sacramento County Planning Department or City of Rancho Cordova Planning Department for improvements within their respective jurisdictions.</p> <p><b>Significance after Mitigation: less than significant</b></p>		
<p><b>3B.17-2: Depletion of Groundwater Supplies Through Pumping.</b> The Off-site Water Facilities is unlikely to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater levels.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><b>Significance after Mitigation: less than significant</b></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS &amp; no indirect</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3B.17-3: Alteration of Surface Water Hydrology through Substantial Groundwater Pumping.</b> Substantial groundwater pumping from the Excelsior Well Field required by Off-site Water Facilities operations could alter existing surface hydrology.</p> <p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> No mitigation measures are required.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Water</p>	<p><b>NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, &amp; 4A:</b> direct LTS &amp; no indirect</p>
<p><b>3A.18 WATER SUPPLY - LAND</b></p>		
<p><b>3A.18-1: Increased Demand for Water Supplies.</b> Project water demands would require the acquisition of surface water entitlements from the Natomas Central Mutual Water Company to provide a reliable water supply.</p> <p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.18-1: Submit Proof of Surface Water Supply Availability.</b></p> <p>a. Prior to approval of any small-lot tentative subdivision map subject to Government Code Section 66473.7 (SB 221), the City shall comply with that statute. Prior to approval of any small-lot tentative subdivision map for a proposed residential project not subject to that statute, the City need not comply with Section 66473.7, or formally consult with any public water system that would provide water to the affected area; nevertheless, the City shall make a factual showing or impose conditions similar to those required by Section 66473.7 to ensure an adequate water supply for development authorized by the map.</p> <p>b. Prior to recordation of each final subdivision map, or prior to City approval of any similar project-specific discretionary approval or entitlement required for nonresidential uses, the project applicant(s) of that project phase or activity shall demonstrate the availability of a reliable and sufficient water supply from a public water system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of information showing that both existing sources are available or needed supplies and improvements will be in place prior to occupancy.</p> <p>Implementation: The project applicant(s) of all project phases.</p> <p>Timing: Before approval of final maps and issuance of building permits for any project phases.</p> <p>Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p> <p><i>Significance after Mitigation: less than significant</i></p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b></p> <p><b>NP:</b> no direct or indirect</p> <p><b>NCP, PP, RIM, CD, RHD:</b> direct PS</p> <p style="text-align: center;"><b>OFF-SITE</b></p> <p>Direct LTS, indirect impacts evaluated throughout EIR/EIS</p>

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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			SU (Significant and unavoidable)

<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<p><b>3A.18-2: Increased Demand for Off-Site Water Conveyance and Treatment Facilities.</b> Project implementation would result in increased demand for off-site water treatment facilities to deliver water to customers on the project site.</p>	<p>Land</p>	<p style="text-align: center;"><b>ON-SITE</b>  <b>NP:</b> no direct or indirect  <b>NCP, PP, RIM, CD, RHD:</b> direct PS, indirect impacts evaluated throughout EIR/EIS</p> <p style="text-align: center;"><b>OFF-SITE</b>                      Direct LTS, indirect impacts evaluated throughout EIR/EIS</p>
<p><b>NCP, PP, RIM, CD, RHD: Mitigation Measure 3A.18-2a: Submit Proof of Adequate Off-Site Water Conveyance Facilities and Implement Off-Site Infrastructure Service System or Ensure That Adequate Financing Is Secured.</b></p> <p>Before the approval of the final <u>subdivision</u> map and issuance of building permits for all project phases, the project applicant(s) of <del>all project phases</del> <u>any particular discretionary development application</u> shall submit proof to the City of Folsom that an adequate off-site water conveyance system either has been constructed or is ensured or other sureties to the City’s satisfaction. The off-site water conveyance infrastructure sufficient to provide adequate service to the project shall be in place for the amount of development identified in the tentative map before approval of the final <u>subdivision</u> map and issuance of building permits for all project phases, or their financing shall be ensured to the satisfaction of the City. <u>A certificate of occupancy shall not be issued for any building within the SPA until the water conveyance infrastructure sufficient to serve such building has been constructed and is in place.</u></p> <p>Implementation: The project applicant(s) <del>all project phases</del> <u>for any particular discretionary development application.</u></p> <p>Timing: Before approval of final maps and issuance of building permits for any project phases.</p> <p>Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p>		
<p><b>Mitigation Measure 3A.18-2b: Demonstrate Adequate Off-Site Water Treatment Capacity (if the Off-Site Water Treatment Plant Option is Selected).</b></p> <p>If an off-site water treatment plant (WTP) alternative is selected (as opposed to the on-site WTP alternative), the project applicant(s) <del>all project phases</del> <u>for any particular discretionary development application</u> shall demonstrate adequate capacity at the off-site WTP. This shall involve preparing a tentative map–level study and paying connection and capacity fees as determined by the City. Approval of the final project map shall not be granted until the City verifies adequate water treatment capacity either is available or is certain to be available when needed for the amount of development identified in the tentative map before approval of the final map and issuance of building permits for all project phases. <u>A certificate of occupancy shall not be issued for any building within the SPA until the water treatment capacity sufficient to serve such building has been constructed and is in place.</u></p> <p>Implementation: The project applicant(s) <del>all project phases</del> <u>for any particular discretionary development application.</u></p> <p>Timing: Before approval of final maps and issuance of building permits for any project phases.</p> <p>Enforcement: City of Folsom Community Development Department and City of Folsom Public Works Department.</p>		
<p><b>Significance after Mitigation: less than significant</b></p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>CUMULATIVE - LAND</b>		
<p><b>Land Use Compatibility with High-Volume Arterial Roadways.</b> When quarry truck trips are added to modeled roadway segments before the year 2030, traffic volumes within 400 feet of sensitive receptors that would be constructed in the SPA could result in exposure of those receptors to high levels of toxic air contaminants (see Table 4-4). Therefore, this direct impact would be potentially significant. No indirect impacts would occur.</p> <p><b>Cumulative Mitigation Measure AIR-1 Land: Implement Measures to Reduce Exposure of Sensitive Receptors to Operational Emissions of Toxic Air Contaminants from Quarry Truck Traffic.</b></p> <p>The City of Folsom does not have direct jurisdiction over the Teichert, DeSilva Gates, or Walltown quarry project applicants as these projects are located within the unincorporated portion of the County of Sacramento. The City’s authority to control the activities of the quarry trucks includes restrictions or actions that would be applicable within the City’s jurisdictional boundaries. For example, the City could designate truck routes through the City consistent with California Vehicle Code section 21101(c), including truck routes in the Folsom South of U.S. 50 project area, so as to prohibit or limit quarry trucks’ use of City roads adjacent to areas where projected truck traffic volumes would otherwise result in exposure of sensitive receptors to operational emissions of toxic air contaminants from quarry truck traffic and/or traffic safety hazards. If this approach is selected by the City, then prior to the approval of the first tentative subdivision map or any other discretionary project approval that would place sensitive receptors along any roads the quarry trucks could use to access U.S. 50, the City’s traffic department and consultants shall analyze and propose to the City Council for approval designated truck routes from the quarries through City jurisdiction to access U.S. 50 that would allow a level of truck traffic that would avoid any potentially significant impact on sensitive receptors from toxic air contaminant emissions within the Folsom South of U.S. 50 project area, as well as any other existing or planned uses that would contain sensitive receptors, so as to ensure that the risk of cancer to sensitive receptors is no more than 296 in one million (or such different threshold of significance recommended by SMAQMD or ARB at the time, if any) as may be determined by a Health Risk Assessment (HRA) paid for by the applicant.</p> <p>As an alternative to designating truck routes, the following measures could be voluntarily implemented by the quarry project applicant(s) (Teichert, DeSilva Gates, and Granite [Walltown]) to reduce exposure of sensitive receptors to TACs generated by quarry truck traffic and are encouraged:</p> <ul style="list-style-type: none"> <li>▶ The quarry project applicant(s) should meet with the City of Folsom to discuss mitigation strategies, implementation, and cost.</li> <li>▶ A site-specific, project-level screening analysis and/or Health Risk Assessment (HRA) should be conducted by the City of Folsom and funded by the quarry truck applicant(s) for all proposed sensitive receptors (e.g., residences, schools) in the SPA that would be located along the sides of roadway segments that are identified in Table 4-4 as being potentially significant under any of the analyzed scenarios. Each project-level analysis shall be performed according to the standards set forth by SMAQMD for the purpose of disclosure to the public and decision makers. The project-level analysis shall account for the location of the receptors relative to the roadway, their distance from the roadway, the projected future traffic volume for the year 2030 (including the proportion of diesel trucks), and emission rates representative of the vehicle fleet for the year when the sensitive land uses would first become operational and/or occupied. If the incremental increase in cancer risk determined by in the HRA exceeds 296 in one million (or a different threshold of significance recommended by SMAQMD or ARB at the time, if any), then project design mitigation should be employed, which may include the following:</li> </ul>	<p>Land</p>	

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		S (Significant)	SU (Significant and unavoidable)

**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<ul style="list-style-type: none"> <li>• Increase the setback distance between the roadway and affected receptor. If this mitigation measure is determined by the City of Folsom to be necessary, based on the results of the HRA, the quarry truck applicant(s) should pay the Folsom South of 50 Specific Plan project applicant(s) and the City of Folsom a fee that shall serve as compensation for lost development profit and lost City tax revenues, all as determined by the parties. Said mitigation fee shall be determined in consultation with the quarry project applicant(s), the Folsom South of 50 Specific Plan project applicant(s), and the City of Folsom. No quarry trucks shall be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation fees are paid.</li> <li>• Implement tiered tree planting of fine needle species, such as redwood, along the near side of the roadway segments and, if feasible, along the roadway 500 feet in both directions of the initial planting (e.g., 500 feet north and south of a roadway that runs east-west) to enhance the dispersion and filtration of mobile source TACs associated with the adjacent roadway. These trees should be planted at a density such that a solid visual buffer is achieved after the trees reach maturity, which breaks the line of sight between U.S. 50 and the proposed homes. These trees should be planted before occupation of any affected sensitive land uses. This measure encourages the planting of these trees in advance of the construction of potentially affected receptors to allow the trees to become established and progress toward maturity. The life of these trees should be maintained through the duration of the quarry projects. The planting, cost, and ongoing maintenance of these trees should be funded by the quarry project applicant(s).</li> <li>• To improve the indoor air quality at affected receptors, implement the following measures before the occupancy of the affected residences and schools:               <ul style="list-style-type: none"> <li>— equip all affected residences and school buildings developed in the SPA with High Efficiency Particulate Arresting (HEPA) filter systems at all mechanical air intake points to the interior rooms;</li> <li>— use the heating, ventilation, and air conditioning (HVAC) systems to maintain all residential units under positive pressure at all times;</li> <li>— locate air intake systems for HVAC as far away from roadway air pollution sources as possible; and</li> <li>— Develop and implement an ongoing education and maintenance plan about the filtration systems associated with HVAC for residences and schools.</li> </ul> </li> </ul> <p>To the extent this indoor air quality mitigation would not already be implemented as part of the Folsom South of 50 Specific Plan project development, this mitigation should be paid for by the quarry project applicant(s) before any quarry trucks are allowed to pass on any roadway that is within 400 feet of any residence or school within the SPA.</p> <p>Implementation: — The project applicant(s) of the Folsom South of 50 Specific Plan project.</p> <p>Timing: — Prior to approval of first tentative map or discretionary approval within SPA that would place sensitive receptors along roadways that quarry trucks would reasonably use to access U.S. Highway 50.</p> <p>Enforcement: — City of Folsom Community Development Department.</p> <p><b><i>Significance after Mitigation: less than significant</i></b></p> <p><u>Cumulative Mitigation Measure AIR-1-Land: Implement East Sacramento Regional Aggregate Mining Truck Management Plan or Other Measures to Reduce Exposure of Sensitive Receptors to Operational Emissions of Toxic Air Contaminants from Quarry Truck Traffic.</u></p> <p><u>The City of Folsom is a participant in the development of an East Sacramento Regional Aggregate Mining Truck Management Plan (TMP), a cooperative effort led by the County of Sacramento, with the input of the City of Folsom, the City of Rancho Cordova and other interested parties, including representatives of quarry project applicants. When the County Board of Supervisors approved entitlements for the Teichert quarry project in November 2010, it also adopted conditions of</u></p>		

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p><u>approval and a development agreement that requires Teichert’s participation in, and fair share funding of, a TMP to implement roadway capacity and safety improvements required to improve the compatibility of truck traffic from the quarries with the future urban development in the Folsom Specific Plan area and other jurisdictions that will be affected by quarry truck traffic. The development agreement adopted by the County for the Teichert project imposes limits on the amounts of annual aggregate sales from Teichert’s facility until a TMP is adopted. The City of Folsom does not have direct jurisdiction over the Teichert, DeSilva Gates, or Walltown quarry project applicants as these projects are located within the unincorporated portion of the County. The County, as the agency with the primary authority over the quarries, has indicated that it intends to prepare an environmental analysis in accordance with CEQA prior to adoption of a TMP. The City’s authority to control the activities of the quarry trucks includes restrictions or other actions, such as the approval and implementation of specialized road improvements to accommodate quarry truck traffic, that would be applicable within the City’s jurisdictional boundaries. For the foregoing reasons, the City of Folsom considers itself a “responsible agency” (as that term is defined at State CEQA Guidelines, CCR Section 15381), in that it has some discretionary power over some elements of a future TMP, if such TMP calls for improvements or other activities on roadways within the jurisdiction of the City. In a responsible agency role, the City would follow the process specified in the CEQA Guidelines for consideration and approval of the environmental analysis prepared by the County for a TMP after such documentation is prepared and adopted by the County. (State CEQA Guidelines, CCR Section 15096.)</u></p> <p><u>Because no final project description for a TMP has been developed as of the completion of this FEIR/FEIS, the City would have to speculate as to those portions of a TMP that might be proposed for implementation within its jurisdiction, or the impacts that could arise from the implementation of as-yet uncertain components. Accordingly, formulation of the precise means of mitigating the potential cumulative air quality impacts pursuant to the TMP is not currently feasible or practical. However, as the preferred, feasible, and intended mitigation strategy to address the cumulative impacts of quarry truck traffic through the SPA, the City shall implement, or cause to be implemented those portions of the TMP (as described above) that are within its authority to control. In implementing the TMP, the City shall ensure that the TMP or traffic measures imposed by the City within the SPA reduce the risk of cancer to sensitive receptors along routes within the SPA from toxic air contaminant emissions to no more than 296 in one million (SMAQMD 2009, March, Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways, Version 2.2:7), or such different threshold of significance mandated by SMAQMD or ARB at the time, if any. With this mitigation, the cumulative air quality impacts from truck toxic air contaminants would be less than significant.</u></p> <p><u>As an alternative (or in addition) to implementing the TMP within the SPA, the following measures could (and should) be voluntarily implemented by the quarry project applicant(s) (Teichert, DeSilva Gates, and Granite [Walltown]) to help ensure exposure of sensitive receptors to TACs generated by quarry truck traffic to the 296-in-one-million threshold of significance identified above. The City encourages implementation of the following measures:</u></p> <ul style="list-style-type: none"> <li>▶ <u>The quarry project applicant(s) should meet with the City of Folsom to discuss mitigation strategies, implementation, and cost.</u></li> <li>▶ <u>A site-specific, project-level screening analysis and/or Health Risk Assessment (HRA) should be conducted by the City of Folsom and funded by the quarry truck applicant(s) for all proposed sensitive receptors (e.g., residences, schools) in the SPA that would be located along the sides of roadway segments that are identified in Table 4-4 as being potentially significant under any of the analyzed scenarios. Each project-level analysis shall be performed according to the standards set forth by SMAQMD for the purpose of disclosure to the public and decision makers. The project-level analysis shall account for the location of the receptors relative to the roadway, their distance from the roadway, the projected future traffic volume for the year 2030 (including the proportion of diesel trucks), and emission rates representative of the vehicle fleet for the year when the sensitive land uses would first become operational and/or occupied. If the incremental increase in cancer risk determined by in the HRA exceeds 296 in one million (or a different threshold of significance recommended by SMAQMD or ARB at the time, if any), then project design mitigation should be employed, which may include the following:</u></li> </ul>		

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<b>Table 1-1 Summary of Impacts and Mitigation Measures</b>		
Impact Lan	d/Water/GPA	Significance
Mitigation		
<ul style="list-style-type: none"> <li>• <u>Increase the setback distance between the roadway and affected receptor. If this mitigation measure is determined by the City of Folsom to be necessary, based on the results of the HRA, the quarry truck applicant(s) should pay the Folsom South of U.S. 50 Specific Plan project applicant(s) and the City of Folsom a fee that shall serve as compensation for lost development profit and lost City tax revenues, all as determined by the parties. Said mitigation fee shall be determined in consultation with the quarry project applicant(s), the Folsom South of U.S. 50 Specific Plan project applicant(s), and the City of Folsom. No quarry trucks shall be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation fees are paid.</u></li> <li>• <u>Implement tiered tree planting of fine-needle species, such as redwood, along the near side of the roadway segments and, if feasible, along the roadway 500 feet in both directions of the initial planting (e.g., 500 feet north and south of a roadway that runs east-west) to enhance the dispersion and filtration of mobile-source TACs associated with the adjacent roadway. These trees should be planted at a density such that a solid visual buffer is achieved after the trees reach maturity, which breaks the line of sight between U.S. 50 and the proposed homes. These trees should be planted before occupation of any affected sensitive land uses. This measure encourages the planting of these trees in advance of the construction of potentially affected receptors to allow the trees to become established and progress toward maturity. The life of these trees should be maintained through the duration of the quarry projects. The planting, cost, and ongoing maintenance of these trees should be funded by the quarry project applicant(s).</u></li> <li>• <u>To improve the indoor air quality at affected receptors, implement the following measures before the occupancy of the affected residences and schools:</u> <ul style="list-style-type: none"> <li>- <u>equip all affected residences and school buildings developed in the SPA with High Efficiency Particle Arresting (HEPA) filter systems at all mechanical air intake points to the interior rooms;</u></li> <li>- <u>use the heating, ventilation, and air conditioning (HVAC) systems to maintain all residential units under positive pressure at all times;</u></li> <li>- <u>locate air intake systems for HVAC as far away from roadway air pollution sources as possible; and</u></li> <li>- <u>develop and implement an ongoing education and maintenance plan about the filtration systems associated with HVAC for residences and schools.</u></li> </ul> </li> </ul> <p><u>To the extent this indoor air quality mitigation would not already be implemented as part of the Folsom South of U.S. 50 Specific Plan project development, this mitigation should be paid for by the quarry project applicant(s) before any quarry trucks are allowed to pass on any roadway that is within 400 feet of any residence or school within the SPA.</u></p> <p><u>Implementation:</u>     The project applicant(s) of the Folsom South of U.S. 50 Specific Plan project.</p> <p><u>Timing:</u>             Prior to approval of first tentative map or discretionary approval within SPA that would place sensitive receptors along roadways that quarry trucks would reasonably use to access U.S. Highway 50.</p> <p><u>Enforcement:</u>       City of Folsom Community Development Department.</p>		

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
Mitigation		
<b>CUMULATIVE - NOISE</b>		
<p><b>Compatibility of Sensitive Land Uses with the Ambient Noise Environment.</b> The 60-dB L<sub>dn</sub>/CNEL noise contours for adjacent roadways (i.e., U.S. 50, White Rock Road, and Prairie City Road) with the inclusion of projected quarry truck trips completely encompass the SPA. Even considering that a typical 6-foot sound wall would reduce noise levels from approximately 5-6 dB and for each additional foot of wall another 1 dB (Caltrans 1998), and incorporating the maximum setback distance feasible, noise levels would still exceed applicable standards at those sensitive uses proposed as part of the project. Thus, the incremental contribution of the “Land” portion of the project to this significant cumulative impact would be cumulatively considerable.</p> <p><b>Cumulative Mitigation Measure Noise-1 Land: Implement Measures to Reduce Exposure of Sensitive Receptors to Increased Traffic Noise Levels from Quarry Truck Traffic.</b></p> <p>The City of Folsom does not have direct jurisdiction over the Teichert, DeSilva Gates, or Walltown quarry project applicants as these projects are located within the unincorporated portion of the County of Sacramento. The City’s authority to control the activities of the quarry trucks includes restrictions or actions that would be applicable within the City’s jurisdictional boundaries. For example, the City could designate truck routes through the City consistent with California Vehicle Code section 21101(c), including truck routes in the Folsom South of U.S. 50 project area, so as to prohibit or limit quarry trucks’ use of City roads adjacent to areas where projected truck traffic volumes would otherwise result in exposure of sensitive receptors to operational noise from quarry truck traffic and/or traffic safety hazards. If this approach is selected by the City, then prior to the approval of the first tentative subdivision map or any other discretionary approval that would place sensitive receptors along any roads the quarry trucks could use to access U.S. 50, the City’s traffic department and consultants shall analyze and propose to the City Council for approval designated truck routes from the quarries through City jurisdiction to access U.S. 50 that would allow a level of truck traffic that would avoid any potentially significant impact on sensitive receptors from truck traffic noise within the Folsom South of U.S. 50 project area, as well as any other existing or planned uses that would contain sensitive receptors, so as to ensure that sensitive receptors are not exposed to interior noise levels in excess of 45 dBA, or increases in interior noise levels of 3 dBA or more, whichever is more restrictive.</p> <p>As an alternative to designating truck routes, the following measures could be voluntarily implemented by the quarry project applicant(s) (Granite [Walltown], Teichert, and DeSilva Gates) to reduce exposure of new sensitive receptors developed in the SPA to increases in traffic noise levels generated by quarry truck traffic, and are encouraged.</p> <ul style="list-style-type: none"> <li>▶ The quarry project applicant(s) should meet with the City of Folsom to discuss mitigation strategies, implementation, and cost.</li> <li>▶ A site specific, project level screening analysis should be conducted by the City of Folsom and funded by the quarry truck applicant(s) for all proposed sensitive receptors (e.g., residences, schools) in the SPA that would be located along the sides of roadway segments that are identified in Table 4-8 as being potentially significant under any of the analyzed scenarios. The analysis should be conducted using an approved three dimensional traffic noise modeling program (i.e., TNM or SoundPlan). Each project level analysis should be performed according to the standards set forth by the City of Folsom for the purpose</li> </ul>	Land	

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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p>of disclosure to the public and decision makers. The project level analysis should account for the location of the receptors relative to the roadway, their distance from the roadway, and the projected future traffic volume for the year 2030 (including the percentage of heavy trucks). If the incremental increase in traffic noise levels are determined to exceed the threshold of significance recommended by the City of Folsom, then design mitigation should be employed, which may include the following:</p> <ul style="list-style-type: none"> <li>• Model the benefits of soundwalls (berm/wall combination) along the quarry truck hauling roadways and affected receptors not to exceed a total height of eight feet (two foot berm and six foot concrete mason wall). If this mitigation measure is determined by the City of Folsom to be inadequate, additional three dimensional traffic noise modeling should be conducted with the inclusion of rubberized asphalt at the expense of the quarry truck applicant(s). No quarry trucks should be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation has been agreed upon by the City of Folsom and fees for construction of said mitigation are paid by the quarry truck applicant(s).</li> <li>• Implement the installation of rubberized asphalt (quiet pavement) on roadway segments adjacent to sensitive receptors that carry quarry trucks if soundwalls do not provide adequate reduction of traffic noise levels. The inclusion of rubberized asphalt would provide an additional 3 to 5 dB of traffic noise reduction. The cost of construction using rubberized asphalt should be borne by the quarry truck applicant(s). Said mitigation fee should be determined in consultation with the quarry project applicant(s), the Folsom South of 50 Specific Plan project applicant(s), and the City of Folsom. No quarry trucks should be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation fees are paid.</li> <li>• To improve the indoor noise levels at affected receptors, implement the following measures before the occupancy of the affected residences and schools: <ul style="list-style-type: none"> <li>— Conduct an interior noise analysis once detailed construction plans of residences adjacent to affected roadways are available to determine the required window package at second and third floor receptors to achieve the interior noise level standard of 45 dB L<sub>dn</sub> without quarry trucks.</li> <li>— Determine the interior quarry truck traffic noise level increases at second and third floor receptors adjacent to affected roadways compared to no quarry truck conditions. Window package upgrades are expected to be necessary due to the traffic noise level increases caused by quarry trucks along affected roadways. Quarry truck applicant(s) should pay for the cost of window package upgrades (increased sound transmission class rated windows) required to achieve the interior noise level standard of 45 dB L<sub>dn</sub> with the inclusion of quarry truck traffic.</li> </ul> </li> </ul> <p>Implementation: The project applicant(s) of the Folsom South of 50 Specific Plan project.</p> <p>Timing: Prior to approval of first tentative map or discretionary approval within SPA that would place sensitive receptors along roadways that quarry trucks would reasonably use to access U.S. Highway 50.</p> <p>Enforcement: City of Folsom Community Development Department.</p> <p><b><i>Significance after Mitigation: less than significant</i></b></p> <p><b><u>Cumulative Mitigation Measure NOISE-1-Land: Implement East Sacramento Regional Aggregate Mining Truck Management Plan or Other Measures to Reduce Exposure of Sensitive Receptors to Operational Noise from Quarry Truck Traffic.</u></b></p> <p><u>The City of Folsom is a participant in the development of an East Sacramento Regional Aggregate Mining Truck Management Plan (TMP), a cooperative effort led by the County of Sacramento, with the input of the City of Folsom, the City of Rancho Cordova and other interested parties, including representatives of quarry project applicants. When the County Board of Supervisors approved entitlements for the Teichert quarry project</u></p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
CD (Centralized Development)	RHD (Reduced Hillside Development)	PA (Preferred Off-site Water Facility Alternative)	
B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
		S (Significant)	SU (Significant and unavoidable)

**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p><u>in November 2010, it also adopted conditions of approval and a development agreement that requires Teichert’s participation in, and fair share funding of, a TMP to implement roadway capacity and safety improvements required to improve the compatibility of truck traffic from the quarries with the future urban development in the SPA and other jurisdictions that will be affected by quarry truck traffic. The development agreement adopted by the County for the Teichert project imposes limits on the amounts of annual aggregate sales from Teichert’s facility until a TMP is adopted. The City of Folsom does not have direct jurisdiction over the Teichert, DeSilva Gates, or Walltown quarry project applicants as these projects are located within the unincorporated portion of the County. The County, as the agency with the primary authority over the quarries, has indicated that it intends to prepare an environmental analysis in accordance with CEQA prior to adoption of a TMP. The City’s authority to control the activities of the quarry trucks includes restrictions or other actions, such as the approval and implementation of specialized road improvements to accommodate quarry truck traffic, that would be applicable within the City’s jurisdictional boundaries. For the foregoing reasons, the City of Folsom considers itself a “responsible agency” (as that term is defined at State CEQA Guidelines, CCR Section 15381), in that it has some discretionary power over some elements of a future TMP, if such TMP calls for improvements or other activities on roadways within the jurisdiction of the City. In a responsible agency role, the City would follow the process specified in the CEQA Guidelines for consideration and approval of the environmental analysis prepared by the County for a TMP after such documentation is prepared and adopted by the County. (State CEQA Guidelines, CCR Section 15096.)</u></p> <p><u>Because no final project description for a TMP has been developed as of the completion of this FEIR/FEIS, the City would have to speculate as to those portions of a TMP that might be proposed for implementation within its jurisdiction, or the impacts that could arise from the implementation of as-yet uncertain components. Accordingly, formulation of the precise means of mitigating the potential cumulative noise impacts pursuant to the TMP is not currently feasible or practical. However, as the preferred, feasible, and intended mitigation strategy to address the cumulative impacts of quarry truck traffic through the SPA, the City shall implement, or cause to be implemented those portions of the TMP (as described above) that are within its authority to control. In implementing the TMP, the City shall ensure that the TMP or traffic measures imposed by the City within the SPA reduce the traffic noise exposure to sensitive receptors along routes within the SPA so as to ensure that sensitive receptors are not exposed to interior noise levels in excess of 45 dBA, or increases in interior noise levels of 3 dBA or more, whichever is more restrictive. With this mitigation, the cumulative noise impacts from truck traffic would be less than significant.</u></p> <p><u>As an alternative (or in addition) to implementing the TMP within the SPA, the following measures could (and should) be voluntarily implemented by the quarry project applicant(s) (Teichert, DeSilva Gates, and Granite [Walltown]) to help ensure interior noise levels for sensitive receptors to noise generated by quarry truck traffic would not exceed 45 dBA or increase of 3 dBA over existing conditions, as identified above. The City encourages implementation of the following measures:</u></p> <ul style="list-style-type: none"> <li>▶ <u>The quarry project applicant(s) should meet with the City of Folsom to discuss mitigation strategies, implementation, and cost.</u></li> <li>▶ <u>A site-specific, project-level screening analysis should be conducted by the City of Folsom and funded by the quarry truck applicant(s) for all proposed sensitive receptors (e.g., residences, schools) in the SPA that would be located along the sides of roadway segments that are identified in Table 4-8 as being potentially significant under any of the analyzed scenarios. The analysis should be conducted using an approved three dimensional traffic noise modeling</u></li> </ul>		

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B (Beneficial)	NI (No impact)	LTS (Less than significant)	PS (Potentially significant)
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**Table 1-1  
Summary of Impacts and Mitigation Measures**

Impact Lan	d/Water/GPA	Significance
<b>Mitigation</b>		
<p><u>program (i.e., TNM or SoundPlan). Each project-level analysis should be performed according to the standards set forth by the City of Folsom for the purpose of disclosure to the public and decision makers. The project-level analysis should account for the location of the receptors relative to the roadway, their distance from the roadway, and the projected future traffic volume for the year 2030 (including the percentage of heavy trucks). If the incremental increase in traffic noise levels are determined to exceed the threshold of significance recommended by the City of Folsom, then design mitigation should be employed, which may include the following:</u></p> <ul style="list-style-type: none"> <li>▶ <u>Model the benefits of soundwalls (berm/wall combination) along the quarry truck hauling roadways and affected receptors not to exceed a total height of eight feet (two-foot berm and six-foot concrete mason wall). If this mitigation measure is determined by the City of Folsom to be inadequate, additional three dimensional traffic noise modeling should be conducted with the inclusion of rubberized asphalt at the expense of the quarry truck applicant(s). No quarry trucks should be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation has been agreed upon by the City of Folsom and fees for construction of said mitigation are paid by the quarry truck applicant(s).</u></li> <li>▶ <u>Implement the installation of rubberized asphalt (quiet pavement) on roadway segments adjacent to sensitive receptors that carry quarry trucks if soundwalls do not provide adequate reduction of traffic noise levels. The inclusion of rubberized asphalt would provide an additional 3 to 5 dB of traffic noise reduction. The cost of construction using rubberized asphalt should be borne by the quarry truck applicant(s). Said mitigation fee should be determined in consultation with the quarry project applicant(s), the Folsom South of U.W. 50 Specific Plan project applicant(s), and the City of Folsom. No quarry trucks should be allowed to pass on any roadway segment immediately adjacent to or within the SPA until said mitigation fees are paid.</u></li> <li>▶ <u>To improve the indoor noise levels at affected receptors, implement the following measures before the occupancy of the affected residences and schools:</u> <ul style="list-style-type: none"> <li>• <u>Conduct an interior noise analysis once detailed construction plans of residences adjacent to affected roadways are available to determine the required window package at second and third floor receptors to achieve the interior noise level standard of 45 dB Ldn without quarry trucks.</u></li> <li>• <u>Determine the interior quarry truck traffic noise level increases at second and third floor receptors adjacent to affected roadways compared to no quarry truck conditions. Window package upgrades are expected to be necessary due to the traffic noise level increases caused by quarry trucks along affected roadways. Quarry truck applicant(s) should pay for the cost of window package upgrades (increased sound transmission class rated windows) required to achieve the interior noise level standard of 45 dB Ldn with the inclusion of quarry truck traffic.</u></li> </ul> <p><u>To the extent this noise mitigation would not already be implemented as part of the Folsom South of U.W. 50 Specific Plan project development, this mitigation should be paid for by the quarry project applicant(s) before any quarry trucks are allowed to pass on any roadway that is within 400 feet of any residence or school within the SPA.</u></p> </li> </ul> <p><u>Implementation: The project applicant(s) of the Folsom South of U.S. 50 Specific Plan project.</u></p> <p><u>Timing: Prior to approval of first tentative map or discretionary approval within SPA that would place sensitive receptors along roadways that quarry trucks would reasonably use to access U.S. 50.</u></p> <p><u>Enforcement: City of Folsom Community Development Department.</u></p>		

NP (No Action/No Project)	NCP (No USACE Permit)	PP (Proposed Project)	RIM (Resource Impact Minimization)
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		S (Significant)	SU (Significant and unavoidable)



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NP (No Action/No Project)  
CD (Centralized Development)

NCP (No USACE Permit)  
RHD (Reduced Hillside Development)

PP (Proposed Project)  
PA (Preferred Off-site Water Facility Alternative)

RIM (Resource Impact Minimization)

B (Beneficial)

NI (No impact)

LTS (Less than significant)

PS (Potentially significant)

S (Significant)

SU (Significant and unavoidable)

## **2 MINOR MODIFICATIONS TO THE PROJECT**

### **2.1 INTRODUCTION**

Since release of the DEIR/DEIS, the project applicants have continued to refine the features of the Proposed Project Alternative. As a result of these planning refinements, the Proposed Project Alternative has undergone minor modifications that are identified in the following discussion. These modifications would not substantially increase the intensity or severity of an impact or create a new significant impact. Therefore, these minor modifications do not require recirculation of the EIR or a supplement to the EIS.

### **2.2 SUMMARY OF MODIFICATIONS TO THE PROJECT DESCRIPTION**

#### **2.2.1 OFF-STREAM DETENTION BASIN**

As shown in Appendix R attached to this FEIR/FEIS, the project applicants have relocated the detention basin in the northeastern portion of the project site that was proposed for on-stream construction (on an intermittent tributary to Carson Creek), to a location adjacent to that tributary which is now off stream. As a result, text edits to reflect this change have been made within DEIR/DEIS Impact 3A.1-3, and the requirement to relocate this detention basin to an off-stream location has been eliminated from Mitigation Measure 3A.1-3a, as shown in Chapter 5, “Errata” of this FEIR/FEIS. Movement of this detention basin to an off-stream location represents an improvement to the future biological resources conditions as compared to the former on-stream basin, because the off-stream basin would represent a lower magnitude of the potential impact related to alteration of water quality and hydrology of Carson Creek. Furthermore, construction of this detention basin in an on-stream location as originally planned could have substantially disrupted or eliminated hydrologic connectivity within Carson Creek that is important to support wetlands and the plant and wildlife species that inhabit them; with the new off-stream location, those potential adverse impacts would not be as great in magnitude.

#### **2.2.2 PREFERRED LOCATION FOR WATER TREATMENT PLANT**

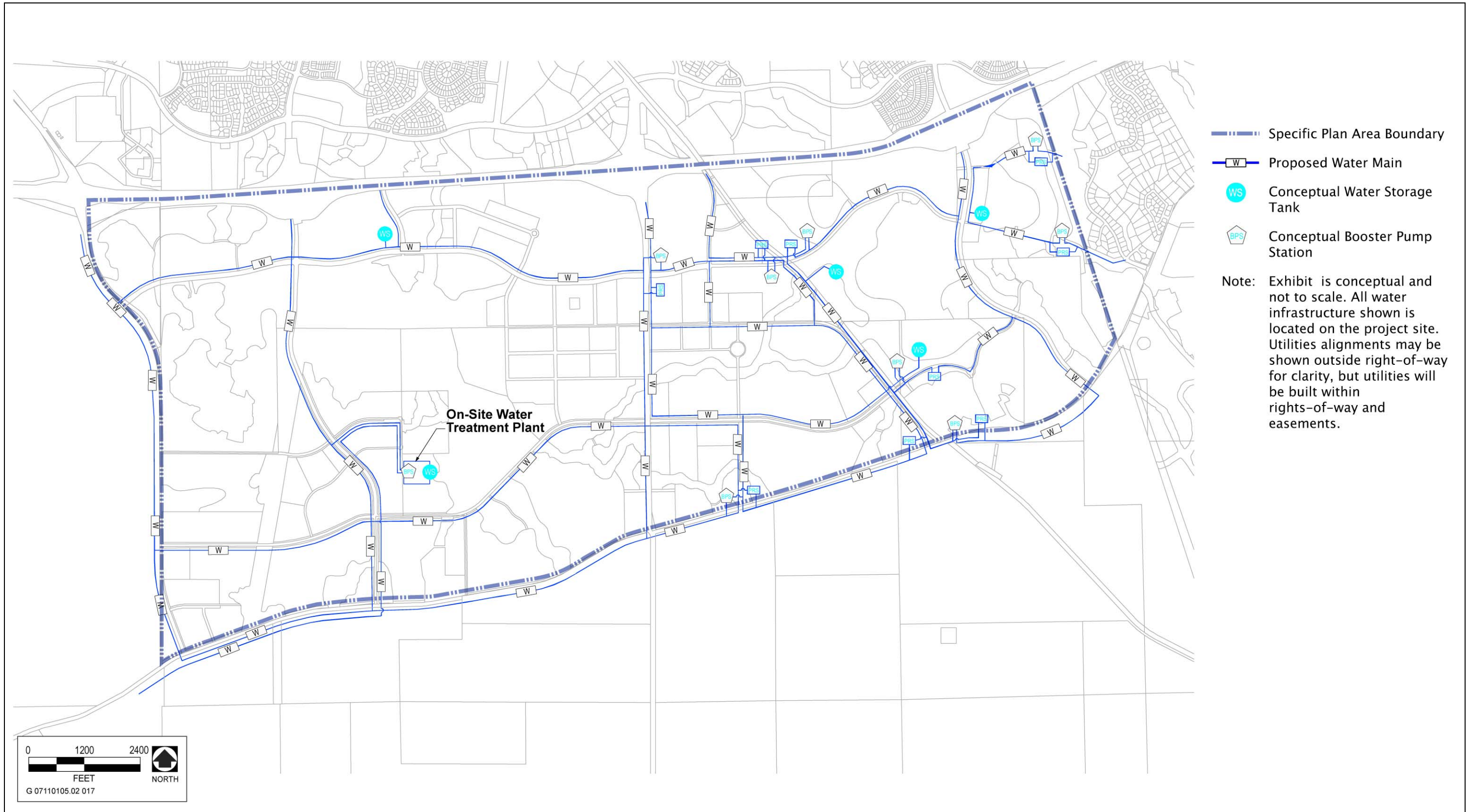
As discussed on page 2-83 of the DEIR/DEIS, a new water treatment plant (WTP) would be constructed as part of the project. Two alternative WTP locations were identified outside of the Specific Plan Area (SPA) as part of the City’s preliminary investigation and each was analyzed in the DEIR/DEIS as part of Off-site Water Facility Alternatives 1, 1A, and 3A (WTP to be located at White Rock Road); and Off-site Water Facility Alternatives 4 and 4A (WTP to be located at Folsom Boulevard). A third option for off-site water treatment involved the potential purchase of excess capacity within Sacramento County Water Agency’s (SCWA) Vineyard Surface Water Treatment Plant (SWTP). This option was evaluated as part of Off-site Water Facility Alternatives 2, 2A, 2B, and 3. In addition to these off-site locations, the DEIR/DEIS indicated that the WTP could be constructed within the SPA at a location immediately northeast of the intersection of Oak Avenue and Street “A” (see Exhibit DEIR/DEIS 2-7 [which is attached to this FEIR/FEIS below for ease of reference] and Figure 12.1, “Backbone Water and Nonpotable Water Infrastructure” in the Folsom Plan Area Specific Plan, attached as Appendix N to the DEIR/DEIS).

Since the DEIR/DEIS was prepared, the City has determined that its “preferred” location for the WTP is within the SPA at the location shown on DEIR/DEIS Exhibit 2-7 and as shown in Figure 12.1, “Backbone Water and Nonpotable Water Infrastructure” in the Folsom Plan Area Specific Plan, attached as Appendix N to the DEIR/DEIS.

As stated on page 2-83 of the DEIR/DEIS, the potential environmental impacts resulting from construction of the WTP within the SPA were analyzed within each of the 3A “Land” sections of Chapter 3 of the DEIR/DEIS.

### **2.2.3 LAND USE PLAN FOR COMMUNITY PARK WEST**

The Conceptual Land Use Plan presented in Exhibit 2-3 of the DEIR/DEIS has been altered slightly for the proposed Community Park West in the vicinity of “Area 40,” on the southwestern portion of the SPA. Exhibit 2-3A, below, provides a comparison of the land use plan for the Area 40 vicinity as presented in the DEIR/DEIS, and the revised land use plan. The proposed land use changes would add about 3.5 acres of Park, about 18 acres of Open Space, and about 23 acres of Single Family designation compared to the acreages in the Land Use Plan presented in the DEIR/DEIS. The acreage of the Single Family High Density designation would be reduced by about 39 acres, Multi-family Low Density would be reduced by about 5 acres, and Multi-family Medium Density would be reduced by less than 1 acre compared to the Land Use Plan presented in the DEIR/DEIS. (Totals may not be equal due to rounding and changes to the right-of-way needed for Street “A.”) These proposed changes represent an overall reduction in density and intensity compared to the land use plan described in the DEIR/DEIS, and therefore would not increase level of impacts beyond those evaluated throughout the DEIR/DEIS, nor would any new impacts occur.

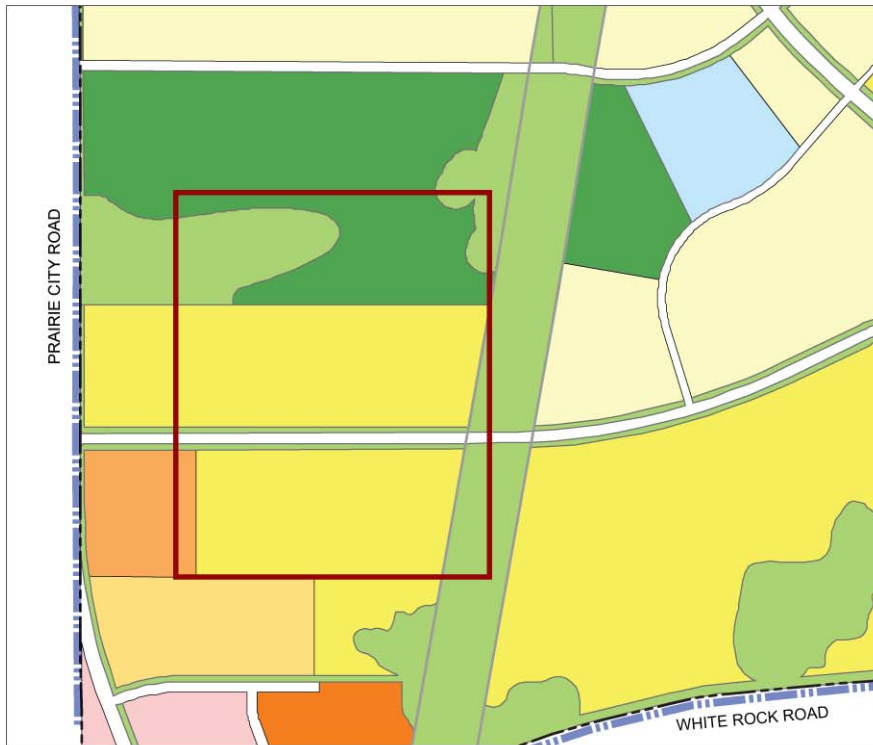


Source: RRM Design Group 2008, MacKay & Soms 2009, modified by AECOM in 2011

**Conceptual On-site Water Conveyance**

**DEIR/DEIS Exhibit 2-7**





DEIR/DEIS Land Use Map

**LEGEND**

- Area 40 Boundary
- - - - Specific Plan Area Boundary

**Land Use**

- Single Family: 1-3.9 du/ac
- Single Family High Density: 4-6.9 du/ac
- Multi-Family Low Density: 7-11.9 du/ac
- Multi-Family Medium Density: 12-20 du/ac
- Multi-Family High Density: 12-30 du/ac
- Community Commercial
- Parks (Community/Neighborhood Parks)
- Open Space
- Public/Quasi-Public
- Right of Way



Currently Proposed Land Use Map

Source: Aerojet 2011, Adapted by AECOM 2011

**Proposed Land Use and Community Park West**

**Exhibit 2-3A**



### 3 LIST OF COMMENTERS AND MASTER RESPONSES

#### 3.1 LIST OF COMMENTERS

Table 3-1 provides a list of all agencies and persons who submitted comments on the July 2010 DEIR/DEIS and who commented on that document during the public hearing.

<b>Table 3-1 List of Commenters on the DEIR/DEIS</b>		
<b>Agencies / Individuals</b>	<b>Letter Date</b>	<b>Letter ID</b>
<b>Federal</b>		
U.S. Bureau of Reclamation Michael R. Finnegan, Area Manager	September 8, 2010	USBR
U.S. Department of the Interior, Fish and Wildlife Service Sacramento Fish and Wildlife Office Kenneth Sanchez, Assistant Field Supervisor	September 8, 2010	USFWS
U.S. Environmental Protection Agency, Region 9 Enrique Manzanilla, Director, Communities and Ecosystems Div.	September 17, 2010	USEPA
<b>State</b>		
California Department of Public Health Bridget Binning, CDPH Environmental Review Unit	July 3, 2010	CADPH
California Regional Water Quality Control Board, Central Valley Region Stephen Louie, Environmental Scientist	August 16, 2010	CVRWQCB-1
California Regional Water Quality Control Board, Central Valley Region Dan Radulescu, P.E., Lead of the 401 WQC and Storm Water Unit and Kim A. Schwab, P.G., Engineering Geologist	September 2, 2010	CVRWQCB-2
California Public Utilities Commission Moses Stites, Rail Corridor Safety Specialist	September 8, 2010	CPUC
California Department of Conservation, Natural Resources Agency Dan Otis, Program Manager, Williamson Act Program	September 9, 2010	DOC DLRP
California Department of Transportation District 3 – Sacramento Area Office Alyssa Begley, Chief	September 30, 2010	Caltrans
<b>Local</b>		
Sacramento Municipal Utilities District Rachel V. Del Rio, Land Agent-Real Estate Services	July 13, 2009	SMUD-1
County of Sacramento, Municipal Services Agency Paul J. Hahn, Administrator	July 20, 2010	Sac Cnty-1
Sacramento Regional County Sanitation District Sarena Deeble, SRCSD/SASD Policy and Planning	July 20, 2010	SRCSD
David Pickett, Legislative Action Office, AMA District 36 – Motorcycle Sports Committee	August 4, 2010	Pickett
Sacramento Local Agency Formation Commission Peter Brundage, Executive Officer	August 25, 2009 (letter is dated as 2009 but sent in 2010)	LAFCO



**Table 3-1  
List of Commenters on the DEIR/DEIS**

<b>Agencies / Individuals</b>	<b>Letter Date</b>	<b>Letter ID</b>
Friends of the River Ronald Stork	September 2010	FOR
East Bay Municipal Utility District Michael T. Tognolini, Manager, Water Supply Improvements Division	September 3, 2010	EBMUD
Folsom, El Dorado, and Sacramento Historical Railroad Association Bill Anderson	September 3, 2010	HRA
Environmental Council of Sacramento Alex Kelter, President	September 8, 2010	ECOS
County of El Dorado, Department of Transportation Jim Ware, P.E., Director of Transportation	September 9, 2010	EDC DOT
County of Sacramento, Municipal Services Agency Paul Hahn, Agency Administrator	September 9, 2010	Sac Cnty-2
Sacramento County Water Agency Kerry Schmitz, Principal Civil Engineer	September 9, 2010	SCWA
City of Sacramento Dan Sherry, Supervising Engineer	September 10, 2010	Sac City
El Dorado Irrigation District Daniel Corcoran, Environmental Division Manager	September 10, 2010	EID
Folsom Cordova Unified School District Matt Washburn, Director of Facilities and Planning	September 10, 2010	FCUSD
Friends of Folsom Parkways Jim Kirstein, President	September 10, 2010	Friends
Heritage Preservation League of Folsom Loretta Hettinger, President	September 10, 2010	HPLF
Sacramento Area Bicycle Advocates Walt Seifert, Executive Director	September 10, 2010	SABA
Sacramento Metropolitan Air Quality Management District Joseph James Hurley, Assistant Air Quality Analyst	September 10, 2010	SMAQMD
Sacramento Municipal Utilities District Jose Bodipo-Memba, Environmental Specialist	September 10, 2010	SMUD-2
Save the American River Association Warren V. Truitt	September 10, 2010	SARA
Sacramento Area Creeks Council Alta Tura, President	September 13, 2010	SACC
<b>Individuals</b>		
Debbie Meier	No date	Meier-1
Teichert Aggregates, Inc. (John M. Taylor of Taylor & Wiley)	July 15, 2010	Teichert-1
Lynne Sperry	July 17, 2010	Sperry
Beverly Bagley	July 18, 2010	Bagley
Charlene Michelson	July 18, 2010	Michelson
Margaret Williams	July 19, 2010	Williams-1

**Table 3-1  
List of Commenters on the DEIR/DEIS**

<b>Agencies / Individuals</b>	<b>Letter Date</b>	<b>Letter ID</b>
Margaret Williams	July 21, 2010	Williams-2
Angelo G. Tsakopoulos (Kerry Shapiro of Jeffer, Mangels, Butler & Marmaro LLP)	July 27, 2010	Tsakopoulos-1
Keith Faust	July 28, 2010	Faust
Phillip Gardner	July 29, 2010	Gardner
Prowest Insurance Services, Inc. Guy Knapp, President	July 29, 2010	Knapp
Jim Watkins	July 29, 2010	Watkins
Karen Borrego	July 30, 2010	Borrego
John Gladding	July 30, 2010	Gladding-1
Connie Barreras	July 31, 2010	Barreras
Judy Clark	August 1, 2010	Clark
Evelyn M. Cooke	August 2, 2010	Cooke
Jason Dewall	August 2, 2010	Dewall
Leah Emery	August 2, 2010	Emery
John Gladding	August 2, 2010	Gladding-2
Paul Morissette	August 2, 2010	Morissette
Public Meeting/Hearing on the Folsom South of US 50 Specific Plan Project	August 2, 2010	Public Hearing 1
Gayle Tanner	August 2, 2010	Tanner
Raphael Hitzke	August 3, 2010	Hitzke
Debbie Meier	August 4, 2010	Meier-2
City of Folsom Joint Meeting of the Historic District and Planning Commissions Minutes	August 4, 2010	Public Hearing 2
Ed Santin	August 4, 2010	Santin
Mart Donahoo	August 8, 2010	Donahoo
Kim Squires	August 8, 2010	Squires
Eryn Stevens	August 9, 2010	Stevens
Kenneth and Joan Barnett	August 10, 2010	Barnett
Harvey Dean Brown	August 10, 2010	Brown, H
Rich Jackson	August 12, 2010	Jackson
Jackie Beckham	August 12, 2010	Beckham
Anitha Kumar	August 15, 2010	Kumar
Merwin M. Brown	August 16, 2010	Brown, M
Jennifer Brown	August 16, 2010	Brown, J
Conwy LLC (Michael Devereaux, Law Offices of Gregory D. Thatch)	August 16, 2010	Conwy
Paul Raveling	August 31, 2010	Raveling
Roberts	September 2010	Roberts

<b>Table 3-1 List of Commenters on the DEIR/DEIS</b>		
<b>Agencies / Individuals</b>	<b>Letter Date</b>	<b>Letter ID</b>
Terry Benedict	September 8, 2010	Benedict
Alice Fish	September 10, 2010	Fish
Folsom Plan Area Ownership Group (Sabrina V. Teller; Remy, Thomas, Moose, and Manley, LLP)	September 10, 2010	FSAG
Teichert Aggregates Inc. (John M. Taylor of Taylor & Wiley)	September 10, 2010	Teichert-2
Angelo G. Tsakopoulos (Kerry Shapiro of Jeffer, Mangels, Butler & Marmaro LLP)	September 10, 2010	Tsakopoulos-2

## 3.2 MASTER RESPONSES

### MASTER RESPONSE 1: GREENHOUSE GAS THRESHOLDS OF SIGNIFICANCE

*A number of comments question the derivation and use of greenhouse gas (GHG) emissions thresholds of significance in the DEIR/DEIS.*

GHG impacts associated with the Folsom South of U.S. 50 Specific Plan Project (project) would be significant and unavoidable relative to the chosen threshold, and using a more stringent threshold would not alter the determination of “significant and unavoidable” GHG emissions, as per the discussion on page 3A.4-30 of the DEIR/DEIS:

Although Mitigation Measure 3A.4-2 would require the implementation of all feasible GHG reduction measures known at this time, it is unknown at the time of writing this EIR/EIS whether the selected project-specific measures during each project phase, in combination with the GHG reductions realized from the regulatory environment that exists at that time, would result in attainment of the applicable CO<sub>2</sub>e/SP goal.

... the precise level of reductions is difficult to calculate for all phases of development, and therefore would be speculative at this time. As a precaution, this EIR/EIS concludes that the No USACE Permit, Proposed Project, Resource Impact Minimization, Centralized Development, and Reduced Hillside Development Alternatives’ incremental contribution to long-term operational GHG emissions is cumulatively considerable and significant and unavoidable.

Currently, neither the California Air Resources Board (ARB) nor the Sacramento Metropolitan Air Quality Management District (SMAQMD) has provided GHG significance thresholds.

GHG significance is discussed in Appendix G of the State CEQA Guidelines (as amended March 18, 2010):

Would a project:

- ▶ generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- ▶ conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

By adopting AB 32, the California legislature has indicated that global climate change is a serious environmental issue and has identified a statewide GHG emissions target. ARB's 2008 Climate Change Scoping Plan (Scoping Plan) recognizes the importance of local government efforts in reaching the 2020 GHG reduction goal (page ES-5):

Local Government Targets: In recognition of the critical role local governments will play in the successful implementation of AB 32, ARB added a section describing this role. In addition, ARB recommended a greenhouse gas reduction goal for local governments of 15 percent below today's levels by 2020 to ensure that their municipal and community-wide emissions match the State's reduction target.

Also, regional transportation-related GHG targets are expected to generate a reduction of approximately 5 million metric tons carbon dioxide equivalent (MMT $\text{CO}_2\text{e}$ ), representing an estimate of what may be achieved from local land use changes (ARB 2008, Scoping Plan, page 17, Table 2).

To meet the goals of AB 32, California would need to generate fewer GHGs than current levels. However, for most development projects, no simple metric is recognized or even available to determine whether the individual project would substantially increase or decrease overall emission levels of GHGs. The legislation dealing with climate change in California (as well as international treaties and agreements on the subject) identifies goals for the rate of GHG emissions relative to specific benchmark years. In the case of California, AB 32 requires 1990 GHG emission levels to be achieved by the year 2020.

With a statewide context for GHG emissions reductions established, GHG efficiency can be viewed independently from the jurisdiction in which the project or plan is located. To provide a meaningful basis to assess the GHG-related effects of a project or plan, the mass emission from land use-related sectors can be normalized. Dividing mass emissions by the population and/or amount of employment allows an assessment of GHG efficiency of a plan or project. Normalizing this projected mass of emissions from land use-related emissions sectors (i.e., transportation, electricity, natural gas, wastewater) by unit related to what the plan itself is accommodating (e.g., population and employment) allows decision makers to consider the GHG efficiency of a project and evaluate the project's consistency with AB 32. Limiting the analysis to land use-related sectors helps to maintain focus on what the lead agency is approving—in this case, long-range physical development of the Specific Plan Area (SPA), with an emphasis on management of land use change.

For the purposes of this analysis, the sum of the number of jobs and the number of residents at a point in time is termed the "service population" (SP). GHG efficiency metrics were developed for emissions rates at the state level to accommodate estimated population and employment growth, and the emission rates needed to accommodate growth while allowing for consistency with the goals of AB 32 (i.e., 1990 GHG emissions levels by 2020). These emission rates show how GHG-efficient new development and existing development must be to achieve AB 32 targets for land use-related sectors.

The Bay Area Air Quality Management District (BAAQMD) was the first air quality management district to establish quantified and substantiated GHG significance thresholds for development projects under CEQA. The GHG significance threshold derived for use in this DEIR/DEIS was based on performance standard methodology similar to that used by the BAAQMD and is more conservative (restrictive) than the performance standard adopted by BAAQMD. The DEIR/DEIS uses significance thresholds of 4.36 metric tons of carbon dioxide equivalent per year (MT  $\text{CO}_2\text{e}$ )/SP/year for 2020 and 3.68 MT  $\text{CO}_2\text{e}$ /SP/year for 2030, compared to the BAAQMD's significance threshold of 4.6 MT  $\text{CO}_2\text{e}$ /SP/year for 2020. The purpose of using a performance standard is so that large, energy efficient developments are not unduly penalized, relative to small, inefficient development projects whose emissions are below the BAAQMD "bright line" significance thresholds. Executive Order S-3-05 requires that GHG emission levels in 2020 be reduced to 1990 levels, and be reduced to 80% below 1990 levels by the year 2050.

<b>California GHG Emissions Inventory and Forecast for Emissions Sectors Applicable to Land Use Development Projects</b>		
<b>Inventory Summary for Scoping Plan</b>	<b>Emissions (MMTCO<sub>2</sub>E)</b>	
	<b>1990 Levels</b>	<b>2050 (S-3-05)</b>
<b>Transportation</b>	<b>137.992</b>	
Passenger Vehicles	108.945	
Heavy Duty Trucks	29.047	
<b>Electric Power</b>	<b>95.385</b>	
In-State Generation	33.808	
Imported Electricity	61.577	
<b>Commercial and Residential</b>	<b>44.220</b>	
Residential Fuel Use	29.657	
Commercial Fuel Use	13.462	
Combined Heat and Power	1.101	
<b>Recycling and Waste</b>	<b>2.833</b>	
Waste Water Treatment	2.833	
Domestic	2.833	
<b>Total Gross Emissions</b>	<b>280.430</b>	<b>56.086</b>
Notes: MMTCO <sub>2</sub> E = million metric tons of carbon dioxide equivalent. Sources: California Energy Commission 2007. Impact Analysis 2008 Update to the California Energy Efficiency Standards for Residential and Nonresidential Buildings <a href="http://www.arb.ca.gov/cc/inventory/data/tables/arb_ghg_inventory_forecast_2008_06_26.xls">http://www.arb.ca.gov/cc/inventory/data/tables/arb_ghg_inventory_forecast_2008_06_26.xls</a> (Forecast last updated: June 26, 2008)		

<b>California GHG-Efficiency Calculations per AB 32 and S-3-05</b>	
<b>Demographic Data</b>	<b>2020</b>
CA Population	44,135,923
CA Employment	20,194,661
CA Service Population <sup>1</sup>	64,330,584
<b>Business as Usual GHG/capita</b>	
GHG/Capita (sector-specific CA inventory)	8.35
GHG/SP (sector-specific CA inventory)	5.73
<b>AB 32 Goal GHG Efficiency</b>	
GHG/Capita (sector-specific CA inventory)	6.35
GHG/SP (sector-specific CA inventory)	4.36
Notes: AB = Assembly Bill; CA = California; GHG = greenhouse gas; SP = service population; <sup>1</sup> Service Population = Population + Employment Source: ARB 2007, 2010	

The first step to determine the efficiency metric is to determine GHG emissions sectors that are applicable to land use developments from ARB's 2008 Scoping Plan, and total emissions from pertinent sectors for 1990.

The second step is for 2020, divide total 1990 GHG emissions by service population projected for 2020. These are target 2020 GHG emissions (AB 32 goal) normalized by the service population on a statewide basis (without constraining population or economic growth).

The BAAQMD's performance standard is calculated in a similar way and is slightly less conservative (4.6 MT CO<sub>2</sub>e/SP/year) because the calculation includes additional sector emissions in the 1990 GHG emissions estimate (electric power co-generation).

In response to several comments regarding the amount of 28% below Business as Usual (BAU) in 2020 as inappropriate in terms of GHG reductions required to meet AB 32 goals, the BAAQMD states the following (BAAQMD Proposed Air Quality CEQA Thresholds of Significance, December 7, 2009, page 10 [emphasis added]):

*Project Level GHG Thresholds*

Staff proposes two quantitative thresholds for land use projects: a bright line threshold based on a "gap" analysis and an **efficiency threshold based on emission levels required to be met in order to achieve AB 32 goals**. Staff also proposes one qualitative threshold for land use projects: if a project complies with a Qualified Climate Action Plan that addresses the project it would be considered less than significant.

(BAAQMD Proposed Air Quality CEQA Thresholds of Significance, December 7, 2009, page 13 [emphasis added]):

*Derivation of GHG Reduction Goal*

To meet the target emissions limit established in AB 32 (equivalent to levels in 1990), total GHG emissions would need to be reduced by approximately **28** percent from projected 2020 forecasts... To meet the AB 32 reduction goals in the emissions sectors that are related to land use development (e.g., on-road passenger and heavy-duty motor vehicles, commercial and residential area sources [i.e., natural gas], electricity generation/consumption, wastewater treatment, and water distribution/consumption), staff determined that California would need to achieve an approximate **26** percent reduction in GHG emissions from these land use-driven sectors by 2020 to return to 1990 land use emission levels.

(BAAQMD Proposed Air Quality CEQA Thresholds of Significance, December 7, 2009, page 26 [emphasis added]):

*Qualified Climate Action Plans for CEQA Streamlining*

... Staff recommends that if a local jurisdiction can demonstrate that its collective set of climate action policies, ordinances and other programs is consistent with AB 32, includes requirements or feasible measures to reduce GHG emissions and achieves one of the following GHG emission reduction goals, the AB 32 consistency demonstration should be considered equivalent to a qualified climate action plan:

- ▶ 1990 GHG emission levels,
- ▶ 15 percent below 2008 emission levels, or
- ▶ **28 percent below BAU Forecasts for 2020 (if including non-land use sector emissions in the local inventory; otherwise can use 26.2 percent if only including land use sector emissions).**

The performance standard approach to setting a GHG significance threshold does not, as some commenters suggest, allow the threshold to be met with reasonably foreseeable regulation rather than adoption of feasible mitigation measures. No reductions were taken for Scoping Plan measures such as AB 1493 (Pavley), low carbon fuel standards (LCFS), renewable portfolio standard (RPS), California Green Building Code (GBC or CALGreen), etc., in the calculation of the GHG performance standard.

The BAAQMD's methodology has been confirmed as appropriate by the California Department of Justice, Office of the Attorney General (letter from Janill L. Richards, Deputy Attorney General to Greg Tholen, BAAQMD, dated December 2, 2009, available: [http://ag.ca.gov/globalwarming/pdf/comments\\_BAAQMD\\_Thresholds\\_of\\_Significance.pdf](http://ag.ca.gov/globalwarming/pdf/comments_BAAQMD_Thresholds_of_Significance.pdf)).

## **MASTER RESPONSE 2: POST-2020 GREENHOUSE GAS THRESHOLDS OF SIGNIFICANCE**

*For the purposes of development occurring in the SPA after 2020, a number of commenters remarked that long-term state GHG reduction goals were not considered in the DEIR/DEIS analysis (i.e., 80% below 1990 levels by 2050).*

According to the 2009 BAAQMD CEQA Proposed Threshold of Significance document (page 24 [emphasis added]):

When analyzing long-range plans, such as general plans, it is important to note that the planning horizon will often surpass the 2020 timeframe for implementation of AB 32. Executive Order S-3-05 establishes a more aggressive emissions reduction goal for the year 2050 of 80 percent below 1990 emissions levels. The year 2020 should be viewed as a milestone year, and the general plan should not preclude the community from a trajectory toward the 2050 goal. **However, the 2020 timeframe is examined in this threshold evaluation because doing so for the 2050 timeframe (with respect to population, employment, and GHG emissions projections) would be too speculative. Advances in technology and policy decisions at the state level will be needed to meet the aggressive 2050 goals. It is beyond the scope of the analysis tools available at this time to examine reasonable emissions reductions that can be achieved through CEQA analysis in the year 2050.** As the 2020 timeframe draws nearer, the BAAQMD will need to reevaluate the threshold to better represent progress toward 2050 goals.

A number of approaches could be used to obtain a performance metric for post-2020 GHG significance thresholds, including the one presented on page 3A.4-17 of the DEIR/DEIS, which was obtained by interpolating between 2020 BAU GHG emissions and the 2050 GHG emissions goal (80% below 1990 GHG emissions) and dividing this number by the estimated 2030 population. The 2030 population was used as a performance metric for the DEIR/DEIS analysis, because the year 2030 is the beginning of full operational emissions for the project (i.e., full project buildout).

## **MASTER RESPONSE 3: GREENHOUSE GAS MITIGATION MEASURES**

*Several commenters stated that the GHG mitigation measures included in the DEIR/DEIS are inadequate.*

This project began in 2007, at which time little GHG mitigation guidance was available. In 2009, construction-related GHG mitigation guidance from the SMAQMD was incorporated in the DEIR/DEIS. The SMAQMD also released draft operational GHG mitigation guidance in 2009; the mitigation measures proposed in the DEIR/DEIS and Air Quality Management Plan (AQMP) to reduce operational GHG emissions go above and beyond the draft measures suggested by the SMAQMD and were derived from multiple sources, including the Mitigation Measure Summary in Appendix B of the California Air Pollution Control Officers Association (CAPCOA) white paper, "CEQA & Climate Change" (2009); CAPCOA's "Model Policies for Greenhouse Gases in General Plans" (2009); and the California Attorney General's publication, "The California Environmental Quality Act: Addressing Global Warming Impacts at the Local Agency Level" (2008).

Furthermore, some commenters have stated that the DEIR/DEIS contains deferred mitigation related to GHGs. The DEIR/DEIS states that mitigation would be required to reduce GHG emissions to a level at or below the performance standard developed for this project. The specifics of precisely how and when mitigation would occur 20 years in the future are speculative at best, as it is not reasonable to specify fuel types, technologies, and designs that could be obsolete at the time of project buildout (2030). The GHG mitigation contained in the DEIR/DEIS includes a reasonable performance standard, a range of options to meet the standard has been provided, and the project applicants have committed to the mitigation for each increment of future development (with enforcement by the City of Folsom Community Development Department). As stated in Mitigation Measure 3A.4-2a on page 3A.4-26 of the DEIR/DEIS (as revised in Chapter 5, “Errata” of this FEIR/FEIS):

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 CO<sub>2</sub>e/SP/year for development that would become operational on or before the year 2020, and the 2030-based threshold of significance of 2.86 CO<sub>2</sub>e/SP/year for development that would become operational on or before the year 2030.

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).

For each increment of new development, the project applicant(s) shall submit to the City a list of feasible energy efficient design standards to be considered in the project-specific environmental review. These energy conservation measures which will be incorporated into the design, construction, and operational aspects of each increment of development, would result in a reduction in overall project energy consumption and GHGs. The project-specific environmental review shall further identify potentially feasible GHG reduction measures to reflect the current state of the regulatory environment, available incentives, and thresholds of significance that may be developed by SMAQMD, which will continuously 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 the applicant(s) can receive the City’s discretionary approval for any increment of development.

In response to several comments regarding the lack of a Mitigation Monitoring and Reporting Program (MMRP), an MMRP is not required in either a Draft or Final EIR. California Public Resources Code Section 21081.6 states that when making Findings as required by Section 21081, “The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval adopted in order to mitigate or avoid significant effects on the environment.” An MMRP containing the final version of all mitigation measures will be prepared and submitted to the Folsom City Council for adoption, as required by CEQA, consistent with California Public Resources Code Section 21081.6, prior to certification of the EIR and adoption of the project. The adopted mitigation measures will be made Conditions of Approval. Under NEPA, the ROD must identify all practicable mitigation measures that have been adopted and must also adopt and summarize a monitoring and enforcement program where applicable (40 CFR Section 1505.2[c]). In *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332 (1989) the Supreme Court confirmed that NEPA does not require agencies to circulate a monitoring and enforcement program in the FEIS.

In response to comments that the project would be able to meet the GHG threshold largely through compliance with foreseeable regulations, the ARB acknowledges that local governments would help meet AB 32 targets



through SB 375 and, conversely, that statewide regulations would reduce emissions at the local government level. Furthermore, ARB developed a tool to use in conjunction with EMFAC 2007 to estimate reductions from Pavley I and LCFS regulations (ARB 2010, Pavley I + LCFS Postprocessor – Version 1.0 User’s Guide, page1).

Furthermore, the BAAQMD used Pavley reductions as well as other reductions in the calculations of the “fair share” GHG reductions needed to be consistent with AB 32 (2009 BAAQMD CEQA Proposed Threshold of Significance document, pages 11–12). The BAAQMD’s “gap-based” threshold for land use projects was calculated using the following “anticipated” local, state, and Federal GHG reductions: AB 1493 (Pavley), LCFS, Heavy/Medium Duty Efficiency, Passenger Vehicle Efficiency, Energy-Efficiency Measures, Renewable Portfolio Standard, and Solar Roofs.

Additionally, the BAAQMD provides the following project and plan level guidance to encourage accounting for local, state, and Federal regulations when calculating projected GHG emissions (BAAQMD CEQA Guidelines, pages 4-1 and 9-5):

Project-level guidance: When calculating project emissions to compare to the thresholds of significance, lead agencies should account for reductions that would result from state, regional, and local rules and regulations.

Plan-level guidance: Where possible, emission projections should account for inherent improvements in energy and fuel efficiency, population and employment growth rates published by ABAG, VMT growth rates available from MTC, energy consumption growth rates available from California Energy Commission (CEC) planned expansions of municipal infrastructure or services, and anticipated statewide legislative requirements or mandates (e.g., Renewable Energy Portfolio, Green Building Code Standards, on-road vehicle emission regulations).

Furthermore, the BAAQMD developed GHG emissions modeling software (BGM), which subtracts Pavley and LCFS reductions from mobile operational emissions at the project level.

However, to be conservative, even though the State of California and BAAQMD guidance allow the subtraction of anticipated scoping plan reductions (e.g., Pavley and low-carbon fuel standard) from calculated project emissions, the analysis contained in DEIR/DEIS Section 3A.4, “Climate Change” did not use this subtraction. Therefore, contrary to the assertions of various commenters, the GHG analysis in the DEIR/DEIS contains a business-as-usual, worst-case projection, which is appropriate under CEQA and NEPA.

#### **MASTER RESPONSE 4: GREENHOUSE GAS LIFECYCLE ANALYSIS**

*Several commenters stated that the DEIR/DEIS was inadequate because it failed to provide a “lifecycle” analysis related to GHG emissions.*

The amendments to the State CEQA Guidelines that were approved in December 2009 deleted the prior requirement that an energy lifecycle analysis be performed (California Natural Resources Agency, “Adopted Text of the CEQA Guidelines Amendments,” adopted December 30, 2009, effective March 18, 2010, Appendix F). As noted in California Natural Resources Agency’s Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB 97 (State CEQA Guidelines, CCR Section 15126.4[a][4]):

Even if a standard definition of the term “lifecycle” existed, requiring such an analysis may not be consistent with CEQA. As a general matter, the term could refer to emissions beyond those that could be considered “indirect effects” of a project as that term is defined in section 15358 of the State CEQA Guidelines. Depending on the circumstances of a particular project, an example of such emissions could be those resulting from the manufacture of building materials... [which] may be manufactured for many different projects as a result of general market demand, regardless of whether one particular project

proceeds... Similarly, in this scenario, a lead agency may not be able to require mitigation for emissions that result from the manufacturing process. Mitigation can only be required for emissions that are actually caused by the project.

Because direct GHG emissions from mobile and area source fuel combustion; electrical generation; and electricity consumption associated with water distribution, use, and treatment for any project are well defined and can be accurately quantified, they were not considered to be “lifecycle emissions” for the purposes of the DEIR/DEIS and were included in GHG quantification.

## **MASTER RESPONSE 5: CUMULATIVE GREENHOUSE GAS EMISSIONS**

*Several commenters noted that operational project-generated GHG emissions would continue over a long time period, and questioned the thresholds for such operational emissions.*

Although the SMAQMD does not yet have GHG thresholds, operational GHG significance thresholds based on performance metrics or bright line approaches are based on annual emissions. No adopted thresholds exist for construction or total lifetime emissions (i.e., more than 40 years) of projects. The reader is referred to Sections 3A.4, “Climate Change – Land” and 3B.4, “Climate Change – Water” of the DEIR/DEIS for a comprehensive discussion of GHG emissions and impacts. (See also, DEIR/DEIS at page 4-34 (referring the reader to Chapters 3A.4 and 3B.4 concerning Cumulative GHG Impacts).

## **MASTER RESPONSE 6: QUARRY TRUCKS AND TOXIC AIR CONTAMINANT EXPOSURE**

*Several commenters noted that the version of the SMAQMD Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways (March 2009, Version 2.2) used for the DEIR/DEIS is not the version that is current today, in 2011. Commenters also noted that the DEIR/DEIS adopted a significance threshold equal to the evaluation criterion used in the SMAQMD’s Protocol.*

The March 2009 Protocol was used because the DEIR/DEIS analysis was written before the current Protocol (which went into effect in summer 2010). The Notice of Preparation (NOP) for the project was circulated on September 12, 2008, and therefore the DEIR/DEIS properly used the methodology that was current at the time. The City and USACE also note that the two versions of the Protocol are very similar, but the evaluation criterion was changed in the more recent document to 281/million instead of 296/million used in the DEIR/DEIS. Even if the current protocol were used in the DEIR/DEIS analysis, it would have no effect on the impact conclusions.

As stated in the DEIR/DEIS, in the absence of a recommended threshold of significance from ARB or the SMAQMD, the City and USACE believe that the screening criterion contained in the SMAQMD Protocol is conservative as a program-level significance threshold and is appropriate, in part, because of expected future changes in the inventory of mobile-source toxic air contaminant (TAC) emissions in the Sacramento Valley Air Basin (see page 3A.2-26 of the DEIR/DEIS). This is based on the idea that as buildout occurs over the next 20 years, the heavy-duty diesel (HDD) fleet is expected to change because of more stringent diesel emissions standards applied at the Federal and state levels. Furthermore, the DEIR/DEIS states that if a threshold should be adopted in the future by ARB or the SMAQMD, that threshold would be used to determine significance of impacts for each increment of development (see pages 3A.2-26, 4-24, and 4-25 of the DEIR/DEIS).

The SMAQMD’s Protocol states that an acceptable diesel particulate matter (DPM) cancer risk level or a regulatory threshold is not provided in the document and that the Protocol does not establish which land use projects are acceptable and which are not (Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways, March 2009, Version 2.2, page 2): “Local land use jurisdictions retain all authority and decide after considering all relevant factors whether the land use project is appropriate.”

The Protocol also states that the evaluation criterion of 296 in a million contained therein does not represent a “safe” risk level or a regulatory threshold; it is simply the point at which a site-specific health risk assessment

(HRA) is recommended (Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways, March 2009, Version 2.2, page 8). To determine cancer health risks, an HRA would need to be performed with the following minimum inputs necessary to perform dispersion modeling: diesel vehicle volumes, wind direction, receptor location, daily and lifetime exposure duration, and activity level.

The necessary dispersion modeling inputs were not all known at the time of writing the DEIR/DEIS, which evaluates a 3,500-acre specific plan at a program level, but the DEIR/DEIS does recommend HRAs as mitigation in cases where quarry truck traffic could cause diesel particulate matter (DPM) exposures in excess of the evaluation criterion/significance threshold (see Cumulative Mitigation Measure AIR-1-Land on pages 4-24 and 4-25 of the DEIR/DEIS and changes thereto as shown in Chapter 5, "Errata" of this FEIR/FEIS). The DEIR/DEIS states that in the absence of designated truck routes that would limit exposure of sensitive receptors to quarry truck traffic, an HRA should be performed (see Cumulative Mitigation Measure AIR-1-Land: Implement Measures to Reduce Exposure of Sensitive Receptors to Operational Emissions of Toxic Air Contaminants from Quarry Truck Traffic on page 4-24 of the DEIR/DEIS). If the incremental increase in cancer risk determined in the HRA exceeds 296 in one million (or a different threshold of significance recommended by the SMAQMD or ARB at the time, if any), then project-specific design mitigation would be employed, including appropriate setback distances, high efficiency air filters, and other measures (see pages 4-24 through 4-26 of the DEIR/DEIS).

Several commenters remarked that the SMAQMD's Protocol was not followed (i.e., the SPA would not be developed within 500 feet of roadways with daily traffic volumes of 100,000 vehicles or more). However, the average fleet percentage of diesel trucks in Sacramento County in 2030 is estimated to be 2%, and quarry truck traffic could approach 25% (EMFAC 2007, and Fehr and Peers 2009, as referenced in the DEIR/DEIS). Multiplying 100,000 by 2% average daily traffic results in about 2,000 diesel trucks per day, which is approximately half of the number estimated for full development of the quarry and SPA (for example, the number of quarry trucks on Grant Line Road is estimated to be approximately 5,577 per day, representing about 14-27% of the daily traffic under buildout conditions in 2030).

According to the SMAQMD's Protocol (Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways, January 2010 Version 2.3, page 12): "The methodology developed in this effort assumes that the roadway is a single, limited-access freeway, with no interchanges, traffic signals, or associated traffic queues. Emissions and corresponding risk in certain situations may be higher than the screening tables indicate."

The increased percentages of diesel trucks near the SPA warranted further evaluation, rather than screening the project out because of traffic volumes that were lower than 100,000 vehicles per day. The DEIR/DEIS provided additional evaluation of the impacts of diesel trucks by comparing numbers of heavy duty diesel (HDD) trucks (with and without the additional quarry truck traffic, adjusted for speed) with the numbers used in the SMAQMD's screening level that could cause cancers in excess of 296 in a million. As stated on page 4-23 of the DEIR/DEIS, "According to SMAQMD staff, the proportion of diesel trucks on the roadways is important because the volume of diesel trucks is the key variable used to develop the screening levels in SMAQMD's Protocol (DuBose, pers. comm., 2009)."

Examination of diesel truck emission factors in both 2010 and 2030 is appropriate because, as stated on page 4-24 of the DEIR/DEIS, "It is important to consider the emission factors of both the existing and future vehicle fleets in order to understand what the risk levels would be during intermediate years because there is the potential that the daily traffic volumes on roadways would increase considerably before full build out while the emission rates of the vehicle fleet during a particular intermediate year are still relatively high." The DEIR/DEIS, by examining buildout traffic with the inclusion of quarry trucks, utilizing emissions factors representing both earlier and later years of development, provides a thorough and health-protective analysis of potential impacts of TACs (diesel PM) on sensitive members of the population.

## MASTER RESPONSE 7: QUARRY TRUCK CUMULATIVE IMPACT AND MITIGATION APPROACH

*A few commenters associated with the proposed quarries to the south of the SPA commented on the mitigation proposed to address the TAC and noise impacts that would result from the daily passage of a high volume of diesel-powered quarry trucks through the SPA. The commenters characterized the proposed mitigation (Cumulative Mitigation Measures AIR-1 and Noise-1-Land, DEIR/DEIS pp. 4-24, 4-51) as a ban on truck traffic and asserted that the analysis did not consider the effects of imposing such a ban on air quality, climate change, transportation and circulation, and the ability of the quarry applicants to mine aggregate in the manner they propose.*

These comments present an incomplete, and therefore misleading, characterization of the proposed mitigation. The mitigation at issue was, in fact, presented as a set of alternative actions – one being a suite of voluntary measures to be developed and implemented cooperatively between the quarry applicants and the City, and the other being an exercise of the City’s authority to designate truck routes along roads within its jurisdiction. Reference to the full text of the proposed measures reveals that the City did not propose to unilaterally ban the passage of quarry trucks through the SPA without consideration of less restrictive, but equally effective options. The measures were framed partly as proposals for voluntary action on the part of the quarries; however, in recognition of the fact that the City does not have legal jurisdiction over the operations of the quarries outside of the City’s boundaries. If the City adopted a restriction on truck traffic through the SPA, the selection of alternative routes outside the SPA would be under the control of the quarries and the County or other jurisdictions affected by truck traffic, not the City. Because it was not known at the time the DEIR/DEIS was prepared (and is still not known) what alternative routes these other parties might select or how much traffic they might send along one or more alternative routes, it would have been too speculative to try to predict any changes in vehicle miles traveled, air pollutant and greenhouse gas emissions, or other impacts resulting from a designation of truck routes.

Since the publication of the DEIR/DEIS in June 2010, further progress has been made in a series of meetings with the County of Sacramento, the City of Rancho Cordova, representatives of Teichert and other quarry applicants with mining proposals before the County, and other participants toward the resolution of concerns about the routes and amounts of truck traffic that would be generated by the quarries. That process came to be known as the East Sacramento Regional Aggregate Mining Truck Management Plan (TMP). At the time the DEIR/DEIS was published, the participants in the TMP meetings had not yet reached consensus regarding truck routes through the SPA and adjoining areas, analysis methodology, or other important issues necessary to develop a definite, final TMP.

In November 2010, the Sacramento County Board of Supervisors approved various entitlements for the proposed Teichert quarry project in the south-eastern portion of Sacramento County, including a development agreement. The development agreement notes the ongoing participation of the Cities of Folsom and Rancho Cordova, the County and other interested parties in the development of the TMP and acknowledges that the Board will first have to comply with CEQA before adopting a TMP. The development agreement also commits Teichert to complying with any truck routing redistribution measures contained within any adopted TMP and requires Teichert to contribute its fair share toward the funding of such a program, including measures pertaining to air quality and noise. (Teichert Quarry Development Agreement, Section 2.4.5.A, p. 14.)

The components of the TMP must include, at a minimum, the following:

- ▶ traffic solutions associated with routing quarry trucks so as maintain the “quality of life” in Folsom and Rancho Cordova;
- ▶ identification of truck haul routes within the SPA;
- ▶ phasing of improvements for the proposed haul routes;
- ▶ phasing of use of haul routes as development in the SPA proceeds; and

- ▶ a financing program for implementation of the TMP.

The TMP may also include, without limitation, one or more of the following components, which may be phased:

- ▶ diversion of U.S. 50-bound trucks to dedicated, grade-separated truck lanes on Prairie City Road;
- ▶ construction of westerly vehicle lane(s) on Prairie City Road;
- ▶ construction of truck lane(s) and/or easterly vehicle lane(s) on Prairie City Road; and
- ▶ diversion of other truck traffic and/or other transportation improvements within the SPA.

The Teichert development agreement provides that Teichert shall not sell or transport by truck material obtained directly from its proposed Teichert Quarry facility, except by conveyer belt to its Grant Line facility, until the TMP is adopted. The development agreement also limits Teichert's annual sales of aggregate from its Grant Line facility until the TMP is adopted. The sales limitation is conditioned upon the City of Folsom's intent to include those portions of the TMP relating to the Folsom South of U.S. 50 Specific Plan in any associated development agreement and environmental documentation. (Development Agreement, Section 2.4.5.B, pp. 14-15.)

The Teichert development agreement and the statements of County staff and Board of Supervisors indicate that the County intends, as the lead agency for the TMP, to prepare an environmental analysis pursuant to CEQA once a sufficient project description has been developed for the TMP, so that any potential impacts of implementing the plan can be fully and publicly considered and disclosed before the plan is adopted. The development agreement sets April 12, 2011, as a target date for the completion of an agreed project description for the TMP. Once the project description is finalized, the County may begin preparation of its environmental analysis of the TMP.

As of the time of the completion of this FEIR/FEIS, the details and description of the TMP have not yet been completed. The City is not the lead agency for the purpose of implementing the majority of the components of a TMP. Furthermore, because the TMP's description at this point is abstract, and not yet stable and finite, it is not possible at this point to include a meaningful analysis of the effects of implementation of the TMP in this FEIR/FEIS because any such analysis would be too speculative. The TMP's project description is subject to change and additional important details of the plan still remain to be developed. For instance, while Prairie City Road is the preferred truck haul route, the exact location of the truck haul routes and timing of implementation of the routes, which will be fixed based on the results of future study of the TMP components, have not yet been developed. In consideration of the City's good faith commitment to cooperate in the development and implementation of the TMP, the proposed mitigation measures previously identified in the DEIR/DEIS to address the cumulative air quality and noise impacts associated with development of the SPA along with future quarry truck traffic through the SPA have been revised to rely upon the TMP as the first resort for mitigation and ensure that when a TMP is adopted, those portions of the TMP subject to City control will, in fact, be implemented. Accordingly, Cumulative Mitigation Measures AIR-1-Land and NOISE-1-Land have been revised and are presented in Chapter 5, "Errata" of this FEIR/FEIS.

Although the City intends, for its part in participating in the TMP, to continue to advocate for a solution that resolves the concerns about toxic air contaminant and noise impacts attributable to the addition of quarry truck traffic to the project's roadways and achieves a mutually satisfactory approach to this regional problem, and that reduces TAC emissions and noise levels to a less-than-significant level, as identified in the revised mitigation measures, as a second resort, the City encourages the quarries to participate in the voluntary development of further mitigation described in the revised measures.

While the cumulative mitigation measures proposed for adoption defer to some extent the development of further details to the future, the measures nonetheless comply with CEQA's restrictions and guidance in case law regarding the way that such measures must be structured in order to comply with CEQA. (*Sacramento Old City Assn. v. City of Sacramento* [1991] 229 Cal.App.3d 1011-229 Cal.App.3d 1011; see also *California Native Plant Society v. City of Rancho Cordova* [2009] 172 Cal.App.4th 603, 619-623; *Defend the Bay v. City of Irvine* [2004] 119 Cal.App.4th 1261, 1273-1278.) Specifically, the revised measures contain performance standards against which the further details of the future mitigation will be measured to determine

whether they achieve the necessary reduction of the impacts to a less-than-significant level. (State CEQA Guidelines, CCR Section 15126.4, subd. [a][1][B].)

*A few of the quarry applicant commenters asserted that the proposed mitigation for cumulative impacts caused by the quarry trucks would somehow impede the quarries' ability to operate, thereby conflicting with the designation of the quarry area as a valuable mineral resource zone.*

This assertion is incorrect, because, as noted above, the City did not unilaterally propose a ban on truck traffic as the only solution to the problems caused by the large volume of truck traffic through the plan area. Moreover, as asserted by the quarry commenters themselves, they would simply find other routes to deliver their product to consumers. Thus, the City's previously proposed measure would not have prevented the quarries from operating, as their facilities and the alternate routes they assert they would have to use lie outside the City's jurisdiction to regulate.

*Some of the quarry commenters suggested that the DEIR/DEIS failed to follow CEQA's requirements regarding the use of a baseline against which project impacts are to be compared; specifically, they allege that the impact analysis should have assumed the presence or operations of the quarries in assessing traffic, air, or noise impacts of the project because of the pending applications by the quarries for permits to construct and operate their facilities south of the SPA.*

The environmental analysis sets the baseline at the time the NOP for the DEIR/DEIS which was published on September 12, 2008 (see page 3-6 of the DEIR/DEIS). This baseline is consistent with the guidance set forth in State CEQA Guidelines CCR Section 15125, which provides that the environmental baseline is normally the conditions as they exist at the time of publication of the NOP. The City decided, based on the fact that the quarries were only proposed, but not yet approved, at the time the NOP was published, as well as at the time the DEIR/DEIS was published, that the baseline properly should *not* assume the quarries were actually operating. A California Court of Appeal recently affirmed the principle that "an agency enjoys the discretion to decide, in the first instance, exactly how the *existing* physical conditions without the project can most realistically be measured, subject to review, as with all CEQA factual determinations, for support by substantial evidence." (*Sunnyvale West Neighbors Assn. v. City of Sunnyvale* [2010] 190 Cal.App.4th 1351, 1375 emphasis in original.)

The DEIR/DEIS properly identifies the quarry projects in the cumulative analysis as past, present, or probable future projects, which are analyzed in conjunction with the Proposed Project and other project alternatives (see pages 4-7 through 4-10 and 4-15 through 4-16 of the DEIR/DEIS). Mitigation measures were determined by taking into account the potential cumulative impacts of these and other projects. See Cumulative Mitigation Measure Air-1-Land on pages 4-24 through 4-26, and Cumulative Mitigation Measure Noise-1-Land on pages 4-51 through 4-53 of the DEIR/DEIS; see also response to comment Tsakopoulos-2-7. Thus, the quarries were properly accounted for as part of the cumulative conditions.

*Some of the quarry commenters objected to the fact that the DEIR/DEIS also included a separate analysis in the traffic section disclosing the unique effects associated with adding quarry truck traffic to SPA roadways. (See pages 3A.15-135 through 138 of the DEIR/DEIS.)*

The commenters appear to have mistakenly concluded that this analysis takes the place of the more comprehensive cumulative impact analysis presented in Chapter 4 of the DEIR/DEIS. As the disputed section discloses, however, "this analysis is presented to inform the public and decision makers regarding the potential range of effects of quarry truck trips on the roadway network in the project vicinity." (DEIR/DEIS, p. 3A.15-135.) As explained previously, this section does not take the place of the standard cumulative impact analysis presented in Chapter 4 of the DEIR/DEIS, which did include the quarries as part of the "cumulative baseline" consisting of past, present, and proposed future projects within the geographic areas that could be affected by the project.

## MASTER RESPONSE 8: LAND USE INCOMPATIBILITY

*Several comments on the DEIR/DEIS suggested that the document should have analyzed impacts related to land use conflicts with neighboring land uses, or with land use designations (such as Sacramento County's Resource Conservation Area designation), and planning priorities of surrounding jurisdictions.*

Land use compatibility *per se* is not a required analysis topic under CEQA or NEPA (see Appendix G of the State CEQA Guidelines and DEIR/DEIS Chapter 3 for a list of thresholds that were used in the analysis of the Folsom South of U.S. 50 Specific Plan project under both CEQA and NEPA). However, CEQA does require an analysis of the project's potential to "conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect" (State CEQA Guidelines, Appendix G, Land Use). NEPA contains a similar requirement that for any potential inconsistencies with such policies, the extent to which the agency would reconcile its proposed action with the plan or law should be included in the EIS (40 CFR Sections 1502.16[d] and 1506.2[d]). Any such potential conflict is addressed in the DEIR/DEIS as a separate impact in the relevant topic area (for example, see Section 3A.11, "Noise" for an evaluation of the project's potential to exceed City/County noise standards adopted as part of each respective general plan; see Section 3A.3 "Biological Resources" for an evaluation of the project's consistency with adopted tree preservation ordinances).

The DEIR/DEIS also appropriately addresses specific direct and indirect physical impacts of the project on the environment, as required by the State CEQA Guidelines CCR Section 15126.2(a) and NEPA implementing regulations promulgated by the Council on Environmental Quality (CEQ Regulations). For instance, as discussed in "Existing Noise Sources," starting on page 3A.11-5 in Section 3A.11, "Noise – Land," of the DEIR/DEIS, nearby existing noise sources, including Prairie City Road SVRA, Aerojet General Corporation, and Mather Airport were considered in the analysis. As described therein, noise monitoring was conducted at the nearest portion of the SPA to the Prairie City State Vehicular Recreation Area to evaluate the potential for noise generated by the Prairie City SVRA to affect proposed residential uses (noise generated by the Prairie City SVRA was not distinguishable from background traffic noise along White Rock and Prairie City Roads, and therefore the impact was determined to be less than significant [page 3A.11-51]). Also, odor impacts related to adjacent cattle operations south of White Rock Road were evaluated in Impact 3A.2-6, beginning on page 3A.2-59.

## MASTER RESPONSE 9: DEFERRED AND/OR HORTATORY MITIGATION

*Several comments raised concerns that some of the mitigation measures included in the Draft EIR/EIS impermissibly deferred mitigation. In particular, some commenters expressed the belief that the Folsom Plan Area Specific Plan's policies and some of the more broadly worded mitigation measures designed to reduce the project's impacts on biological resources and climate change, among other areas, improperly deferred the formulation of precise mitigation.*

The commenters are correct that, as a general matter, a lead agency must not defer the formulation of mitigation until after project approval. (State CEQA Guidelines, CCR Section 15126.4 subd. [a][1][B].) The California State courts, however, have developed legal principles regarding the extent to which an agency can rely on a mitigation measure that defers some amount of environmental problem-solving until after project approval. In particular, deferral is permissible where the adopted mitigation measure commits the agency to a realistic performance standard or criterion that will ensure the mitigation of the significant effect or lists alternative means of mitigating an impact that must be considered, analyzed, and possibly adopted in the future. (See *ibid* ["measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way"]; *Endangered Habitats League v. County of Orange* [2005] 131 Cal.App.4th 777, 793-794 [deferral is permissible where the agency commits itself to mitigation and either (1) adopts a performance standard and makes further approvals contingent on finding a way to meet the standard or (2) lists alternative means of mitigating the impact which must be considered, analyzed, and possibly adopted in the future]; *Riverwatch v. County of San Diego* [1999] 76 Cal.App.4th 1428, 1448–1450 [a deferred approach may be

appropriate where it is not reasonably practical or feasible to provide a more complete analysis before approval and the EIR otherwise provides adequate information of the project's impacts]; *Sacramento Old City Assn. v. City Council* [1991] 229 Cal.App.3d 1011, 1029-1029 [SOCA]; *Defend the Bay v. City of Irvine* [2004] 119 Cal.App.4th 1261, 1275.)

The use of performance standards is particularly appropriate in connection with "program EIRs," such as the Folsom South of U.S. 50 Specific Plan EIR/EIS, for which later project-level environmental review will be conducted. "[F]or kinds of impacts for which mitigation is known to be feasible, but where practical considerations prohibit devising such measures early in the planning process (e.g., at the general plan amendment or rezone stage), the agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval. Where future action to carry a project forward is contingent on devising means to satisfy such criteria, the agency should be able to rely on its commitment as evidence that significant impacts will in fact be mitigated." (*SOCA, supra*, 229 Cal.App.3d at pp. 1028-1029; see also *Rio Vista Farm Bureau Center v. County of Solano* [1992] 5 Cal.App.4th 351.)

Consistent with the CEQA requirements set forth above, the mitigation set forth in the Draft EIR/EIS, and the policies and programs included in the Folsom South of U.S. 50 Specific Plan, the City proposes to adopt performance standards to ensure the efficacy of the mitigation measures, policies and programs. (*Endangered Habitat League, supra*, 131 Cal.App.4th at pp. 793-794.) For instance, Mitigation Measure 3A.9-1 (pages 3A.9-25 and -26 of the DEIR/DEIS) requires the project applicant(s) to prepare a Storm Water Pollution and Prevention Plan (SWPPP) and implement Best Management Practices (BMPs). The mitigation measure includes nine different bullet points that specify the contents of the SWPPP and list examples of the types of BMPs that may be used.

The fact that certain policies and programs do not include detailed site-specific information on how the policy or program will be implemented is attributable to the programmatic and necessarily broad nature of the Specific Plan. (See also Master Response 10.) State CEQA Guidelines, CCR Section 15152, which sets forth principles governing tiering, recognize that "[w]here a lead agency is using the tiering process in connection with an EIR for a large-scale planning approval...site-specific information may not be feasible but can be deferred, in many instances, until such time as the lead agency prepares a future environmental document in connection with a project of a more limited geographical scale." CCR Section 15152 also acknowledges that "not all effects can be mitigated at each step of the process. There will be some effects for which mitigation will not be feasible at an early step of approving a particular development project." NEPA also provides guidance on tiering (see 40 CFR Section 1508.28). Second- or even third-tier CEQA review would then be required to develop the detailed mitigation.

The extent to which some of the proposed mitigation measures are general in nature is simply a reflection of the fact that the project is a specific plan covering over 3,500 acres of land, with a build-out timeline of 20 or more years. The specificity of a DEIR's discussion of mitigation measures should be proportionate to the specificity underlying the project. (*Rio Vista Farm Bureau Center, supra*, 5 Cal.App.4th at p. 376.) If the proposed Folsom Plan Area Specific Plan is adopted, the City would have successive opportunities in the future, in processing future tentative subdivision maps, use permit applications, and similarly specific entitlement requests, to translate some of the broadly framed, specific plan-level mitigation measures into more detailed, site-specific measures. For example, the City would have the opportunity, as the years pass, to keep abreast of the latest science on climate change as it considers future site-specific approvals, which is a form of adaptive management. In addition, as the statewide implementation of AB 32 progresses, it is very likely that development within the City, like development elsewhere in California, will be subject to new regulatory requirements and mandates developed by ARB.

Some commenters quote various sections of CEQA relating to the requirement to mitigate significant environmental impacts and then conclude that the goals and policies cited by the DEIR/DEIS are not enforceable, mandatory, or effective. These comments apparently mix considerations that may be germane to the Specific Plan (i.e., goals and policies) with those that may be relevant to the DEIR/DEIS (i.e. proposed mitigation measures),



making it difficult to discern which topics presented by the commenters are CEQA-related and which ones are not. With respect to the goals and policies cited by the DEIR/DEIS, these goals and policies were listed in the DEIR/DEIS as evidence of components of the proposed Specific Plan that would tend to reduce or avoid impacts, and not as mitigation measures as required by CEQA.

## **MASTER RESPONSE 10: PROGRAMMATIC NATURE OF EIR/EIS ANALYSIS**

*Several comments on the DEIR/DEIS requested additional impact analysis of specific developments within the SPA that may occur over time with implementation of the Folsom Plan Area Specific Plan and/or criticized the Specific Plan or DEIR/DEIS for not providing further detail about the development that would occur under the Specific Plan if it is approved by the City.*

These comments are misplaced. CEQA and NEPA not only allow, but actively encourage, the use of “tiering” for major land use approvals such as the adoption of a specific plan covering a substantial land area. In addition, the complex division of labor between various governmental agencies involved in approving the provision of, and providing, services to specific development within the SPA also makes impossible the kind of all-encompassing project-level EIR/EIS advocated by some commenters. Here, in preparing a program-level EIR/EIS for the Folsom Plan Area Specific Plan, the City and USACE have completed all of the environmental analysis that was reasonably feasible under the circumstances. (See State CEQA Guidelines, CCR Section 15151; NEPA regulations, 40 CFR Sections 1502.20 and 1508.28.)

The general order and hierarchy of plans and other entitlements under California law, from broad and general to narrow and site-specific, is as follows: General Plans, Specific Plans, Zoning, Subdivision Maps, Use Permits, and Building Permits. Each type of plan or entitlement following a general plan must be consistent with the general plan and other plans and entitlements preceding it in this hierarchy. Thus, the Folsom Plan Area Specific Plan must be consistent with the City’s General Plan, and subsequent zoning ordinances, subdivision map approvals, and permits approved for development within the boundaries of the Specific Plan must be consistent with the Specific Plan’s policies and guidelines. Because no general plan can perfectly predict the types of development or uses that may be determined later to be appropriate for a particular area, the State Planning and Zoning Law allows for general plans to be amended from time to time, frequently in conjunction with the proposal for a specific plan, or other specific development, in order to achieve the “vertical consistency” required by State law. Thus, the proponents of the Folsom Plan Area Specific Plan submitted applications for certain amendments to the City General Plan to maintain the required consistency between the documents. (See, e.g., Draft EIR/EIS, pages 2-10 and 2-11.) The legislative decision whether to approve those amendments and the determination whether the proposed Specific Plan and other related approvals are in fact consistent ultimately lies with the Folsom City Council.

According to the State CEQA Guidelines (CCR Section 15168[a]) and NEPA regulations (40 CFR Sections 1502.20 and 1508.28), an agency may prepare a program-level EIR/EIS to address a series of actions that can be characterized as one large project and are related either geographically; as logical parts of a chain of contemplated events; through rules, regulations, or plans that govern the conduct of a continuing program; or as individual activities carried out under the same authorizing statutory or regulatory authority, and that have generally similar environmental effects that can be mitigated in similar ways. As noted above, this EIR/EIS was prepared as a program-level EIR/EIS. (See Draft EIR/EIS, pages 1-9 and 1-10.) As a program-level EIR/EIS, this document serves as a “first-tier” document that assesses and documents the broad environmental impacts of a program with the understanding that a more detailed site-specific environmental review will be required to assess future projects implemented under the program. As individual projects with specific site plans and facilities are planned, the City and USACE would evaluate each project to determine the extent to which this EIR/EIS adequately addresses the potential impact of the project and to what extent additional environmental analyses might be required for each specific future project. (See Public Resources Code [PRC] Sections 21083.3, 21093, and 21094; and State CEQA Guidelines, CCR Sections 15152, 15168, and 15183.) The fact that the City and the project applicants had the *option* of trying to prepare project-level analysis for the residential components of the Specific Plan does not

mean that the City had the *duty* to take such an approach. (See Government Code, Section 65457; State CEQA Guidelines, CCR Section 15182.) Such an approach may be feasible for specific plans covering relatively confined geographic areas but has proven to be infeasible with respect to the over 3,500-acre Folsom Plan Area Specific Plan.

Because of the efficiencies allowed by tiering, the Legislature has declared that “*environmental impact reports shall be tiered whenever feasible, as determined by the lead agency.*” (PRC, Section 21093, subd. (b) (emphasis added).) The use of tiering is intended to allow agencies to avoid repetitiveness, wasted time, and unnecessary premature speculation by preparing a series of EIRs/EIS’ (or an EIR and later EIRs and/or negative declarations) on related projects. (Pub. Resources Code, Sections 21068.5, 21093, subd. [a]; State CEQA Guidelines, CCR Section 15152; 40 CFR Sections 1502.20 and 1508.28.)

According to the Court of Appeal for the Third Appellate District, ““tiering is a process by which agencies can adopt programs, plans, policies, or ordinances with EIRs focusing on “the big picture,” and can then use streamlined CEQA review for individual projects that are consistent with such. . . [first tier decisions] and are. . . consistent with local agencies’ governing general plans and zoning.”” (*Koster v. County of San Joaquin* [1996] 47 Cal.App.4th 29, 36.) Public Resources Code Section 21068.5 defines “tiering” as:

[T]he coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report.

Notably, the California Supreme Court upheld a program EIR in *Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143 (*Bay-Delta*) and in doing so provided a useful explanation of the purposes and benefits of such EIRs. In that case, a consortium of Federal and state agencies created a long-term comprehensive plan, known as “the CALFED Program” (“CALFED”) to address pollution problems and other environmental issues associated with the Bay-Delta region. Because of the plan’s comprehensive and long-term nature, the proponents of CALFED opted to proceed in stages and to prepare a program environmental impact statement/environmental impact report (PEIS/R) for the project. Among other things, project opponents claimed the PEIS/R lacked sufficient detail regarding the sources of water that would be used to implement the CALFED Program because the PEIS/R merely listed potential sources of water, indicating that the ultimate source determination would be made later. The Court of Appeal agreed, holding that the PEIS/R needed to more specifically identify potential water sources and needed to include additional analysis of the impacts of supplying water from each identified potential source. The California Supreme Court reversed, however, holding that the PEIS/R fully complied with CEQA in identifying potential sources of water and analyzing the associated environmental effects in general terms. As explained by the Court:

The purpose of tiering is to allow a lead agency to focus on decisions ripe for review. (Pub. Resources Code, Section 21093, subd. (a); [State CEQA Guidelines], CCR Section 15385, subd. (b).) An agency that chooses to tier may provide analysis of general matters in a broader EIR, then focus on narrower project-specific issues in later EIR's. ([State CEQA Guidelines], CCR Section 15152, subd. (a).) Future environmental documents may incorporate by reference general discussions from the broader EIR, but a separate EIR is required for later projects that may cause significant environmental effects inadequately addressed in the earlier report. (*Id.*, Section 15152, subds. (a), (f).)

...

Although later project-level EIR's may not simply tier from the PEIS/R analysis and will require an independent determination and disclosure of significant environmental impacts (see [State CEQA Guidelines], CCR Section 15152, subd. (f)), this stage of program development did not require a more detailed analysis of the Program's future water sources, nor did it appear practicable. By compelling

CALFED at the first-tier stage to provide greater detail about potential sources of water for second-tier projects, the Court of Appeal's decision undermined the purpose of tiering and burdened the program EIR with detail that would be more feasibly given and more useful at the second-tier stage. Such details were properly deferred to the second-tier of the CALFED Program, when specific projects can be more fully described and are ready for detailed consideration.

(*Bay-Delta, supra*, 43 Cal.App.4th at pp. 57-59.)

Here too, future CEQA and NEPA review of site-specific projects would require detailed analysis of potential impacts where, given the broad, programmatic nature of the analysis in this EIR/EIS, those impacts have not yet been addressed in detail. However, consistent with the long-term and comprehensive nature of the Folsom Plan Area Specific Plan, a program-level analysis is appropriate in this circumstance. (See *ibid.*, see also Public Resources Code Sections 21083.3, 21093, and 21094; and State CEQA Guidelines, CCR Sections 15152, 15168, and 15183.)

The City's approach here is not only consistent with the Legislature's directive that EIRs "shall be tiered whenever feasible," but also recognizes the complex division of labor amongst California public agencies involved in process of approving development and providing services thereto. Although the City's DEIR/DEIS provides program-level analysis of the impacts of actions needed by other public agencies to facilitate development in the project area, a greater level of specificity is not reasonably feasible at this time, and any attempt to provide full CEQA analysis now for future actions of such other agencies would tend to usurp the prerogatives for those agencies and prevent them from accounting for future environmental conditions as they unfold. For example, the annexation of the project area into the City's boundaries would require approval by the Sacramento Local Agency Formation Commission (LAFCo) of Sacramento County. LAFCo would make its own, independent determination of whether this EIR/EIS is adequate and sufficient for its purposes when the application for annexation is submitted.

## **MASTER RESPONSE 11: DISAGREEMENT REGARDING THE CONCLUSIONS OF THE DEIR/DEIS**

*Several commenters expressed their disagreement with the analysis methodology and/or impact conclusions in the DEIR/DEIS related to various topic areas such as aesthetics, air quality, greenhouse gases, air quality, and noise.*

The State CEQA Guidelines require that decisions regarding the significance of environmental effects addressed in an EIR be based on substantial evidence and recognize that other evidence suggesting a different conclusion may exist. "Substantial evidence" means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. (State CEQA Guidelines, CCR Section 15384.) Under NEPA, 40 CFR Section 1502.24 requires that "Agencies shall insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements."

The DEIR/DEIS provides a comprehensive evaluation of the project's environmental impacts in compliance with CEQA and the State CEQA Guidelines, in accordance with NEPA and the CEQ Regulations, and in accordance with professionally accepted methodology for the evaluation of environmental resources. The DEIR/DEIS and this FEIR/FEIS present substantial evidence to support the conclusions drawn within these documents regarding the significance of the project's environmental effects. When commenters disagree about environmental conclusions, the EIR need only summarize the main points of disagreement and explain the lead agency's reasons for accepting one set of judgments instead of another. Section 15151 of the State CEQA Guidelines states that "Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points

of disagreement among the experts.” (See also *Greenbaum v. City of Los Angeles* [1984] 153 Cal.App.3d 391, 413 and *Browning-Ferris Industries v. City Council* [1986] 181 Cal.App.3d 852, 862-863.) The lead agencies will ultimately determine which conclusion is appropriate, based on the substantial evidence presented in the EIR/EIS and other documents in the whole of the record. Similarly, under NEPA, 40 CFR Section 1502.9(b) states: “...(b) Final environmental impact statements shall respond to comments as required in part 1503 of this chapter. The agency shall discuss at appropriate points in the final statement any responsible opposing view which was not adequately discussed in the draft statement and shall indicate the agency's response to the issues raised.”

The comment letters and responses to them present summaries of the areas of disagreement. In some cases, there is no substantial evidence offered by commenters to support that a different conclusion should be drawn. As such, no further response to disagreements presented in the comment letters is necessary. If evidence is provided by the commenter to support the disagreement with the DEIR/DEIS’ conclusion, the evidence is summarized and considered in making the EIR/EIS’ conclusion and response to the individual comment. The City and USACE have reviewed and considered all the substantial evidence in the whole of the record in making their decisions about the project and its environmental effects.

## **MASTER RESPONSE 12: DEIR/DEIS RECIRCULATION IS NOT REQUIRED**

*A number of comments suggested that the DEIR/DEIS should be recirculated for various reasons, including purported improper deferral of mitigation (addressed in Master Response 9), or alleging that new mitigation measures or alternatives that would substantially reduce the level of impact are required, or that information “critical” to an understanding of the analysis methodology was not included in the DEIR/DEIS.*

State CEQA Guidelines, CCR Section 15088.5 describes the circumstances in which a lead agency is required to recirculate an EIR, as follows:

- ▶ A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. .... New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect....that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:
  - A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
  - A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
  - A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
  - The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The CEQ Regulations require a supplemental environmental impact statement (EIS) when:

- ▶ The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or,

- ▶ There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts, or,
- ▶ When the agency determines that the purposes of NEPA will be furthered by doing so (40 Code of Federal Regulations [CFR] Section 1502.9[c]).

The regulations governing preparation of a supplemental EIS function to maintain a transparent record of the information supporting a lead agency’s decision. The CEQ regulations defining NEPA’s purpose state that “NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken” (40 CFR Section 1500.1[b]). This public and agency review of NEPA defines the purposes of the statute for application of 40 CFR Section 1502.9(c).

The specific issues that commenters believe should result in recirculation are addressed within the body of each response to comment, and none rise to the level of any of the above-listed criteria. For example, comments from Bollard and Associates (attached to the Teichert-2 letter) allege that the DEIR/DEIS should be recirculated because traffic noise in the SPA should have been modeled using “soft” rather than “hard” site characteristics, and because the incorrect methodology was used, the impact conclusions are also incorrect. As explained in responses to comments Teichert-2-108 and Teichert-2-109, when analyzing cumulative noise impacts, it was assumed that the project would be fully built out, thus effectively changing the intervening ground type characteristics from “soft” (e.g., grasses) to “hard” (e.g., concrete and structures). AECOM performed modeling during preparation of this FEIR/FEIS to determine whether there would be any difference in the significance conclusion using the commenter’s suggested methodology. Appendix U attached to this FEIR/FEIS shows the results of the noise modeling suggested by the commenter using the “soft” site assumption when modeling the traffic noise levels. The analysis shows that there is no statistically significant difference in the amount of traffic noise level change on road segments analyzed using “hard” vs. “soft” assumptions. The change in traffic noise levels used to determine if the project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project is not affected when assuming “soft” or “hard” intervening ground characteristics. Rather, the change is driven by the increase in daily traffic volumes with implementation of the project compared to the traffic volumes without implementation of the project. Therefore, use of the analysis methodology suggested by the commenter does not change the significance conclusions in the DEIR/DEIS, or result in the need for new mitigation measures. The analysis merely proves that the assumptions used in the DEIR/DEIS are appropriate and that there are no statistically significant differences in the amount of traffic noise level changes. As another example, comments from Rimpo and Associates (attached to the Teichert-2 letter) allege that information “critical” to an understanding of the air quality methodology was left out of the DEIR/DEIS, thus rendering the significance conclusions unclear and unverifiable. As explained in response to comment Teichert-2-36, Air Quality Appendix (C1) circulated with the DEIR/DEIS contains 84 files comprising nearly 100 pages of detailed air quality modeling spreadsheets. No information that would normally be provided to the public has been omitted from the DEIR/DEIS. The Rimpo and Associates comments actually refer to secondary internal notes placed by the AECOM modeler at the bottom of several of the spreadsheets; these are internal AECOM “notes to file” that do not constitute “critical information” in any way, nor are they essential to an understanding of how the analysis was performed or to reaching CEQA/NEPA significance conclusions. Furthermore, the corrections to the DEIR/DEIS that are shown in Chapter 5, “Errata” of this FEIR/FEIS are minor in nature and do not rise to a level that would require recirculation based on the criteria listed above. Therefore, the DEIR/DEIS does not need to be recirculated. As stated above, where a request for recirculation has been made by the commenter, a specific response by the City and/or USACE has been provided within the body of each response in Chapter 4, “Comments and Responses,” of this FEIR/FEIS.

**MASTER RESPONSE 13: RELATIONSHIP OF THE “WATER” COMPONENT OF THE PROJECT TO THE NATOMAS CENTRAL MUTUAL WATER COMPANY AND THE U.S. BUREAU OF RECLAMATION**

*Several comment letters inquired as to the relationship of the “Water” component of the project to Natomas Central Mutual Water Company (NCMWC) and the U.S. Bureau of Reclamation (Reclamation) as a cooperating agency under NEPA.*

As discussed on page 2-81 of the DEIR/DEIS, NCMWC and Reclamation executed settlement contract No. 14-06-200-885A-R-1 (settlement contract) to address the Central Valley Project's (CVP) effect on NCMWC's appropriative water right licenses and permit for diversions on the Sacramento River that were in existence before the construction of Shasta Dam. Under the settlement contract, NCMWC diverts "Base Supply" and "Project" water from the Sacramento River (see Articles 1[a], 1[m], and 3 [NCMWC settlement contract] in Appendix G to Appendix M1 of the DEIR/DEIS).

NCMWC's settlement contract obligates Reclamation to make available to NCMWC a Base Supply of 98,200 acre-feet per year (AFY) and "Project" water of 22,000 acre-feet per year (AFY), for a combined total of 120,200 AFY, with these supplies stored in Shasta Reservoir. Reclamation and NCMWC executed a renewed settlement contract in 2005, which was the subject of an EIS for NEPA compliance in 2004, and the Record of Decision (ROD) subsequently was approved in 2005. Reclamation's execution of the NCMWC settlement contract was upheld by the U.S. District Court for the Eastern District of California over legal challenge in *Natural Resources Defense Council v. Kempthorne*, Case No. 05-CV-01207. The settlement contract's term extends to March 31, 2045, and can be extended further (see Article 2[a] [NCMWC settlement contract] in Appendix G to Appendix M1 of the DEIR/DEIS). NCMWC's settlement contract supplies of 120,200 AFY and associated diversions on the Sacramento River are incorporated into Reclamation's Operating Criteria and Plan (OCAP) (2004).

South Folsom Properties LLC (SFP) and NCMWC executed a "Terms and Conditions of Purchase and Sale of Water Entitlements" agreement on December 17, 2007, under which NCMWC can assign "Project" water available under NCMWC's settlement contract to SFP for further possible assignment to the City (see Appendix E to Appendix M1 of the DEIR/DEIS). Under the SFP-NCMWC agreement, 8,000 AFY of "Project" water available under NCMWC's settlement contract can be assigned to the City, subject to a 25% reduction in critically dry years, as defined under NCMWC's settlement contract (Articles 1[e], 5[a] [settlement contract] in Appendix G to Appendix M1 of the DEIR/DEIS). The NCMWC-SFP agreement identifies the conditions that are required by both parties to finalize the sale, which will ultimately lead to a permanent assignment of CVP "Project" water to the City. None of these conditions stipulates any rescheduling of NCMWC's base supply to facilitate the assignment beyond what is currently allowed under NCMWC's settlement contract.

Under the NCMWC-SFP agreement, SFP has an initial period of 5 years to close its acquisition of 8,000 AFY from NCMWC, and that 5-year period can be extended in 1-year increments. The SFP-NCMWC agreement is effective until April 1, 2012, unless extended by SFP. As described on page 2-81 in the DEIR/DEIS, NCMWC's assignment to the City would be permanent and subject to the provisions under NCMWC's settlement contract. Reclamation's approval is required for the proposed assignment, the addition of the Freeport Project as the point of diversion under NCMWC's settlement contract, and the change in the current agricultural delivery schedule (July and August) of the 8,000 AFY of "Project" water, subject to the proposed assignment to an municipal and industrial (M&I) delivery schedule (year-round). Under that settlement contract, Reclamation may not unreasonably withhold its consent to the proposed assignment (Article 3[e] in Appendix G to Appendix M1 of the DEIR/DEIS).

## **MASTER RESPONSE 14: RELATIONSHIP OF THE "WATER" COMPONENT OF THE PROJECT TO THE FREEPORT REGIONAL WATER PROJECT**

*A common theme in several of the comment letters was the "Water" component of the project's relationship to the Freeport Regional Water Project (Freeport Project).*

One of the common components of the Off-site Water Facility Alternatives is the integration of new water infrastructure with the Freeport Project to enable raw water conveyance to the SPA (see pages 2-80 through 2-83 of the DEIR/DEIS). As described on page 2-82, the off-site water facilities would operate within Sacramento County Water Agency's (SCWA) permitted diversion and conveyance capacity and would not require any net increase in the Freeport Project's currently permitted diversion capacity. For this reason, no physical changes to the Freeport Project's diversion, pumping facilities, or conveyance pipeline would be part of the "Water" portion

of the project. For this reason and as described in Section 1.9 of the Freeport Project EIR/EIS, the Freeport Project EIR/EIS is incorporated by reference into the DEIR/DEIS.

The DEIR/DEIS expressly relies on the Freeport EIR/EIS to document the physical environmental impacts associated with the construction and operation of the Sacramento River diversion/intake structure and conveyance pipelines, and the effects of diverting of up to 185 million gallons per day (mgd) of surface water during all river hydraulic conditions. This approach is encouraged by both CEQA and NEPA and is considered appropriate for the analysis of the Off-site Water Facility Alternatives because they would operate within the capacity previously analyzed in the Freeport Project EIS/EIR. This context is important in that, by proposing no increase in the Freeport Project's current permitted diversion capacity, the project's diversion is already considered in Reclamation's 2004 OCAP for the Long-Term Operation of the CVP/State Water Project (SWP).

To facilitate the City's use of the Freeport Project and as described in the DEIR/DEIS, the City has executed a memorandum of understanding (MOU) with SCWA. Appendix M3 of the DEIR/DEIS contained an unexecuted version of the MOU. The final, executed MOU is contained in FEIR/FEIS Appendix T. The final MOU is consistent with the assumptions on which the City and USACE based their analysis of the Off-site Water Facility Alternatives' impacts, particularly in relation to the capacity that the City would use in the Freeport Project under a Delivery Agreement negotiated and executed pursuant to the MOU. Both the DEIR/DEIS and the final MOU describe the capacity that the City would purchase as 6.5 mgd with consideration of additional limited capacity for peaking periods. The MOU is intended to frame this environmental review and future negotiations between SCWA. As stated in Sections 2, 11, and 12 in both the draft MOU and the final executed MOU, the MOU does not represent a binding commitment by the City or SCWA. A firm commitment by the City or SCWA cannot be obtained until after completion of the environmental review processes.

## **MASTER RESPONSE 15: FORMULATION OF ASSUMPTIONS FOR BASELINE CONDITIONS FOR THE SACRAMENTO RIVER, CENTRAL VALLEY PROJECT-STATE WATER PROJECT OPERATIONS, AND THE DELTA**

*A common topic of interest in several of the comment letters was the formulation of assumptions for the baseline conditions for the Sacramento River, CVP operations, and the Sacramento-San Joaquin Delta (Delta).*

In preparing the DEIR/DEIS' analysis of the Off-site Water Facility Alternatives' potential impacts, the City made several assumptions in relation to existing water use and CVP operations. As noted on pages 1-12 and 1-13 of the DEIR/DEIS, under NCMWC's settlement contract, Reclamation's approval would be necessary to implement the proposed assignment of 8,000 AFY of "Project" water available under that contract to the City. The analysis of impacts in Chapter 3, "Affected Environment, Environmental Consequences, and Mitigation Measures," and Chapter 4, "Other Statutory Requirements" of the DEIR/DEIS assumes that the assignment would occur, with Reclamation's approval, under the following conditions:

- ▶ NCMWC might divert its full contract supplies of 120,200 AFY in any given year, consistent with Reclamation's long-term renewal of NCMWC's settlement contract (2005), for the duration of its 40-year contract;
- ▶ diversion of the assigned "Project" water would be shifted from the months of July and August to a year-round M&I schedule, with these supplies stored in Shasta Reservoir;
- ▶ the 25% diversion reduction in certain critically dry years (stated in Article 5(a) of the Natomas-CVP settlement contract), would govern the City's diversions of the assigned "Project" water following the assignment; and
- ▶ diversion of the assigned "Project" water would occur at the Freeport Regional Water Authority's facility and within that facility's existing capacity.

These assumptions are critical to understanding how the City defined the environmental baseline for the assessment of impacts within Zones 1, 2, and 3 of the “Water” Study Area. As an example, the 2007 Wagner and Bonsignore evaluation provided in Appendix M2 of the DEIR/DEIS indicates that NCMWC did not use its full contract entitlement in either 2004 or 2007. NCMWC’s actual water use does not negate the fact that NCMWC could have used its entire contract supply in either year or in future years, subject to the contractual 25% shortage provision. The full use of NCMWC’s Base Supply and “Project” water supplies was considered appropriate for the analysis presented in the DEIR/DEIS for three important reasons, discussed below.

First and as described in Master Response 13, in 2005, NCMWC and Reclamation executed a renewed settlement contract at an amount of 120,200 AFY. A portion of the “Project” water available under that contract is the source water supply for the Off-site Water Facility Alternatives. This supply was covered under an EIS for NEPA compliance, and the Record of Decision (ROD) subsequently was approved in 2005. In addition, this diversion is considered in Reclamation’s OCAP (2004 and 2008) and is factored into the baseline for the California Simulation Model II (CalSim II) modeling, in which the effects to the Sacramento River and CVP-SWP were evaluated. This is consistent with the approach Reclamation used in its EIS and ROD for the long-term renewal of the Sacramento River settlement contracts (SRSC). Since the public circulation of the DEIR/DEIS, the California Court of Appeal also has issued a decision that supports the DEIR/DEIS’s approach in using the full amount of NCMWC’s settlement contract. Specifically, in *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, the Court of Appeal upheld an EIR for a proposed development that used (as the EIR’s baseline for water supply impact analysis) the full amount of a groundwater right associated with the relevant property under a stipulated groundwater adjudication where water use on the property had declined between the time that the adjudication occurred and the time that the EIR was prepared (*Cherry Valley, supra*, 190 Cal.App.4th on pages 335-346). The City’s reliance on the full amount of NCMWC’s settlement contract would be similar because that contract states the continuing terms under which Reclamation and NCMWC have agreed to resolve their dispute concerning the CVP’s impacts on NCMWC’s pre-CVP water rights. That settlement contract, therefore, has the same function as the stipulated groundwater adjudication in *Cherry Valley* and provides an appropriate basis for the analysis in the DEIR/DEIS.

Second, the City cannot speculate as to what other beneficial uses Reclamation could supply with NCMWC’s unused CVP “Project” water supplies. NCMWC’s unused water could remain in storage in Shasta Reservoir, be delivered to another CVP contractor either north or south of the Delta, or be used to support Delta outflows either through inflow-bypass or storage releases. In addition, under the Central Valley Project Improvement Act (CVPIA), NCMWC could transfer that unused supply annually in the area of origin (CVPIA Sections 3405[a][1][A], 3405[a][1][M]). In the absence of speculation by the City and in considering Reclamation’s recent renewal of NCMWC’s settlement contract (i.e., the full contract amount, subject to contract shortage provisions), the full contract amount is adequate for the purposes of characterizing existing conditions and analyzing potential effects.

Third, the City would be diverting water only within the Freeport Project’s existing and permitted capacity. The Freeport EIS/EIR provides the supporting NEPA coverage for these operations. Reclamation already has accounted for and has the Freeport Project’s operations incorporated into its OCAP (2004 and 2008). Accordingly, Reclamation’s operations already account for diversion of the water that the City would divert under the Off-site Water Facility Alternatives, either at NCMWC’s existing diversion or at the Freeport Project.

Based on these assumptions, it is reasonable to conclude that the Off-site Water Facility Alternatives could create a minor reoperation effect for Reclamation’s Sacramento River Division as a result of the change in delivery schedule from agriculture to M&I. This effect is evaluated at both the project and cumulative levels in the DEIR/DEIS. Project-related impacts to CVP operations are specifically shown in Table 3B.9-3 on page 3B.9-29 and discussed on pages 3B.9-28 through 3B.9-30 of the DEIR/DEIS, and were concluded to be less than significant. Potential cumulative effects to the CVP-SWP system are discussed on pages 4-40 and 4-41 of the DEIR/DEIS and were not considered to be cumulatively considerable, based on the small quantity of water involved in relation to the 9 million acre-feet (MAF) of total supplies within the CVP-SWP system.



Notwithstanding these considerations, assuming that Reclamation ultimately approves the proposed assignment, Reclamation might seek to do so under conditions other than those assumed by the DEIR/DEIS, including but not limited to different or additional shortage or limited liability provisions, changes in the point of diversion, changes in the season of diversion, and/or an alternative water supply. If Reclamation were to seek to approve the proposed assignment subject to conditions other than those assumed by this DEIR/DEIS, then a subsequent or supplemental environmental document might be required to support any such decision to approve the proposed assignment. In such case, Reclamation would be the NEPA lead Federal agency. To the extent that further CEQA analysis would be required, the City would be the lead agency for CEQA review. Reclamation might also be required to undertake further environmental analysis to comply with other Federal laws, such as the Endangered Species Act.

## **MASTER RESPONSE 16: FORMULATION OF BASELINE CONDITIONS FOR NATOMAS CENTRAL MUTUAL WATER COMPANY'S SERVICE AREA**

*Several comment letters raised the issue of water use within NCMWC's service area and the concern that the assignment of 8,000 AFY of "Project" water under NCMWC's settlement contract to the City could lead to fallowing of agricultural lands within Natomas Basin and possibly impacts on listed species.*

As described on pages 3B.10-4 and 3B.10-5 of the DEIR/DEIS, the NCMWC service area (or Zone 1 of the "Water" Study Area) is experiencing a transition from irrigated agricultural uses to urban uses as a result of growth approved by the City of Sacramento, Sacramento County, and Sutter County. Table 3B.10-1 on page 3B.10-5 of the DEIR/DEIS documents this change as reflected by a nearly 4,500-acre reduction in agriculturally zoned or designated land between 2004 and 2007 within NCMWC's service area. These new growth areas include but are not limited to the Metro Air Park, Natomas Joint Vision, and Sutter Point Specific Plan.

Therefore, it would be inaccurate to state that further reductions of agricultural lands and changes in cropping patterns within NCMWC's service area would be a result of the proposed assignment. The reduction in agricultural lands and changes in cropping patterns within NCMWC's service area were active well before the proposed assignment, and before development of the project's environmental baseline (i.e., date of issuance of the NOP in 2008). For this reason, current patterns of development and changes in cropping patterns within NCMWC can reasonably be expected to continue with or without the proposed assignment.

Furthermore, NCMWC's previous investments in irrigation efficiencies within its service area would enable NCMWC to make the assignment without causing any fallowing of existing agricultural lands. As discussed on pages 21 through 26 of the 2007 Wagner and Bonsignore evaluation (provided in Appendix M2 of the DEIR/DEIS) and based on irrigation improvements within NCMWC's service area (such as the efficient use of return water), the proposed assignment would not result in any reductions in irrigated rice lands below the acreages present in 2007 (see Table 3B.10-1 of the DEIR/DEIS). As provided in Table 19 of the Wagner and Bonsignore evaluation, the water supplies available to NCMWC following the assignment would continue to be sufficient to maintain 2004 and 2007 cropping patterns, even in critically dry years, and would not require supplemental groundwater pumping.

## **MASTER RESPONSE 17: APPROACH TO THE EVALUATION OF PHYSICAL ENVIRONMENTAL EFFECTS FOR THE "WATER" COMPONENT OF THE PROJECT**

*Several comments questioned the DEIR/DEIS's approach to the analysis and the evaluation of physical environmental impacts, with emphasis on cultural and biological resources, as related to the Off-site Water Facility Alternatives.*

Because of the complexities of the "Water" portion of the project, the City developed a "Water" Study Area," divided into four zones: (1) NCMWC's service area; (2) Sacramento River; (3) Freeport Project; and (4) the place where new water conveyance and treatment infrastructure would be constructed (see pages 2-73 through 2-78 of

the DEIR/DEIS). As discussed in Chapter 2, “Alternatives” and reiterated in the introduction for each resource area in Chapter 3, “Affected Environment, Environmental Consequences, and Mitigation Measures” (see Section 3B.3, “Biological Resources – Water,” and Section 3B.5, “Cultural Resources – Water” of the DEIR/DEIS), the placement of new structural facilities as part of the Off-site Water Facility Alternatives would be limited to Zone 4 of the “Water” Study Area. Thus, no new physical improvements are proposed within Zones 1, 2, or 3.

This distinction is fundamental in understanding how and why the City evaluated the physical environmental effects of the Off-site Water Facility Alternatives for each zone. Within Zone 4 of the “Water” Study Area, the City considered the physical environmental impacts from both construction and operation of the off-site water facilities. In contrast, the physical environmental impacts anticipated to occur within Zones 1, 2, and 3 of the “Water” Study Area would be a result of minor operational changes that would occur within existing water conveyance and diversion facilities. That is, no physical changes would occur to existing facilities within Zones 1, 2, and 3. For this reason, the description and evaluation of environmental impacts for Zones 1, 2, and 3 primarily concerns any impacts caused by minor changes to flows within the Sacramento River and water use within NCMWC’s service area.

Furthermore, as discussed on page 1-17 of the DEIR/DEIS, the Freeport Project EIR/EIS is incorporated by reference into the DEIR/DEIS. The Freeport Project EIR/EIS provides extensive detail regarding the affected environment for Zones 2 and 3 of this project’s “Water” Study Area and evaluates potential environmental impacts caused by the Freeport Project’s operation up to 185 mgd. Given that the Off-site Water Facility Alternatives involve no increase in the permitted capacity for the Freeport Project diversion or its associated conveyance pipeline to that evaluated in the Freeport Project EIS/EIR, the DEIR/DEIS does not revisit the operational impacts of the Freeport Project diversion and conveyance pipeline. This approach is consistent with both CEQA and NEPA because the DEIR/DEIS describes its relationship with the incorporated Freeport Project EIR/EIS (see pages 1-17, 2-82, 3B.3-1, 3B.3-35, 3B.3-61, 3B.9-20, and 3B.9-28 of the DEIR/DEIS).

Beyond considering the City’s use of the existing Freeport Project facilities, potential direct and indirect impacts of changes in flow within the Sacramento River as a result of the proposed assignment, including the changes in delivery schedule and return flows, are considered in the DEIR/DEIS. More specifically, Table 3B.9-3 on page 3B.9-29 of DEIR/DEIS quantifies and summarizes the anticipated changes with the potential direct and indirect impacts discussed in Impact 3B.9-4 on page 3B.9-28 of the DEIR/DEIS. As discussed in Impact 3B.9-4, the potential direct and indirect effects of the proposed assignment would be minor to negligible when compared to overall flows in the Sacramento River system, including total Delta inflow and outflow, and Delta CVP and SWP exports. This finding, when considered in conjunction with the “Water” portion of the project’s integration with the Freeport Project, is central to supporting the analysis for other resource areas (e.g., fisheries, cultural resources, etc.) within Zones 1, 2, and 3 of the “Water” Study Area.

As emphasized throughout the DEIR/DEIS (see pages 2-80 through 2-82, 3B.3-34, 3B.5-1, and 3B.17-13) and in Master Response 16, the proposed assignment only would involve the purchase of CVP “Project” water allocated to NCMWC under its settlement contract with Reclamation. The agreement between SFP and NCMWC does not stipulate any corresponding land uses changes within NCMWC’s service area to support the assignment of the “Project” water to the City, because none are necessary or triggered by the assignment. In this context, water delivery and conveyance operations within NCMWC’s service area following the proposed assignment would be similar to existing conditions.

## **MASTER RESPONSE 18: EVALUATION OF GROUNDWATER IMPACTS TO THE SACRAMENTO COUNTY CENTRAL GROUNDWATER SUBBASIN**

*Several comments stated concerns about environmental impacts that could occur as a result of the City’s purchase of an average 6.5 mgd of capacity, with consideration of an appropriate peaking factor, within SCWA’s capacity in the Freeport Project.*

The DEIR/DEIS concludes that the primary, reasonably foreseeable environmental impact from the City's purchase of this capacity would be a corresponding reduction in SCWA's surface water supplies, which in turn could place additional demands on groundwater supplies from the Sacramento County central groundwater subbasin. The DEIR/DEIS specifically analyzes those impacts in Impact 3B.17-2 and concludes that these impacts would be less than significant once the Freeport Project became fully operational (see pages 3B.17-10 to 3B.17-13 of the DEIR/DEIS). Because each of the Off-site Water Facility Alternatives is predicated on the operation of the Freeport Project before construction, this assumption was considered appropriate. However, as discussed in the DEIR/DEIS's cumulative impact analysis, when considering the project in conjunction with other potential new source demands as contemplated in Sacramento County's 2009 Draft General Plan Update, a potential would remain for cumulative effects to groundwater resources post-2030 (see pages 4-42 to 4-44 of the DEIR/DEIS).

When evaluating the potential impacts to groundwater as a result of the Off-site Water Facility Alternatives, the DEIR/DEIS applies the groundwater basin's safe yield of 273,000 AFY as the threshold for significance (see pages 3B.17-9 and 4-42 of the DEIR/DEIS). The safe yield estimate was originally developed in conjunction with the Water Forum Agreement (WFA) and carried forward into the Central Sacramento County Groundwater Management Plan (2006); therefore, it was considered the best available data estimate at the time the DEIR/DEIS was prepared. Because each of the Off-site Water Facility Alternatives would depend on the Freeport Project's operation and because development within the SPA would not occur before one of those alternatives was implemented, the DEIR/DEIS considers project-level impacts to groundwater in the context of reduced groundwater demands from SCWA following initiation of the Freeport Project's operation. In other words, none of the Off-Site Water Facility Alternatives would trigger increased groundwater demand by SCWA before the time that SCWA could use the Freeport Project to enhance its surface water supplies. As a result, supplemental groundwater pumping by SCWA that could be required to make up for the City's use of capacity in the Freeport Project would occur at SCWA's existing well facilities and would be well within the central groundwater subbasin's safe yield through 2030. As described on page 4-42 of the DEIR/DEIS, only when the City's use of Freeport Project capacity was considered along with other possible future land use projects in the period after 2030 would the indirect impacts of the Off-site Water Facility Alternatives become cumulatively considerable.

As described on pages 2-80 and 2-81 of the DEIR/DEIS, the City's proposed water supply for each of the Off-site Water Facility Alternatives is NCMWC's CVP contract water and not groundwater. However, to comply with the California Supreme Court's interpretation of CEQA in *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, the City considered other water supplies as options that might be implemented if the project's primary water supply—an assignment of a portion of NCMWC's "Project" water—could not be implemented. These options would include pumping groundwater from the Sacramento County central groundwater subbasin. This optional water supply is referred to as Water Supply Option 1 and is described on page 3A.18-24 of the DEIR/DEIS. In distinguishing the level of impact between the Off-site Water Facility Alternatives and Water Supply Option 1, the primary differentiating characteristic is that potential groundwater impacts as a result of the Off-site Water Facility Alternatives generally would be indirect. In contrast, the anticipated effects of Water Supply Option 1 would be direct and would occur in the absence of any additional surface water supply.

## **MASTER RESPONSE 19: WATER SUPPLY ASSESSMENT DEMAND FACTORS AND CONSERVATION TARGETS**

*Several comment letters stated concern about the demand and conservation factors applied in the City's Water Supply Assessment (WSA), included in Appendix M1 of the DEIR/DEIS.*

Concerning indoor water demand factors, the WSA and DEIR/DEIS relied on the best available information to calculate those factors, specifically information concerning such demands in the City's existing service area, as modified to reflect legislation and other factors that are relevant to the new construction that would occur in the SPA. As described on page 9 of the WSA, the City's 2005 Urban Water Management Plan (2005 UWMP)

contains the most current unit water demand factors used by the City to project land-use water demands in the existing City service area. The unit demand factors used in the 2005 UWMP represent historic conditions with a range of housing ages, plumbing fixtures, and irrigation systems. Since adoption of the 2005 UWMP, the City has completed a 5-year single-family residential meter reading project that has validated the unit demand factors used in the 2005 UWMP for the City's existing service areas. Specifically, in the 2005 UWMP, the "Low Density Residential" land-use category was assigned a unit demand factor of 0.65 acre-feet per dwelling unit per year (af/du/yr). The results for the City's 2003-2008 meter reading study indicate that average annual unit demand was 0.67 af/du/yr for all samples and 0.63 af/du/yr when the highest and lowest 10% of samples were removed, thereby supporting the use of 0.65 af/du/yr for the analysis in the DEIR/DEIS. The WSA used these factors to calculate a gallons per capita per day figure for indoor use demand and then adjusted that figure downward in light of additional factors—such as the water conservation legislation enacted in 2009, SB X7 7, the inclusion of water meters with initial construction in the SPA, and the more efficient building standards that would apply to new construction—to determine indoor per capita and per unit demands for the SPA. This analysis was based on the best available information, including, among other factors, water use data in the existing City service area, water demands within the service areas of other nearby water suppliers, and state and Federal mandates that would apply to new construction within the SPA.

In relation to comments regarding outdoor water use indicated in the WSA, an outdoor demand factor of 3.73 af/acre/yr was developed and used for the Proposed Project Alternative's future housing in the SPA. This value accommodates variances in plant factors and irrigation efficiencies as recognized by the Model Water Efficient Landscape Ordinance (MWELO). Specifically, this value accommodates the MWELO requirements at the land planning stage but also accounts for the "human factor" of potential overwatering (even with irrigation controllers installed), piecemeal changes in landscape design for individual lots, reduction in irrigation efficiencies through long-term product wear, and limited resources for enforcement in the absence of dedicated irrigation meters. These conservative estimates and unpredictable future variables were used out of an abundance of caution to ensure that the long-term water demands of implementing the Proposed Project Alternative could always be met in all year types with the identified water supplies.

Concerning the passage of SB X7 7 in late 2009, the WSA accounts for that legislation as one of the factors that would cause per-capita and per-unit demands within the SPA to be lower than those within the City's existing service area (see page 14 in Appendix M1 of the DEIR/DEIS). The City acknowledges that it would be required to set a 2020 water conservation target based on one of four methods. However, at this time (and at the time the DEIR/DEIS was prepared), the City has not established a water conservation target and is still in the process of selecting one of the four methods under SB X7 7 that are available for establishing the target (Water Code Section 10608.20[a]–[b]). For this reason, and based on the WSA's consideration of numerous other factors that would apply to new construction in the SPA, the WSA uses an indoor per capita demand factor that is 10% below calculated per capita indoor demand in the City's existing service area, as well as per acre outdoor demand factors that are lower than outdoor demands in the existing service area. Finally, interpreting SB X7 7 to require that water suppliers would use one of its four target-calculation methods as the exclusive basis for calculating overall water demands in WSAs would be contrary to SB X7 7 itself, which indicates that those methods apply to calculating 2020 conservation targets only and do not constrain the measures that urban water suppliers can use to implement those targets (Water Code Section 10608.26[b]).

## **MASTER RESPONSE 20: FORMULATION OF OFF-SITE WATER FACILITY ALTERNATIVES AND WATER SUPPLY OPTIONS**

*Several comment letters stated that the alternatives considered by the City for the "Project" water and carried forward for analysis in the DEIR/DEIS are too narrowly focused to enable meaningful evaluation of alternative water sources.*

The Off-site Water Facility Alternatives all share a common water source (a portion of NCMWC's "Project" water under its settlement contract) that would be diverted using the existing Freeport Project diversion and

conveyance pipeline, differentiated primarily by the location of the facilities that would convey water from the Freeport Project to the SPA. The City, however, defined the Off-Site Water Facility Alternatives in this way after an extensive process in which the City considered numerous possible water supply sources. Alternatives considered, including other water supply sources, but not carried forward for analysis under CEQA or NEPA are described in Section 2.8 on page 2-97 of the DEIR/DEIS. Lastly, other water supply sources were considered by the City to satisfy CEQA's requirements, as interpreted by the California Supreme Court in *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, are described in Section 3A.18.5 on page 3A.18-22 of the DEIR/DEIS as Water Supply Options.

Under NEPA, the range of alternatives that must be considered is limited to those reasonably related to the project's objectives as described in USACE's purpose and need statement (e.g., *Westlands Water District v. U.S. Department of Interior* [9th Cir. 2004] 376 F.3d 853, 868; *Seattle Audubon Society v. Moseley* [9th Cir. 1996] 80 F.3d 1401, 1404; and *City of Alexandria v. Slater* [D.C. Cir. 1997] 198 F.3d 862, 868-869). The relevant portion of the purpose and need statement for the project (on page 1-8 of the DEIR/DEIS) states: "Secure a sufficient and reliable water supply consistent with the requirements of Measure W and objectives of the Water Forum Agreement to support planned development within the SPA, which the City estimates to be 5,600 acre-feet per year." Measure W would require that the City, before applying to annex the SPA, "[i]dentify and secure the source of water supply(ies) to serve the [SPA]. This new water supply shall not cause a reduction in the water supplies designated to serve existing water users north of Highway 50." (City Charter, Section 7.08.A.) Further, the consideration of alternatives is also driven by the associated approval authorities for the Federal agencies involved. Because the proposed assignment would not result in work in navigable waters or the discharge of dredged or fill material into waters of the U.S., the consideration of alternative water supplies is not within the USACE's scope of analysis.

During its initial evaluation process and as described in Section 2.8 of the DEIR/DEIS, the City considered numerous water supply sources for the project before selection of NCMWC's "Project" water as the preferred water supply. As discussed on pages 2-97 through 2-103 of the DEIR/DEIS, the City evaluated 10 water sources for the project, each initially considered but not carried forward for one or more reasons. Through this process, the City determined during preparation of the DEIR/DEIS that the water supply incorporated into the Off-site Water Facility Alternatives was the only supply that was defined well enough, with sufficient documented reliability consistent with both the Water Forum Agreement and Measure W.

In addition to consideration of other water supply sources, the DEIR/DEIS also considers options to the diversion at Freeport. Section 2.8 of the DEIR/DEIS describes the diversion possibilities considered but eliminated from further analysis. Section 2.8.1 on page 2-98 of the DEIR/DEIS describes the screening process and results of the various possibilities considered. As discussed on page 2-99 of the DEIR/DEIS, a new Sacramento River diversion and water right was not considered as part of the Off-site Water Facility Alternatives, primarily because of potentially greater physical and operational impacts to the Sacramento River and the additional length of conveyance facilities that would be required. Similar adverse effects could be realized under a Lower American River diversion. For these reasons, the diversion of NCMWC's "Project" water at Freeport was selected for further consideration and analysis under NEPA, by virtue that this supply and conveyance pathway would most closely align with the project's stated purpose and need.

In addition, in order to satisfy the requirements of CEQA as interpreted by the California Supreme Court in *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, the City evaluated three water supply options in Section 3A.18.5 on pages 3A.18-23 to 3A.18-52 of the DEIR/DEIS. However, the water supply options are not "alternatives" considered under NEPA, but rather, different options that the City potentially could implement because of regulatory uncertainties associated with the Off-Site Water Facility Alternatives, as required under *Vineyard, supra*, 40 Cal. 4th.

## **MASTER RESPONSE 21: CONTENTS OF APPENDIX M IN THE DEIR/DEIS**

*Several of the comment letters stated confusion about the location of information referenced in the Chapter 3B sections of the DEIR/DEIS, primarily the Wagner and Bonsignore evaluation prepared for NCMWC.*

The Wagner and Bonsignore evaluation is included in Appendix M2 of the DEIR/DEIS. As shown in Chapter 5, “Errata” of the FEIR/FEIS, the table of contents in the DEIR/DEIS has been revised to include a complete breakdown of the contents of Appendix M.

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## 4 COMMENTS AND INDIVIDUAL RESPONSES

### 4.1 INTRODUCTION

This chapter contains the comment letters received on the July 2010 DEIR/DEIS for the Folsom South of U.S. Highway 50 (U.S. 50) Specific Plan project. Following each comment letter are individual responses to those comments not addressed in Chapter 3, “Master Responses.” Section 4.2 describes the format of the responses to comments. Commenters on the DEIR/DEIS, their associated agencies, and assigned letter identifications are listed in Section 4.3. Section 4.4 presents the comment letters received on the DEIR/DEIS and comments made during the public hearings on the project held in August 2010, and the responses to those comments that are not addressed in master responses. Each comment contained in the comment letter is summarized in *italics* at the beginning of each comment response in Section 4.4.

### 4.2 FORMAT OF COMMENTS AND RESPONSES

Comment letters and responses to comments are arranged in the following order:

- ▶ Section A: Federal Agencies
- ▶ Section B: State Agencies
- ▶ Section C: Regional and Local Agencies
- ▶ Section D: Individuals

Each letter and each comment within a letter have been given an identification number. Responses are numbered so that they correspond to the appropriate comment. Where appropriate, responses are cross-referenced between letters or with a master response.



## 4.3 COMMENTS AND RESPONSES ON THE DEIR/DEIS

## **FEDERAL COMMENTERS**

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CC-411  
ENV-6.00

Ms. Lisa M. Gibson  
Senior Project Manager  
U.S. Army Corps of Engineers, Sacramento District  
1325 J Street, Room 1480  
Sacramento, California 95814-2922

Subject: City of Folsom (City) Sphere of Influence for Specific Plan Area; Army Corps of Engineers Action SPK-2007-02159

Dear Ms. Gibson:

Enclosed are detailed comments by the Bureau of Reclamation’s to the Draft Environmental Impact Statement/Environmental Impact Report (DEIS/DEIR) that was prepared for the City of Folsom’s Sphere of Influence—South of U.S. Route 50 development (Specific Plan Area (SPA)). In summary:

- Reclamation is currently evaluating the legal, policy, and operational implications of a proposed long-term assignment of up to 8,000 acre feet per year (AFY) of Central Valley Project settlement contract water Project water) from Natomas Central Mutual Water Company to the City for use in the SPA. Because that process is not yet completed, the DEIS/DEIR was unable to fully analyze the impacts of the potential transfer. If approved, Reclamation expects the assignment will require a supplemental EIS. | 1
- The document relies upon assumptions contained in the water supply assessment (appended to the DEIS/DEIR) that shortages would be no more than 25 percent. These assumptions are not correct as shortages during drought could be much more severe than a reduction of 25 percent--i.e., baseline allocations could be reduced to zero under the agricultural contract conditions; | 2
- The DEIS/DEIR did not address National Historic Preservation Act section 106 compliance for the assignment; | 3
- There is no analysis to support Endangered Species Act compliance for the assignment; | 4
- The analysis did not address potential changes in flows through Alder Creek (via the development) which could affect the groundwater under this stream channel and the | 5  
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subsequent movement or remediation of contaminated ground water relative to the adjacent Aerojet Superfund site;

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- An analysis of the efficiency of return flows once they are used consumptively by the development was not contained in the document. In addition, it is not clear whether this return flow would go back into the American River to help meet instream/downstream requirements or into the Cosumnes River

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- Alternative water supply analysis is narrow in scope and does not present any reasonable alternatives to the proposed assignment. For example, the option of reducing existing water supplies North of U.S. Route 50 to meet this relatively small demand (i.e., 5,600 AFY) South of U.S. Route 50 was not analyzed in the DEIR/DEIS. Other alternative water supplies have not been evaluated that may be reasonable; and

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- The analysis of future water demands (SPA Water Supply Assessment) over estimates the outdoor water use—the irrigation efficiency adjustment factor is different from that in California Model Water Efficient Landscape Ordinance. Also, California’s 2020 urban water use baselines (as per Senate Bill x7-7 enacted in 2009) call for 55 gallons per capita per day (gpcd), which would be consistent with a 20 percent reduction for Folsom. The Water Supply Assessment states that the average indoor water use is 70 gpcd for both existing single family and multi-family residential use. The assumption is made that this use rate can be lowered by 10 percent to 63 gpcd, an understatement when placed in context with Statewide 2020 water conservation mandates.

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The City may desire to certify the current document. However, for purposes of National Environment Protection Act compliance, a supplemental EIS would need to be developed to adequately address the impacts of water supply and water assignment.

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If you have any questions, please contact Mr. Rob Schroeder at 916-989-7274 or rschroeder@usbr.gov.

Sincerely,

Michael R. Finnegan  
Area Manager

Enclosure



<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>		
<b>Comment #</b>	<b>Section and Page #, Figure #, or Table #</b>	<b>Comment</b>
1	Appendix M2; Wagner and Bonsignore Report, Page 207-246 Appendix M	The source of the water for the proposed action is unused Natomas Mutual contract supplies. There is a tech memo (Appendix M2 - Wanger and Bonsignore Report) that describes a water budget analysis that determines that unused water is potentially available from the contract source for the assignment outside of the district. Within this analysis there is no discussion of land use changes in the Natomas Mutual district (Ag) vs. City of Sacramento (Urban). Because of this the water budget of Natomas Mutual is slowly shrinking.
2	General comment	There is a general mischaracterization that the CVP operates and delivers a full contract amount to Natomas diversion point. The document then states that Natomas water would then potentially flow downstream to the Freeport location. This assumes a very limited reoperation based on the supposition of non-diversion of full contract delivery rather than systematic operation. There is no discussion of water/land use changes due to the proposal.
3	General comment	The CVP only delivers to Natomas Mutual diversion point what has been historically used within the district to support the agricultural activities. Therefore, there is not additional water that would flow downstream to the Freeport location. The proposed assignment water would represent a new water demand associated with the Folsom land use water demand development. This fact creates a re-operation affect on the CVP-SWP system that is not analyzed in this document. The analysis contained in the document is not sufficient to support an assignment from NCMWC to Folsom because the actual impacts to the CVP have not been addressed. This includes a valid analysis of the historic use of the subject water by NCMWC, and how diversion of possibly unused water may affect the overall demand for CVP water.
4	Chapter 3 "Water " sections (general comment)	The document contains no discussion of full CVP-SWP reoperation affects due to the potential assignment. There is no analysis of the re-operation or the affects of distribution of the assignment as "new demand" in the Central Valley. This information should have appeared in the Chapter 3 "Water" sections.
5	ES 5.1 (page 2)	"The Water Facilities Study Area includes the Natomas Central Mutual Water Company (NCMWC) service area, portions of the Sacramento River, and pipeline alignments and water treatment plant (WTP) locations which extend from the community of Freeport through central and eastern Sacramento County to the SPA." <i>The water facilities area of effect (i.e., were it not for the assignment of offsite water supplies from Natomas to Folsom) for purposes of NEPA must include the integrated system of the CVP (Shasta Reservoir, Upper tributaries, Sacramento River, American River, and the Delta).</i>

<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>		
Comment #	Section and Page #, Figure #, or Table #	Comment
6	ES.5.2; Elements of the Project (page 3)	<p>"The City proposes to add the Freeport POD to the assigned CVP water to facilitate the diversion of these supplies at the existing Freeport Project diversion. The City proposes to pump and convey the assigned NCMWC CVP water supply through the Freeport Project diversion facility and conveyance pipeline to the point where SCWA and East Bay Municipal Utilities District (EBMUD) pipeline split or the bifurcation point. The City would then construct new water supply conveyance infrastructure from the bifurcation point to the SPA."</p> <p><i>What are the other options to this diversion at Freeport--capacity issues aren't clearly described in document.</i></p>
7	Section 1.2. Project History and Planning Context (page 5)	<p>"Water Supply. Demonstrate that <u>the City has a sufficient water supply to serve existing customers, future customers within the existing service area, and all proposed uses within the project site in compliance with the terms and conditions of the Water Forum Agreement.</u> This demonstration must be sufficient for LAFCo to determine water availability per California Government Code section 56668(k)."</p> <p><i>How is sufficiency of surface water supply from Natomas addressed in the analysis of impacts (rescheduling base supply to cover shortages and long-term reliance on this water source)?</i></p>
8	Section 1.2; Page 6	<p>"Water Supply. Identify and secure the sources of water supply to serve the SPA without reducing the existing water supply currently serving users to the north of U.S. 50, and at no cost to existing Folsom City residents."</p> <p><i>City Ordinance No. 1022 (Measure W) passed with support from 69% of the City voters. The option of reducing existing water supplies No. of 50 to meet this relatively small demand (5,600 AFY) South of U.S. 50 should be analyzed in the DEIR/DEIS. Once the annexation of the new So. of 50 development is approved by LAFCO, the tax base would be readjusted. NEPA requires all reasonable alternatives be analyzed, even those beyond the authority of the agency to implement.</i></p>



<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>		
Comment #	Section and Page #, Figure #, or Table #	Comment
9	Section 1.3.1.; Project Purpose and Need: City of Folsom Considerations (Page 7)	<p>"The purpose of the Folsom South of Highway 50 Specific Plan project is to provide a mixed-use, master-planned community within an area south of U.S. 50 that would be annexed to the City of Folsom, and also to secure a reliable water supply consistent with the requirements of Measure W and objectives of the Water Forum Agreement and the necessary off-site conveyance infrastructure to facilitate the planned development of the SPA."</p> <p><i>The City didn't appear to look at reliable water sources for the development that could meet the requirements of Measure W besides the NCMWC assignment of CVP settlement contract water. The analysis should look at the benefits/disadvantages of the various alternative sources--one of the criteria being whether the proposal would meet the Water Forum Agreement objectives. Another key objective is whether the water supply alternative would hamper in any way the Bureau of Reclamation's ability to meet in-stream/downstream flow and temperature requirements as per the June 4, 2009, NMFS BO in accordance with its public trust resource responsibilities.</i></p>
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10	Section 3B.9.3 Environmental Consequences and Mitigation Measures (Thresholds of Significance)—Hydrology and WQ; page 20	<p>"For the purposes of this analysis, the following assumptions were made in applying CALSIM II to the Off-site Water Facility Alternatives: ► The analysis depicts a "worst-case" for NCMWC whereby it analyzes <u>project water (not base supply) being re-allocated into an urban demand pattern for the assignment;</u>"</p> <p><i>The agreement between NCMWC and SFP indicates that base supply would need to be rescheduled into the critical months. This change in pattern of use, was not analyzed.</i></p>
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11	Section 3B.9.3 Environmental Consequences and Mitigation Measures (Thresholds of Significance)—Hydrology and WQ; page 20	<p>Another assumption in applying CALSIM II to the Off-Site Water Facility Alternatives: "► For the purposes of this EIR/EIS analysis, <u>the efficiency of irrigation return flow to the Sacramento River is assumed to be 35% – or an efficiency rate of 75%.</u>"</p> <p><i>What is the efficiency of the return flow once it is used consumptively by the development--will this return flow go back into the American River or into the Consumnes River?</i></p>
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12	Appendix M1-Water Facilities (M1_Draft_WSA.pdf); Section 2.1.1 page 14	<p>"2.1.1 Historic Demand Factors. <u>Section 2.1 (Demand Projection Methodology) provides a basis for the unit demand factors for the water demand estimate by reviewing the unit water demand factors of both the City of Folsom and other water purveyors in the region,</u> as well as additional conservation drivers. Both the historic demand factor assessment and the conservation drivers provide a foundation for the water demand projection methodology contained in Section 2.2."</p> <p><i>NCMWC didn't appear to be included in this analysis of water demand factors.</i></p>
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<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>		
Comment #	Section and Page #, Figure #, or Table #	Comment
13	RMC Water Resources-- Potable Water Distribution; page 3B 16-1	<p>"The City's current total water demand (2006) for areas within the city limits is 27,392 acre-feet per year (AFY) and includes non-potable industrial water use at Aerojet. The 5,600 AFY of demand for the SPA is separate from the City's current demand and would be served by separate infrastructure. <u>Water use within the current city limits is projected to experience a slight decrease by 2030 to 27,069 AFY based on average unit water demand factors applied to City land uses assumed in the City's 2005 Urban Water Management Plan (UWMP ). This minor decrease in water use is largely attributed to a decrease in water use for construction activities.</u> Senate Bill (SB) 7 – Statewide Water Conservation, the estimates are likely to be further reduced depending on the City's established baseline usage."</p> <p><i>How is this related to the water use anticipated in the SPA and the state law that requires a 20 percent per capita reduction in urban water use statewide by 2020? Also, since the SPA is supposed to be annexed to the City wouldn't this projected water use (by 2030) include the SPA?</i></p>
14	RMC_Hydrology; Page 3B 9-27	<p>"Based on modeling conducted by SWRI, Inc (2008), using CALSIM II, the principle changes in flow as a result of the operation of the Off-site Water Facilities occur downstream of Freeport and <u>are a consequence of modifying the current agricultural delivery schedule for the 8,000 AFY of CVP water to an M&amp;I delivery schedule. This change in delivery modifies the timing of diversions to smaller, more consistent withdrawals of surface water throughout the year as opposed to large diversions during the summer months when crop water demands are high.</u> This phenomenon is demonstrated in Table 3B.9-3 whereby the Off-site Water Facility Alternatives results in a net decrease in CVP water use during the months of July and August. The data produced by SWRI is provided in its entirety in Appendix M-IX."</p> <p><i>The Agreement between NCMWC and SFP, the developer, indicates the need to reschedule base supply into the summer months. How is this factored into the analysis?</i></p>
15	Appendix M1; Page 44-45;	<p>"The SFP-NCMWC Agreement is effective until April 1, 2012, unless extended by SFP. Under that agreement, SFP may extend its term for up to five additional one-year periods. During the period that the SFP-NCMWC Agreement is effective, both NCMWC and SFP must satisfy specific obligations to ensure that water can ultimately be made available for use as a municipal and industrial supply in the Folsom SPA. Those obligations include, but are not limited to (1) preparation of an engineering study to ensure NCMWC may meet its future demands in the absence of the assigned supply; (2) approval from USBR to reschedule the assigned supply from an irrigation demand schedule to a municipal and industrial demand schedule; and (3) completion of all state and federal environmental review."</p> <p><i>The timing of the agreement to ensure a secured water source (additional one-year periods) is not consistent with a long-term assignment of the water by Reclamation.</i></p>

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<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>		
<b>Comment #</b>	<b>Section and Page #, Figure #, or Table #</b>	<b>Comment</b>
17	Appendix M1 Water Supply Analysis; Footnotes 65 and 66—Page 41	<p>"The City of Folsom and SFP have executed a non-binding memorandum of Understanding (See Appendix E) (footnote 65). The City and SFP cannot sign a binding legal agreement until after the environmental review – of which this WSA is a part – is completed. The ultimate goal is to <u>have USBR assign a portion of NCMWC's Project Water supply to the City of Folsom pursuant to NCMWC – Bureau contract provisions in NCMWC's contract with USBR. (Footnote 66)"</u></p> <p><i>The City --not the developer, would need to work with Reclamation and Natomas to get approval for the assignment.</i></p>
18	Appendix M1_Water Facilities; Section 3.1, page 40 "Explanation of Proposed Water Supply"	<p>"The use of this water supply does not impact either the City's or EID's existing water supplies or conveyance facilities. <u>Through the SFP, the City intends to acquire water from NCMWC to serve only the Folsom SPA. Water treatment will occur at either newly constructed facilities that will not be connected to the City of Folsom's or EID's existing treatment and conveyance facilities or at third parties' treatment facilities. Thus, neither the water demands associated with the land uses in the City of Folsom exclusive of the Folsom SPA, nor the water supplies used to serve these areas, are analyzed in this Folsom SPA WSA.</u></p> <p><i>This statement indicates that the water supplies used to service the other areas in Folsom are not accounted for in the analysis. What is the reasoning here? The new development areas will eventually be annexed into the larger SOI. This is a connected and related action under NEPA that would need to be evaluated.</i></p>
19	Chapter 3_Affected Environment; Section 3.1.6, page 9	<p>"Although <u>the City would be responsible for implementing mitigation measures associated with the water supply facilities</u>, nearly all of the improvements and mitigation actions necessary to provide water to the project site require improvements that would occur outside of the City of Folsom jurisdictional boundaries."</p> <p><i>Section and page reference for these mitigation measures should be identified. Who would be responsible to mitigate these impacts associated with the water supply facilities (any specifics about whose jurisdiction these facilities are located in should be included).</i></p>

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TECHNICAL/ENVIRONMENTAL COMMENTS		
Comment #	Section and Page #, Figure #, or Table #	Comment
20	Chapter 3B.03_RMC_Biological Resources; Page 3B.3-51	<p>“As provided in Chapter 2, “Alternatives,” implementation of the Off-site Water Facility Alternatives <u>would not result in changes to existing irrigation patterns within NCMWC’s service area or limit the availability of surface water for continued irrigated agriculture.</u> Similarly and based on this circumstance, operation of the Off-site Water Facility Alternatives would result in no adverse effects to giant garter snake within the Natomas Basin. For this reason, a less-than-significant impact would occur. [Similar]”</p> <p><i>Wouldn't the rescheduling of base supply into the summer months necessitate a change in existing irrigation patterns ?</i></p> <p><i>In general, the biological affects of the water supply are not analyzed—this chapter includes a limited project footprint: i.e., NCMWC service area to the new point of diversion on the Sacramento River (Freeport Project) through final point of delivery in the SPA. Because the project is operated as an integrated system, the water supply portion of this biological effects analysis must consider the impacts of the diversion (both the rescheduling of project supply as M &amp; I and seasonal diversion pattern change) as well as the scheduling of the base supply into the critical months of July and August, and how these changes in pattern and seasonal use will effect fish species due to the reoperation of the CVP (system wide from Shasta Reservoir into the Delta).</i></p>
21	Chapter 3B.03_RMC_Biological Resources; Page 3B.3-56	<p>“<u>No new groundwater pumping would be required within NCMWC’s service area and, therefore, no changes to surface water hydrology within wetlands and other sensitive wetland features within the NCMWC’s service area is anticipated.</u> For these reasons, direct and indirect impacts to sensitive communities from long-term operation of the Off-site Water Facilities would be less than significant. [Similar]”</p> <p><i>The land-use changes that would result in the NCMWC’s service area due to the assignment have not been fully analyzed. See the Agreement between the land developer SFP and NCMWC (Appendix M_ Water Facilities) that concludes the surface water needs would need to be analyzed (i.e., engineering study required to determine if future NCMWC service area needs are met).</i></p>

<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>		
Comment #	Section and Page #, Figure #, or Table #	Comment
22	Chapter 3B.03_RMC_Biological Resources; Page 3B.3-56-55	<p>“As provided in Table 3B.9-3, of Section 3B.9, Hydrology and Water Quality “Water,” the operation of the Offsite Water Facility Alternatives would involve negligible changes to existing flows within Zone 2 of the “Water” Study Area and downstream locations within the Delta. <u>Based on these findings, neither the operations of the Offsite Water Facilities nor the assignment of water supplies from NCMWC in the Sacramento River basin would have substantial adverse effects on riparian habitat or other sensitive natural communities along the Sacramento River as a result of substantial changes in water levels or diversion of flow.</u> No new groundwater pumping would be required within NCMWC’s service area and, therefore, no changes to surface water hydrology within wetlands and other sensitive wetland features within the NCMWC’s service area is anticipated. For these reasons, direct and indirect impacts to sensitive communities from long-term operation of the Off-site Water Facilities would be less than significant. [Similar]”</p> <p><i>This seems to conclude that natural communities would be affected only by substantial changes in water levels or diversion of flow. Sensitive fish species are susceptible to affects due to changes in water temperature and seasonal flow fluctuations (NMFS BO, June 2009). These impacts have not been addressed.</i></p>

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<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>		
Comment #	Section and Page #, Figure #, or Table #	Comment
23	Chapter 3B.03_RMC_Biological Resources; Page 3B.3-61	<p>Operations of the Off-site Water Facilities would produce only minor levels of noise from pumps, and would not lead to on-going disturbance that would interfere with the movement of any native wildlife species or wildlife corridors and nursery sites. <u>Assignment of water from NCMWC to the City would result in slight, permanent increases in river flows (see Chapter 3B.9.3) within a section of the Sacramento River, north of Freeport. In considering the combination of a change in delivery schedule, addition of a new point of diversion, and quantity of water diverted, the Off-site Water Facilities could realize benefits in terms of increased flows within the Sacramento River when compared to existing conditions, and therefore, could realize added minor benefits to fisheries. The direct and indirect impacts would be less than significant. [Similar]"</u></p> <p>The minor changes in hydrologic conditions would have only very minimal impacts on overall aquatic habitat quantity and quality <u>and would contribute additional flows to a section of the Sacramento River (e.g., Zone 2 of the "Water" Study Area).</u> In this context, the operation of the Off-site Water Facility Alternatives would not result in any substantial changes in flows that could contribute to a reduction in fish populations or the quality or quantity of aquatic habitat within the Sacramento River system, including the Delta, for any special-status wildlife and fishery species and the direct and indirect impacts are considered less than significant. [Similar]</p> <p><i>Return flows need to be analyzed--i.e., those that would normally get into the American River to help meet downstream requirements as per the NCMWC's unused contract irrigation supply. How are these being factored in? This seems to suggest the return flows would continue down the Sacramento River and into the Consumnes River?</i></p>
24	Chapter 3B.03_RMC_Biological Resources; Section 3B.3.3 Environmental Consequences and Mitigation Measures (page 3B.3-33)	<p>"For the purposes of this analysis, an impact to biological resources would be considered significant if the construction or operation of the Off-site Water Faculty Alternatives would:</p> <p>► <u>have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, National Marine Fisheries Service, or U.S. Fish and Wildlife Service;..."</u></p> <p>There is no discussion regarding the resource management agency Consultation and Coordination phase of this project, in particular, a consultation on the impacts of the off-site water supply alternative on listed species due to the changes in delivery pattern/season/place of use under the assignment. Also, there is no analysis to support ESA Section 7 compliance for the assignment.</p>

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<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>		
<b>Comment #</b>	<b>Section and Page #, Figure #, or Table #</b>	<b>Comment</b>
25	Section 3A.18 "Water Supply", page 29; Section 3A.09 "Hydrology and Water Quality", page 6	<p>The analysis indicates, "there are wells within the Laguna area to the south of Zone 4 of the "Water" Study Area that exhibit elevated levels of nitrates, arsenic, TDS, boron, chromium VI, and THMs (total). In contrast, SCWA's Mather wells to the north exhibit elevated concentrations of lead, high pH, and require mandatory sampling and monitoring for NDMA, TCE, and perchlorate." However, the conclusion that follows, which is based on the groundwater samples taken in 2007, is that local groundwater supplies are already being used for potable uses within Zone 4 of the "Water" Study Area and the use of groundwater would not create a significant hazard to users within the Folsom SPA. When this option is compared to the NCMWC assignment (Off-site Water Facility Alternative), the analysis indicates that that groundwater supplies may exhibit more issues related to taste and odor along with higher TDS levels, which would be considered a potentially significant impact; i.e., greater than the Proposed Off-site Water Facility Alternative).</p> <p><i>The conclusion one reaches is that the Groundwater Basin Option described on page 23 does not appear to be a viable alternative to the Natomas assignment given the contaminant levels within the surrounding areas that have been documented. Also, data may be incomplete to make any conclusions regarding impacts; see statement in Section 3A.09 "Hydrology and Water Quality" page 6, "There is no comprehensive water quality monitoring station in the project vicinity, and water quality data are limited."</i></p>
26	3A.9-5	<p>Groundwater quantity typically varies locally throughout the SPA. Seasonal perched groundwater may be present in the fractures...<i>(This seems to suggest groundwater over a semi-confining layer and an unsaturated condition below the layers. This may not be the case for fractured bedrock.)</i></p>
28	3A.9-6	<p>For the listed designated beneficial use is listed as "irrigation". <i>We believe the designated beneficial use should be labeled "agriculture". The CVRWQCB is adding or may have added the "commercial" (COMM) beneficial use for these water bodies.</i></p>
29	3A.9-9	<p>The groundwater underlying Area 40 is contaminated with volatile and semi-volatile organic compounds... <i>Although section 3A.9-5 discussed groundwater hydrology in the SPA, there was no mention of how potential changes in flows through Alder Creek due to development could affect the underlying groundwater under this stream channel and the subsequent movement or remediation of the contaminated groundwater.</i></p>
30	3A.9-13	<p>It should be noted that for the following metals (cadmium, chromium, copper, lead, nickel, silver, and zinc) their associated water quality criteria are dependent on the hardness of the water. <i>Because the SPA is located in an area known to contain asbestos, are there any concerns with asbestos getting into the water ways for the short term during construction? Also, the units for Organic Pesticides should be noted as "ng/L".</i></p>



<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>		
Comment #	Section and Page #, Figure #, or Table #	Comment
31	3A.9-20	The final sentence mentions an impoundment on Alder Creek that may be considered under the DSOD jurisdiction but does not offer any additional information about the impoundment - size, location, purpose, etc. If this is a feature of the project, this would need to be fully analyzed.
32	3A.9-38 & 39	It should be noted that detention basins are effective at removing many water quality contaminants associated with storm water flows if they are maintained and a long term strategy is in place to keep them operating efficiently. Page 38 - Under the bullet "Source control program to control water quality ..." we suggest a commitment to ensure long term sustainability of these activities through a permanent funding source.
33	ES-174 3B.17-2	The summary Table states: "3B.17-2: <b>Depletion of Groundwater Supplies Through Pumping</b> No mitigation measures are required. Significance after Mitigation: less than significant." <i>It is unclear from the DEIS if GW pumping will increase in dry years. If it does increase, mitigation would be required to ensure that impacts remain less than significant.</i>
34	1.3.1 and Section 2; 1-7 and Pages 2-80 through 2-103	The federal project purpose as stated is: "The project purpose, as considered by USACE, is to construct a large scale, mixed-use development, with associated infrastructure, within eastern Sacramento County." <i>This purpose can be achieved without the assignment of CVP water, yet the water supply alternatives described in Section 2 do not appear to include any alternative water sources.</i>
35	2.6; 2-80	<i>The following statement is found in Section 2.6: "A complete listing and screening process for other water supply and conveyance alternatives considered in this EIR/EIS, but not carried forward for equal-level analysis, is described in Section 2.15 below." Comment: Section 2.15 is not found in the document.</i>
36	3B.10; 3B.10-19	Under the proposed action, approximately 37% of NCMWC's project water would permanently no longer be available for use within their service area. This would appear to be a significant amount from the standpoint of surface water availability for use in NCMWC's service area. If this is accurate, explain how this would affect NCMWC?.
37	General Comment	In general, it was difficult to read the document due to its organization. For example, there is water discussion scattered in several locations throughout the document which is difficult to piece together. The additional alternatives, or "water supply options" are contained in the land, or "A" section of the document near the end of Volume 3. Because these options are considered reasonable alternatives to the assignment (as described in section 3A. 18), they may have best been located in the appropriate alternatives section of the document and carried forward for analysis.
38	General Comment	There is no indication that compliance with NHPA section 106 sufficient for the assignment has been considered.



<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>			
<b>Comment #</b>	<b>Section and Page #, Figure #, or Table #</b>	<b>Comment</b>	
39	General comment	It would be ideal to avoid adding more water to the drainage over chutes that cross Folsom South Canal as they are currently at their design capacity. Additional water added may need to be detained to avoid overflow into the canal.	76
40	General comment	Any pipelines crossing the canal would need to go above the canal rather than under it. Boring under the canal could cause earth movement that could damage the structural integrity of the canal lining.	77
41	General comment	We do not recommend using Douglas Bridge as a crossing point for pipelines as it already houses several utilities and space is restricted.	78
42	3B.15-1	This section does not address the construction of the six (6) lane International Drive in Zone 4.	79
43	3B.16-1	If the water is for use on Folsom's existing city limits, and (according to the State Urban Water Management Plan) they indicate that all future population through 2025 are assumed to remain at the 2010 levels, then <i>why does Folsom need the additional water?</i> In addition, in the DEIR/DEIS it states, "Water use within the current city limits is projected to experience a slight decrease by 2030 to 27,069 AFY based on average unit water demand factors applied to City land uses assumed in the City's 2005 Urban Water Management Plan." <i>SB 7 (20% reduction by 2020) is a State law, so any additional growth could also be served by the 20% savings.</i>	80 81
44	3B.16-7	"The assigned CVP water entitlement would continue to be stored in upstream reservoirs, but would be delivered under an M&I schedule as opposed to the existing agricultural delivery schedule." <i>Will the storage continue to be in Shasta? We expect no evolution of these projected impacts?</i>	82
45	Appendix M_Water Facilities; Water Supply Assessment (page 10)	The city discusses a calculation that includes a variety of factors to determine the outdoor water demand. I may be more simple to take the historical January/February metered water data and assume that is the indoor water use; then subtract that from the summer average to obtain the outdoor water use.	83
46	Appendix M_Water Facilities; Water Supply Assessment (page 11, Table 2-1)	Its not clear where the 3920 sf (Landscape Area) comes from. Assuming a landscape area of 40% (each unit) and a parcel size of 10,890, then shouldn't it be 4356sf.	84
47	Appendix M_Water Facilities; Water Supply Assessment (page 11)	A discussion indoor water use in a "per unit" context is given, but then converted to gpcd. If we know how many dwelling units will be built, but not how many people will be moving into them, then keeping the data in the per unit context helps to clarify how much water is anticipated for each dwelling unit.	85
48	Appendix M_Water Facilities; Water Supply Assessment (page 20)	We recommend that the document shows the full effect of CAL Green by showing a range of 10% - 20% savings. This would bring the anticipated indoor use to 56 gpcd, which is in line with state conservation goals. In keeping with this rationale, Table 2-4 could also reflect this range.	86





<b>TECHNICAL/ENVIRONMENTAL COMMENTS</b>			
<b>Comment #</b>	<b>Section and Page #, Figure #, or Table #</b>	<b>Comment</b>	
49	Appendix M_Water Facilities; Water Supply Assessment (page 30)	In terms of the additional 5% included in the dry-year total (table 2-9), why was this figure chosen? Rationale for why the City and EID would not encourage more conservation during dry years should be included.	87
50	Appendix M_Water Facilities; Water Supply Assessment	The draft Folsom Specific Plan Area Water Supply Assessment (FSPAWS) dated 2010 contains assumptions on future landscape and indoor water use that are inconsistent with the current California Model Water Efficient Landscape Ordinance (MWELO) and the 2020 urban water use baselines being developed as a result of the SBX7 7 process. In light of the MWELO and SBX7 7 planning efforts, we encourage the City to reevaluate its FSPAWSA for both the indoor and landscape future water use projections.	88
51	Appendix M_Water Facilities; Water Supply Assessment (Section 2.1.1 page 10)	The CA Model Water Efficient Landscape Ordinance limits the estimated total landscape water to use the ET Adjustment factor which is defined as: "...a factor of 0.7, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. A combined plant mix with a site-wide average of 0.5 is the basis of the plant factor portion of this calculation. For purposes of the ETAF, the average irrigation efficiency is 0.71. Therefore, the ET Adjustment Factor is (0.7) - (0.5/0.71). ETAF for a Special Landscape Area shall not exceed 1.0. ETAF for existing non-rehabilitated landscapes is 0.8." The MWELO, Appendix A-Reference Evapotranspiration (ETo) Table indicates that the ETo for Fair Oaks is 50.5" which is lower than the 53" that is used in the Plan. The Plan should substantiate why its value differs from that supplied in the Ordinance.	89
52	Appendix M_Water Facilities; Water Supply Assessment (Section 2.1.3.3, page 15)	The assumption of landscape water use of 85% Eto in section 2.1.3.3 of the FSPWSA is inconsistent with the MWELO 0.7 (70%) Eto. This is due to the plans use of an irrigation efficiency adjustment factor which is already included in the landscape ordinances 0.7 factor. Therefore, the Plan over estimates the outdoor water use. Page 17 of the report assumes that the future landscape use for residential and non-residential landscape is 3.73 Acre Feet per Acre. This should be adjusted to 3.1 Acre Feet per Acre for all new development.	90
53	Appendix M_Water Facilities; Water Supply Assessment (Section 2.2.1.1, page 20)	Page 20, 2.2.1.1 of the Plan states that the average indoor water use is calculated to be 70 gallons per capita per day (gpcd) for both existing single family and multi-family residential use. The assumption is made that this use rate can be lowered by 10% to 63 gpcd. The state's new baseline that is being developed calls for 55 gpcd for the 2020 baseline which would be consistent with a 20% reduction for Folsom. The 55 gpcd day is the baseline being used on average for all indoor residential use for the state. Given that Folsom has not yet implemented metering, and that indoor water conservation devices are mandatory in all new residential building the 55 gpcd for the entire service area appears realistic. It also appears realistic that new residential areas will have gpcd lower than the 55 gpcd baseline being developed through the State's SB7 7 effort.	91



<b>CONTRACTURAL/POLICY/LEGAL COMMENTS</b>		
<b>Comment #</b>	<b>Section and Page #, Figure #, or Table #</b>	<b>Comment</b>
1	Proposed Water Supply (page 3A.18-12)	Reclamation is currently evaluating all aspects of the proposed assignment from a contractual perspective. Additional comments may be forthcoming once that evaluation is completed. One consideration may be the ability to change our contract with NCMWC and what the benefits would be to the CVP.
2	3A.18-1	Reclamation is currently evaluating all aspects of the proposed assignment from a contractual perspective. Additional comments may be forthcoming once that evaluation is completed. One consideration may be the base supply rescheduling out of the months April-October; how would this be allowed under the current contract.
3	3A.18-1	Reclamation is currently evaluating all aspects of the proposed assignment from a contractual perspective. Additional comments may be forthcoming once that evaluation is completed. For example, consideration may be given to the use of NCMWC's contract supply. During the last 10 years NCMWC has only used 62% of it's cumulative contract "base supply" water, and only 37% of it's cumulative contract "project water" supply.
4	General comment	The document does not recognize that Reclamation may be making certain decisions regarding the proposed partial assignment of Natomas Central Mutual Water Company's (NCMWC's) contract to the City of Folsom that are different from those decisions the ADEIS/ADEIR refers to as "assumptions". As a result, the ADEIS/ADEIR does not analyze the environmental impacts of each of the possible alternative decisions. The ADEIA/ADEIR identifies the following discretionary Reclamation decisions as "assumptions": 1) Reclamation will approve NCMWC's partial assignment to the City of Folsom of its entitlement under its existing Sacramento River water right settlement contract to annually divert in July and August up to 8,000 acre-feet of Project water in most years and 6,000 acre-feet of Project water in critical years; 2) Reclamation will agree to make the assigned Project water available to the City of Folsom on a year-round M&I pattern rather than making it available only in July and August; 3) Reclamation may be able to make the assigned Project water available to the City of Folsom subject to the same shortage provisions that are included in Reclamation's CVP water right settlement contracts rather than the shortage provisions that are included in Reclamation's CVP water service contracts i.e. that Reclamation could make the full supply of the assigned Project water available in all but critical years, as that term is defined in the NCMWC contract and to reduce that supply of Project water in critical years by no more than 25%. (Opinion) By characterizing those decisions as "assumptions" and not analyzing the environmental impacts of each of them and their respective alternatives, the EIS/EIR is to be insufficient for Reclamation to use for alternative decision making.

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<b>CONTRACTURAL/POLICY/LEGAL COMMENTS</b>		
Comment #	Section and Page #, Figure #, or Table #	Comment
5	ES Page 2	"In addition to the authorizations and approvals requested from the City and USACE, permits and other approval actions from the following Federal, state, regional, and local agencies <b>may be required...</b> " <i>Authorizations from the Bureau of Reclamation <b>would be</b> required for the water supply portion of the Folsom SOI project to cover the pumping at the new point of diversion on Freeport project, easement across FSC, and assignment of NCMWC CVP settlement contract water to Folsom.</i>
6	Section 1.2.; Page 5	► Mitigation Monitoring. "Comply with the mitigation measures identified in environmental review for expansion of sphere of influence boundary and adopted pursuant to CEQA by LAFCo Resolution LAFC 1193, including:... <u>Identify secure sufficient water supplies.</u> " <i>The DEIS/DEIR concedes to the fact that the assignment of the settlement contract water would need to be approved by Reclamation (see Agreement included in Appendix M1_ Water Facilities between NCMWC and the developer, SFP-Section 17 Environmental Review and Section 1.10) before water supplies could be "secured". How is this mitigation being met?</i>
7	Section 3B.9.3 Environmental Consequences and Mitigation Measures (Thresholds of Significance)— Hydrology and WQ; page 20	From Section 3B.9.3 Environmental Consequences and Mitigation Measures-- Hydrology and WQ ► The analysis depicts a "worst-case" for NCMWC whereby it analyzes <u>project water (not base supply)</u> being re-allocated into an urban demand pattern for the assignment;" <i>Currently, base supply cannot be taken out of April - October delivery pattern and rescheduled into another period (contract terms and conditions).</i>
8	Appendix M1 Water Supply Analysis; Footnotes 65 and 66—Page 41	"The City of Folsom and SFP have executed a non-binding memorandum of Understanding (See Appendix E)65 The City and SFP cannot sign a binding legal agreement until after the environmental review – of which this WSA is a part – is completed. "...the ultimate goal <u>is to complete an assignment of a portion</u> of the NCMWC's Project Water supply..." <i>The City --not the developer, would need to work with Reclamation and Natomas to get approval for the assignment.</i>

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<b>CONTRACTURAL/POLICY/LEGAL COMMENTS</b>		
Comment #	Section and Page #, Figure #, or Table #	Comment
9	Chapter 3A.18_ Water Supply; Section 3A.18.3 Environmental Consequences and Mitigation Measures-- Thresholds of Significance (page 7)	<p>"The thresholds for determining the significance of impacts for this analysis are based on the environmental checklist in Appendix G of the State CEQA Guidelines. These thresholds also encompass the factors taken into account under NEPA to determine the significance of an action in terms of its context and the intensity of its impacts. The Proposed Project or alternatives under consideration were determined to result in a significant impact related to water supply if they would do any of the following:▶ require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or▶ <u>have insufficient water supplies available to serve the project from existing or permitted entitlements and resources, or require new or expanded entitlements.</u>"</p> <p><i>First, the assignment is not an entitlement –the assignment from Natomas Central Mutual Water Company would need to be approved by Reclamation, Also, this assignment as proposed would represent an expanded entitlement; i.e., change of season and rescheduling of base supply into the critical months. Therefore, the proposed assignment would represent a significant action and the impacts of implementing this have not been adequately analyzed.</i></p>
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10	General Comment	<p>Reclamation is currently evaluating all aspects of the proposed assignment from a contractual perspective. Additional comments may be forthcoming once that evaluation is completed. One consideration may be determining the certainty that storage in Shasta could be provided over the time frame necessary.</p>
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11	General comment--related to Water Supply Analysis	<p>In Section 10910 (c)(3), CA Water Code states, "(3) If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water system has no urban water management plan, <u>the water supply assessment for the project shall include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project</u>, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses."</p> <p><i>How is this time horizon being addressed? The agreement between the developer, SFP, and Natomas, is for one year increments not to exceed five years—there is no long term commitment of water reliability.</i></p>
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12	General comment	<p>It is uncertain whether the proposed major federal action can go forward without addressing the cumulative impacts of implementing the two OCAP BO's.</p>
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<b>CONTRACTURAL/POLICY/LEGAL COMMENTS</b>		
<b>Comment #</b>	<b>Section and Page #, Figure #, or Table #</b>	<b>Comment</b>
13	NCMWC's Contract Conditions	Reclamation is currently evaluating all aspects of the proposed assignment from a contractual perspective. Additional comments may be forthcoming once that evaluation is completed. One consideration may be the quantity of project water available under contract--this is related to the amount of Base Supply (Article 9 of contract --Agreement of Water Quantities).
14	NCMWC's Contract Conditions	<p>NCMWC's contract has certain conditions,such as: "The purposes being for ...the United States and the Contractor will work in partnership and with others within the Sacramento Valley, including other contractors, to facilitate the better integration within the Sacramento Valley of all water supplies including, but not limited to, the better management and integration of surface water and groundwater, the development and better utilization of surface water storage, the effective utilization of waste, seepage and return flow water, and other operational management options that may be identified." (Article 6 Integrated Water Management and Partnerships).</p> <p><i>Reclamation is currently evaluating all aspects of the proposed assignment from a contractual perspective. Additional comments may be forthcoming once that evaluation is completed. One consideration may be how does this stated purpose "integrated Sacramento Valley water supplies, better utilization of surface water storage, etc.," align itself with what's being proposed under the assignment: change in POU (outside the sac valley), purpose of use, and season of use?</i></p>
15	General	Will the assignment be through March 31, 2024 (when NCMWC's contract expires)?

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USBR-1

*The comment states that the U.S. Bureau of Reclamation (Reclamation) is currently evaluating the legal, policy, and operational implications of a proposed long-term assignment of up to 8,000 acre feet per year (AFY) of Central Valley Project (CVP) settlement contract water (“Project” water) from Natomas Central Mutual Water Company (NCMWC) to the City for use in the specific plan area (SPA). The comment further states that because the process is not yet complete, the DEIR/DEIS does not fully analyze the impacts of the assignment and a supplemental EIS may be required.*

The City believes that the DEIR/DEIS analyzes all reasonably foreseeable environmental impacts of implementation of the proposed assignment. NCMWC’s settlement contract (Contract No. 14-06-200-885A-R-1) anticipates, in Articles 3(e) and 7(a), that: (1) use of NCMWC’s supplies may shift from agricultural to Municipal & Industrial (M&I); and (2) NCMWC may assign “Project” water under that contract use outside of NCMWC, subject to the Bureau of Reclamation’s consent, which the Bureau of Reclamation may not unreasonably withhold. (Appendix G to DEIR/DEIS’s Appendix M1, pages 10, 13.) Based on NCMWC’s settlement contract, the DEIR/DEIS analyzed the impacts that the proposed assignment would have based on certain assumptions. Reclamation could seek to approve the proposed assignment under different conditions, in which case further environmental review could be necessary. Because the proposed assignment would not result in work in navigable waters or the discharge of dredged or fill material into waters of the U.S., this proposed activity is not within the USACE’s scope of analysis. Therefore, if Reclamation (as the Federal agency with authority over the assignment) determines that a supplemental Environmental Assessment/Finding of No Significant Impact (EA/FONSI) or EIS is necessary for compliance with NEPA, the USACE anticipates that Reclamation would be the lead Federal agency.

To reflect these considerations, additional clarifying language is provided in Chapter 5, “Errata,” of this FEIR/FEIS.

USBR-2

*The comment states that the DEIR/DEIS relies upon assumptions contained in the Water Supply Assessment (appended to the DEIR/DEIS) that shortages would be no more than 25 % and are not correct (i.e., baseline allocations could be reduced to zero under the agricultural contract conditions).*

As Reclamation’s comment letter recognizes (see response to comment USBR-1), the proposed assignment would be of “Project” water under NCMWC’s settlement contract, which is included in the DEIR/DEIS as Appendix G to the DEIR/DEIS’s Appendix M1. Under Article 5(a) of NCMWC’s contract, the maximum reduction in “Project” water is 25%. Under Article 3(e) of that contract, NCMWC can assign “Project” water for M&I use outside of NCMWC’s service area, with Reclamation’s approval, which may not be unreasonably withheld. In addition, Article 7(a) of that contract indicates that Reclamation and NCMWC recognized that use of “Project” water under the contract could shift to municipal and industrial use. The proposed assignment is consistent with all of these terms of NCMWC’s settlement contract, which the City of Folsom believes may constrain Reclamation’s exercise of its approval authority under that contract. In addition, the proposed assignment would not convert the assigned supply to a CVP water-service supply that would be subject to reductions to zero as a converted agricultural supply under Reclamation’s proposed M&I Water Shortage Policy.

However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including different or additional water shortage conditions or limited liability provisions which could require additional environmental review and NEPA compliance.

USBR-3

*The comment states that the DEIR/DEIS did not address National Historic Preservation Act (NHPA) Section 106 compliance for the assignment.*

To satisfy the requirements of Section 106, Federal agencies are required to determine the area of potential effects (APE) and perform an inventory of cultural resources, including historic properties subject to management under Section 106 (36 Code of Federal Regulations [CFR] Section 800.4), within the APE. As described on page 2-71 of the DEIR/DEIS, to capture all the components associated with the Off-site Water Facility Alternatives, a “Water” Study Area was delineated and divided into four zones based on their associated connection to the Off-site Water Facility Alternatives. These zones are depicted in Exhibits 2-24 and 2-25 of the DEIR/DEIS and include NCMWC’s service area (Zone 1), the Sacramento River (Zone 2), the Freeport Project (Zone 3), and the affected area for facility components specific to each of the Off-site Water Facility Alternatives (Zone 4).

As provided in the “Affected Environment” subsection on page 3B.5-1 of the DEIR/DEIS, the placement of new structural facilities as part of the Off-site Water Facility Alternatives would be limited to Zone 4 of the “Water” Study Area. For this reason, the affected environment for cultural resources (or APE for the purposes of Section 106) is commensurate with Zone 4 of the “Water” Study Area. As provided on pages 2-74 and 2-76 of the DEIR/DEIS, no new facilities or changes to existing facilities are proposed within Zones 1, 2, and 3 of the “Water” Study Area as part of the Off-site Water Facilities alternatives, and therefore, these zones have not been included within the APE as identified by USACE. Documented historical resources within Zone 4 of the “Water” Study Area are described on pages 3B.5-1 and 3B.5-2 of the DEIR/DEIS. Table 3B.5-1 (DEIR/DEIS page 3B.5-3) further identifies the resources present within the affected areas for each of the Off-site Water Facility Alternatives.

Because of the programmatic evaluation of the Off-site Water Facility Alternatives as provided in the DEIR/DEIS, intensive cultural resources surveys have not been conducted. For this reason, USACE is currently in the process of consulting with the State Historic Preservation Officer (SHPO) on the creation of a Programmatic Agreement (PA) within the SPA and Zone 4, which would satisfy the requirements of Section 106 for the APE (see Appendix E3 of the DEIR/DEIS for correspondence between USACE and SHPO concerning the use of a PA for the project). A phased identification, evaluation, treatment, and mitigation plan for the preferred Off-site Water Facility Alternative would occur under the PA as described on pages 3A.5-11 through 3A.5-13 of the DEIR/DEIS. The PA would be executed before a Record of Decision (ROD) is issued for this EIS by USACE.

Although the City does not believe that there would be any impacts to cultural resources within Zones 1, 2 and 3, because no new facilities or changes would occur within these areas, because these areas are not within the APE of USACE, if Reclamation determines that impacts would occur or have the potential to occur to cultural resources, the USACE anticipates that Reclamation would be responsible for ensuring any additional compliance with Section 106 of the NHPA.

USBR-4

*The comment states that no analysis is provided in the DEIR/DEIS to support Endangered Species Act compliance for the assignment.*

Based on the assumption concerning the proposed assignment explained in response to comment USBR-1 above, the DEIR/DEIS analyzes all foreseeable environmental issues associated with the proposed assignment—including all reasonably foreseeable impacts on species listed under the Federal or state Endangered Species Act (ESA)—and the DEIR/DEIS therefore provides an extensive and sufficient technical basis for any ESA analysis that may be required for approval of a proposed assignment consistent with those assumptions (see pages 3B.3-37 through 3B.3-40, 3B.3-50 through 3B.3-52, 3B.3-55 through 3B.3-56, and 3B.3-61 through 3B.3-62). As also explained in response to comment USBR-1, the proposed assignment is consistent with the terms of NCWMC's settlement contract with Reclamation, which may affect Reclamation's exercise of its approval authority in considering the proposed assignment. This in turn may affect the need for analysis under the ESA (see *National Association of Home Builders v. Defenders of Wildlife* [2007] 551 U.S. 644, 663, 669 [U.S. Supreme Court].)

However, because the proposed water assignment would not result in work in navigable waters or the discharge of dredged or fill material into waters of the U.S., this proposed activity is not within the USACE's scope of analysis or permit area. Therefore, if Reclamation determines that consultation with the U.S. Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS) would be required for the proposed assignment, the USACE anticipates that Reclamation would be responsible for this consultation.

USBR-5

*The comment states that the DEIR/DEIS analysis did not address potential changes in flows through Alder Creek (via the development).*

The DEIR/DEIS, Appendix H, contains an analysis of the project's effects on Alder Creek flows. As described in DEIR/DEIS Impacts 3A.9-2 and 3A.9-3 (pages 3A.9-28 through 3A.9-43), the project would conform to applicable state and local regulations regarding surface water runoff and would limit peak discharges to levels existing before development (pre-project levels) through the use of detention basins and Low Impact Development (LID) control measures. The goal of the LID features, which are required in the Sacramento County and City of Folsom Phase I National Pollutant Discharge Elimination System (NPDES) MS4 Permit, would be to mimic the pre-project hydrology at the SPA. Any flow increase caused by project development would be eliminated through the use of stormwater detention facilities, which would be sized to maintain peak storm flows not to exceed the level existing before development. Modeling results presented in the DEIR/DEIS in Table 3A.9-3 (page 3A.9-35) indicate that with the detention basins as proposed, peak flows under development conditions would remain at or below existing conditions for the 100-year and 10-year storm events. Modeling results for the 5-year and 2-year peak flow events, also presented in the DEIR/DEIS in Table 3A.9-3 (page 3A.9-35), show that there would be a minor increase in peak flows in Alder Creek leaving the study area; however, these increases would be minor and are not anticipated to affect downstream facilities. If it is determined during detailed design studies that downstream facilities would be affected, outlet facilities on the detention basins would be modified to reduce the flows to pre-project conditions for the 5-year and 2-year events.

In addition, the minor effects to surface flows reflected in the modeling results for surface flows in Alder Creek indicate that impacts on groundwater under Alder Creek's stream channel are expected to be minor. Finally, Alder Creek does not traverse Area 40, as



Alder Creek exits the northwestern corner of the project site and Area 40 is located approximately 1 mile to the south.

USBR-6 *The comment states that the analysis in the DEIR/DEIS does not address potential effects on groundwater under the stream channel of Alder Creek.*

See response to comment USBR-5.

USBR-7 *The comment states that the analysis in the DEIR/DEIS does not address the potential movement or remediation of contaminated groundwater related to the adjacent Aerojet Superfund site under the stream channel of Alder Creek.*

See response to comment USBR-5.

USBR-8 *The comment states that an analysis of the efficiency of return flows once they are used consumptively by the development was not contained in the DEIR/DEIS.*

Pages 3B.9-20 and 3B.9-29 of the DEIR/DEIS describe the City's modeling assumptions regarding the efficiency of return flows before and following the assignment. As described, under existing conditions the efficiency of irrigation return flows within NCMWC were assumed to be 65%; whereby 35% of the diverted water flows back to the Sacramento River. Under the proposed assignment, the efficiency of return flows under an M&I use was conservatively assumed at 80%; thereby reducing return flows back to the Sacramento River to 20% of the flow diverted.

USBR-9 *The comment states that it is not clear whether return flows would go back into the American River to help meet in stream/downstream requirements or into the Cosumnes River.*

Following the assignment, the principal source of return flow to the Sacramento River would occur via discharge at the Sacramento Regional County Sanitation District's (SRCSD) Wastewater Treatment Plant (WWTP). SRCSD discharges into the Sacramento River and, therefore, the primary source of return flows would not be expected to contribute to flows within the American or Cosumnes Rivers.

Flows associated with landscape irrigation and stormwater runoff would flow into one of the 14 water quality detention basins proposed within the SPA, as described in DEIR/DEIS Chapter 2 (pages 13–23), Appendix H, and Table 3A.9-6 (Section 3A.9, "Hydrology and Water Quality"). These basins would discharge into Alder and Buffalo Creeks, which are tributary to the American River, and Carson Creek, which is a tributary to the Cosumnes River. These basins have been designed to ensure that normal flows leaving the SPA would not be greater than pre-project conditions. The only discharges that would occur from these detention basins would be from 2-year, 5-year, 10-year, 100-year or higher storm events. Impacts of the discharge of water during these storm events are analyzed in Section 3A.9, "Hydrology and Water Quality."

USBR-10 *The comment states that the alternative water supply analysis is narrow in scope and does not present any reasonable alternatives to the proposed assignment, including the option of reducing existing water supplies.*

See Master Response 20 – Formulation of Off-site Water Facility Alternatives and Water Supply Options. NEPA requires an evaluation of a reasonable range of alternatives. The alternatives evaluated in the DEIR/DEIS were developed based on the USACE and the

City's project purpose and need, as well as the comments received on the Notice of Intent/Notice of Preparation (NOI/NOP). Because one of the requirements of Measure W is that the City, before applying to annex the SPA to the City, "[i]dentify and secure the source of water supply(ies) to serve the [SPA, which] new water supply shall not cause a reduction in the water supplies designated to serve existing water users north of Highway 50 . . . ." (City Charter, Section 7.08.A), it was determined that reducing water supplies north of U.S. 50 is not a reasonable alternative. The DEIR/DEIS considered and eliminated numerous water-supply alternatives (DEIR/DEIS, pages 2-97 to 2-103). In addition, the DEIR/DEIS also considered several water supply options under CEQA (DEIR/DEIS, pages 3A.18-23 to 3A.18-52).

The consideration of alternatives is also driven by the associated approval authorities for the Federal agencies involved. Because the proposed assignment would not result in work in navigable waters or the discharge of dredged or fill material into waters of the U.S., this proposed activity is not within the USACE's scope of analysis. Therefore, if Reclamation as the Federal agency with authority over the assignment, determines that a supplemental EA/FONSI or EIS is necessary for compliance with NEPA, the USACE anticipates that Reclamation would be the lead Federal agency.

USBR-11

*The comment states that the analysis did not evaluate other alternative water supplies that might be reasonable.*

See response to comment USBR-10.

USBR-12

*The comment states that the analysis of future water demands (SPA Water Supply Assessment) overestimates the outdoor water use because the irrigation efficiency adjustment factor is different from that in the California Model Water Efficient Landscape Ordinance (MWELo).*

As indicated in the water supply assessment (WSA) prepared for this project, an outdoor demand factor of 3.73 acre-feet/acre/year was developed and used for the SPA future housing. This value accommodates variances in plant factors and irrigation efficiencies as recognized by the Model Water Efficient Landscape Ordinance (MWELo), which the City has adopted. MWELo is the primary conservation ordinance related to landscape water use efficiency for land use planning purposes and is contained in Chapter 2.7 (commencing with Section 490) of Division 2 of Title 23 of the California Code of Regulations. Specifically, this value accommodates the MWELo requirements at the land planning stage but also accounts for the "human factor" of potential overwatering (even with irrigation controllers installed), piecemeal changes in landscape design for individual lots, reduction in irrigation efficiencies through long-term product wear, and limited resources for enforcement in the absence of dedicated irrigation meters. These conservative estimates and unpredictable future variables are used out of an abundance of caution in order to ensure that the long-term SPA demands could always be met in all year types with the identified water supplies.

USBR-13

*The comment states that California's 2020 urban water use baselines (as per Senate Bill X7-7 [SBx7-7], enacted in 2009) call for 55 gallons per capita per day (gpcd), which would be consistent with a 20 % reduction for Folsom.*

SBx7-7 requires the City to set a 2020 water conservation target based on one of four methods. (Water Code Section 10608.20[a]-[b].) Method 2 includes the 55 gpcd indoor water use target identified by Reclamation, but that target is not binding. (Water Code Section 10608.20[b][2][A].) The City may also choose one of the other three target-

setting methods. In addition, SBx7-7 specifically states that a water supplier “may meet its urban water use target through efficiency improvements in any combination among its customer sectors.” (Water Code Section 10608.26[b].) SBx7-7 does not set any mandatory indoor water use standard.

USBR-14

*The comment references the WSA statement that the average indoor water use is 70 gpcd for both existing single-family and multi-family residential use, and that a reduction of 10% (to 63 gpcd) is an understatement when placed in context with Statewide 2020 water conservation mandates.*

A 10% reduction for single and multi-family uses reflects the best available information concerning what indoor water uses would be in the SPA. The WSA relies on data regarding indoor water uses in the City’s existing service area and then adjusts that data to reflect several additional factors that would apply to the SPA, resulting in the 63 gpcd indoor estimate used by the WSA. The use of a 10% reduction provides a conservative basis for determining the project’s total water supply needs consistent with the requirements of CEQA. The risk in applying a higher reduction in indoor water from conservation, as suggested by the commenter, would be a potential under-estimating of the project’s total water supply needs. In addition, as explained in response to comment USBR-13, SBx7-7 does not mandate the implementation of any particular indoor water use standard. SBx7-7 also authorizes the use of a variety of measures to implement the conservation targets to be calculated under that legislation. (See Water Code Section 10608.26[b].)

USBR-15

*The comment states that although the City may desire to certify the FEIR/FEIS, for purposes of NEPA compliance, a supplemental EIS would need to be developed to adequately address the impacts of water supply and water assignment.*

As discussed in response to comment USBR-1, the DEIR/DEIS analyzed the impacts of the proposed assignment based on certain assumptions, which were based on the terms of NCMWC’s settlement contract with Reclamation. These assumptions form the basis for the project’s operational parameters from which the environmental effects on baseline environmental conditions were considered in the DEIR/DEIS. However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including consideration of the effects of distribution or CVP re-operation of this “new demand” in the Central Valley, which could require additional environmental review and NEPA compliance. In response to this comment, the City has added additional text to page 3-2 of the DEIR/DEIS to clarify this understanding as shown in Chapter 5, “Errata” of this FEIR/FEIS.

USBR-16

*The comment states that the source of the water for the proposed action is unused NCMWC contract supplies that are available as a result of a shrinking water budget. The comment further states that the analysis in the DEIR/DEIS provides no discussion of the land use changes within NCMWC’s service area that have contributed to this condition.*

The DEIR/DEIS provides an adequate discussion regarding the land use changes within the Natomas Basin, which are already established in the environmental baseline. The Wagner and Bonsignore Report (contained in Appendix M2 of the DEIR/DEIS) does indicate that NCMWC’s water budget is slowly shrinking. As provided on pages 3B.10-4 through 3B.10-5 of the DEIR/DEIS, the NCMWC service area (or Zone 1 of the “Water” Study Area) is experiencing a transition from irrigated agricultural uses to urban uses as a result of ongoing planned growth by the City of Sacramento, Sacramento County, and southern Sutter County. Table 3B.10-1 of the DEIR/DEIS (page 3B.10-5) further

documents this change as reflected by a nearly 4,500-acre reduction in agricultural land between 2004 and 2007. Based on a series of planned developments within the Natomas Basin, including but not limited to, the Metro Air Park, Natomas Joint Vision, and Sutter Point Specific Plan, it is reasonable to expect that this pattern of development could continue regardless of the assignment. Further, these land use patterns were well established and in place prior to the issuance of the NOP/NOI for the project.

These other projects were also considered in the cumulative analysis for the Off-site Water Facility Alternatives as described on DEIR/DEIS pages 4-7 through 4-13. Even if these projects were to develop in the future, no net increase in total water usage within NCMWC's service area beyond its total settlement contract amount of 120,200 AFY is expected. Rather, given current building code standards and water conservation requirements for new development, urban growth within the Natomas Basin would likely have a reduced water demand on a per acre basis when compared to current agricultural uses within NCMWC's service area. Additionally, the Natomas Joint Vision Memorandum of Understanding (MOU) signed by the City of Sacramento and Sacramento County encourages a 1:1 ratio of open space to development, thereby further limiting total urban water use.

To reflect these considerations, additional discussion has been added to page 4-59 of the DEIR/DEIS under the "Water Supply" heading as shown in Chapter 5, "Errata" of this FEIR/FEIS.

USBR-17

*The comment states that the DEIR/DEIS mischaracterizes CVP operations by assuming that Reclamation delivers NCMWC its full contract entitlement.*

The City disagrees that the DEIR/DEIS mischaracterizes CVP operations and deliveries to NCMWC. Although the Wagner and Bonsignore report indicates that NCMWC has not used its full contract entitlement in either 2004 or 2007, the actual water use does not negate the fact that NCMWC could have used its entire contract supply in either year. The full use of NCMWC's Base Supply and "Project" water supplies was considered appropriate for the DEIR/DEIS analysis for four important reasons.

First, Reclamation renewed NCMWC's settlement contract in 2005, which is the source water supply for the assignment. This supply was covered under an EIS for NEPA compliance, and the ROD was approved in 2005. The full amount of NCMWC's settlement contract was incorporated into Reclamation's Operations Criteria and Plan (OCAP) (2004 and 2008) and is factored into the baseline for CalSim II in which the effects of the assignment were evaluated. Since the circulation of the DEIR/DEIS, the California Court of Appeal also has issued a decision that supports the DEIR/DEIS' approach in using the full amount of NCMWC's settlement contract. Specifically, in *Cherry Valley Pass Acres and Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, the Court of Appeal upheld an EIR for a proposed development that used, as the EIR's baseline for water supply impact analysis, the full amount of a groundwater right associated with the relevant property under a stipulated groundwater adjudication where water use on the property had declined between the time that the adjudication occurred and the time that the EIR was prepared. (*Cherry Valley, supra*, 190 Cal.App.4th at pages 335-346.) The City's reliance on the full amount of NCMWC's settlement contract is similar because that contract states the continuing terms under which Reclamation and NCMWC have agreed to resolve their dispute concerning the CVP's impacts on NCMWC's pre-CVP water rights. That settlement contract therefore has the same function as the stipulated groundwater adjudication in *Cherry Valley* and provides an appropriate basis for this project's EIR/EIS analysis.

Second, the City cannot speculate as to what other beneficial uses Reclamation could have supplied with NCMWC's unused CVP water. In reality, this unused water could have remained in storage in Shasta Reservoir, been delivered to another CVP contractor either north or south of the Delta, or been used to support Delta outflows either through inflow-bypass or storage releases. In addition, under the Central Valley Project Improvement Act, NCMWC could have transferred that unused supply annually in the area of origin. (Central Valley Project Improvement Act [CVPIA] Sections 3405[a][1][A], 3405[a][1][M].) In the absence of speculation by the City and in considering Reclamation's recent renewal of NCMWC's settlement contract, the full contract amount, subject to contract shortage provisions, is adequate for the purposes of characterizing existing conditions and analyzing potential effects.

Third, the DEIR/DEIS assesses potential impacts to the Sacramento River and CVP based on the full diversion of the 8,000 AFY (see Table 3B.9-3 of the DEIR/DEIS). As described in Chapter 2 of the DEIR/DEIS, the City only proposes to divert up to 6,000 AFY through the Freeport Project; hence, the impact analysis provides an overly conservative analysis of the potential impacts to both the CVP and the Sacramento River. In most years, the contract surplus would be available for Reclamation to put to beneficial use consistent with the provisions of the CVPIA (see Table 3B.9-3 of the DEIR/DEIS).

Finally, the City will be diverting water only within the Freeport Project's available capacity, which the Bureau already has incorporated into OCAP (2004 and 2008). Accordingly, whatever the status of NCMWC's use of CVP water, Reclamation's operations already account for the water that the City would otherwise divert. However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions that could require additional environmental review and NEPA compliance.

USBR-18

*The comment states that the DEIR/DEIS suggests the assigned water would flow further downstream to the Freeport Project diversion as opposed to being diverted in NCMWC's service area.*

The comment is correct in its characterization of the assignment's change in the physical point of diversion along the Sacramento River from NCMWC's service area to Freeport. This operational characterization is important in correctly framing the proposed assignment as a change in the point of diversion as opposed to creating a new diversion. As discussed in response to comment USBR-17 above, the City's use of the Freeport diversion means that the City's diversion of the water assigned by NCMWC is already incorporated within the OCAP. In addition, the DEIR/DEIS describes and analyzes the operational changes associated with the assigned water. As described in the second paragraph on page 2-81 of the DEIR/DEIS, the major change associated with the assignment is the corresponding change in the delivery schedule of the assigned water to an M&I schedule. This change in the delivery schedule, which currently occurs during the months of July and August, would be decreased to smaller, more consistent diversions on a year-round basis from an existing diversion site further south. In the context of the 1.8 to 2.8 million acre feet (MAF) of supply conveyed through Reclamation's Sacramento River Division, the anticipated changes do not justify any additional analysis of system reoperations beyond that provided in the DEIR/DEIS.

However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including the consideration of the proposed water/land use

changes under the assignment and the resulting reoperation effects on the CVP, which could require additional environmental review and NEPA compliance.

USBR-19

*The comment states that the DEIR/DEIS assumes a very limited reoperation scenario based on the assumption of non-diversion of full contract delivery to NCMWC rather than systematic operation. The comment further states that no discussion is included about water/land use changes resulting from the proposal.*

See response to comment USBR-18.

USBR-20

*The comment states that the CVP only delivers to Natomas Mutual diversion point what has been historically used within the district to support agricultural activities and, therefore, no additional water would flow downstream to the Freeport location.*

See responses to comments USBR-1 and USBR-17 (concerning the recent *Cherry Valley* decision). The City believes that the proposed assignment triggers terms of the CVPIA that favor contractors in the area of origin. Specifically, the City believes that the assignment triggers CVPIA Section 3405(a)(1)(M), which states that transfers between area of origin contractors like the City and NCMWC are deemed to satisfy CVPIA Section 3405(a)(1)(A), which states that the amount of transfers would be based on historic use. The City is unclear on the commenter's suggested basis for treating the proposed assignment differently than how it would be treated as a transfer. Accordingly, congressional policy established in CVPIA dictates that the fact that NCMWC may not have taken full contract deliveries in recent years does not affect the amount of water available for NCMWC to assign. In addition, as discussed in response to comment USBR-1, NCMWC's settlement contract with Reclamation authorized NCMWC to assign "Project" water, subject to Reclamation's approval, which may not be unreasonably withheld.

However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including the consideration of the historic use of contract water supply and its appurtenance to the NCMWC's served lands under the Sacramento River settlement contract (SRSC), which could require additional environmental review and NEPA compliance.

USBR-21

*The comment states that the proposed assignment water would represent a new water demand associated with the Folsom land use water demand development.*

The comment is correct in that development of the SPA would represent a new water demand. As provided on page 2-79 of the DEIR/DEIS, the project's total water demand is estimated at 5,543 AFY, which was rounded up to 5,600 AFY for the purposes of analysis. These demands, however, would be met with existing CVP water supplies via assignment from NCMWC, subject to the 25% shortage provision stated in Article 5(a) of NCMWC's settlement contract with Reclamation. (Appendix G to DEIR/DEIS Appendix M1, Article 5[a].) Hence, the assignment would not create a new CVP demand, but would rather change the pattern of delivery for an existing CVP demand. In addition, as discussed in response to comment USBR-17, the City's diversions of that water would be within Freeport Project's diversion and conveyance capacity that Reclamation already has incorporated into the OCAP.

However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including the consideration of the historic use of contract water supply in NCMWC's service area and the severance of this supply from the land

through the assignment (i.e., new water supply), which could require additional environmental review and NEPA compliance.

USBR-22

*The comment states that the project assignment would create a reoperation effect on the CVP-State Water Project (SWP) system that is not analyzed in the DEIR/DEIS.*

The assignment would create a minor reoperation effect as a result of the change in delivery schedule from Agriculture to M&I. Article 3(e) of NCMWC's settlement contract with Reclamation contemplates that NCMWC could assign "Project" water to another entity and Article 7(a) of that contract contemplates that "Project" water could be shifted to municipal and industrial use. (Appendix G to DEIR/DEIS Appendix M1, Articles 3[e], 7[a].) The effect of implementation of the proposed assignment consistent with these contract terms is evaluated both at the project and cumulative levels in the DEIR/DEIS. However, the assignment would have no effect on existing CVP operations, because no CVP facilities would be used beyond the main channel of the Sacramento River and Shasta Reservoir in which NCMWC's supplies are already stored. Project-related effects to CVP operations are specifically shown in Table 3B.9-3 and discussed on pages 3B.9-28 through 3B.9-30 of the DEIR/DEIS and were concluded to be less than significant. Potential cumulative effects to the CVP/SWP system are discussed on pages 4-40 through 4-41 of the DEIR/DEIS and were not considered cumulatively considerable based on the small quantity of water involved in relation to the 9 million acre-feet of total supplies within the CVP/SWP system.

However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including the consideration of the proposed water/land use changes under the assignment and the resulting reoperation effects on the CVP, which could require additional environmental review and NEPA compliance. Although the City considered these effects to be beyond the scope of the project, the City has added additional text to page 3-2 of the DEIR/DEIS to clarify this understanding as shown in Chapter 5, "Errata" of this FEIR/FEIS.

USBR-23

*The comment states that the analysis contained in the DEIR/DEIS is not sufficient to support an assignment from NCMWC to Folsom because the actual impacts to the CVP have not been addressed.*

As discussed in response to comment USBR-1, the DEIR/DEIS analyzed the impacts of the proposed assignment based on several assumptions concerning its implementation. The DEIR/DEIS' characterization and analysis of potential impacts to CVP operations from the proposed assignment is adequate. The potential effects of the assignment in the context of overall CVP operations are discussed in detail in Impact 3B.9-4 of the DEIR/DEIS on pages 3B.9-28 through 3B.9-30 and in the cumulative analysis on pages 4-40 through 4-41. DEIR/DEIS Table 3B.9-3 (page 3B.9-29) provides a monthly summary of the potential effects, including the CVP. As provided, the main effects of the assignment are associated with the change in the delivery schedule from Agriculture to M&I combined with a reduction in the efficiency of return flows (e.g., 65% to 80%) to the Sacramento River. Article 3(e) of NCMWC's settlement contract with Reclamation contemplates that NCMWC could assign "Project" water to another entity and Article 7(a) of that contract contemplates that "Project" water could be shifted to municipal and industrial use. (Appendix G to DEIR/DEIS Appendix M1, Articles 3[e], 7[a].)

These effects were then considered in the context of the City's proposed purchasing of capacity within the existing Freeport Project, which has already undergone NEPA review. The certified Freeport Project EIR/EIS is incorporated by reference into the

DEIR/DEIS. As described on pages 2-81 to 2-82 of the DEIR/DEIS, as part of proposed Off-site Water Facility Alternatives, the City would purchase diversion and conveyance capacity within the Freeport Project from Sacramento County Water Agency and, therefore, no increase in diversion capacity is proposed along the Sacramento River. Additionally, the assignment would involve the use of existing CVP contract supplies and, therefore, would not infringe on any other CVP contractor's supply. In this context, the effects described in DEIR/DEIS Impact 3B.9-4 consider all the operational changes that would occur in conjunction with the assignment and appropriately conclude the impact as less than significant.

However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including the consideration of the effects to the overall CVP, which could require additional environmental review and NEPA compliance.

USBR-24

*The comment states that the discussion in the DEIR/DEIS is insufficient and needs to include a valid analysis of the historic use of the subject water by NCMWC and discuss how diversion of possibly unused water might affect the overall demand for CVP water.*

By analyzing possible impacts to the reach of the Sacramento River between NCMWC's diversion and the Freeport Project diversion, the DEIR/DEIS analyzes the portion of the CVP system that could be affected by the project. Because the project would involve Freeport diversions within the Freeport Project's capacity (DEIR/DEIS, pages 1-2 and 2-82 to 2-83), the use of that capacity is already incorporated into the OCAP and the DEIR/DEIS incorporates the Freeport Project's EIR/EIS (page 1-17), the project would not result in any impacts to the CVP below Freeport. In addition, the project would involve an assignment of a portion of NCMWC's "Project" water under its settlement contract and therefore the delivery of that water to NCMWC is also already incorporated into the OCAP. Moreover, as discussed above (see response to comment USBR-20), the CVPIA dictates that all of NCMWC's "Project" water is available for assignment. Further, as discussed in more detail below (see responses to comments USBR-92 and USBR-106), the amount of CVP "Project" water to be assigned from NCMWC to the City is extremely small in relation to the total amount of water within the CVP system. Finally, the DEIR/DEIS analyzes the project's impacts within NCMWC's service area and the Sacramento River between NCMWC and Freeport. (DEIR/DEIS, pages 3B.3-37 to 3B.3-38, 3B.3-50 to 3B.3-51, 3B.3-61, 3B.9-1 to 3B.9-6, 3B.9-19 to 3B.9-20, and 3B.9-28 to 3B.9-30.)

However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including the consideration of the cumulative effects on the demand for CVP water, which could require additional environmental review and NEPA compliance.

USBR-25

*The comment states that the DEIR/DEIS does not contain a discussion of full CVP-SWP reoperation effects resulting from the potential assignment.*

See responses to comments USBR-1, USBR-22, and USBR-23. The project assignment would not create conditions that necessitate full CVP reoperation. The DEIR/DEIS provides a detailed discussion of the anticipated impacts to the CVP/SWP both within the Delta and CVP reservoirs. DEIR/DEIS Table 3B.9-3 (page 3B.9-29) provides specific detail as to the assignment's effects in terms of both changes to CVP use and changes to the Lower Sacramento River, which in turn may be correlated with potential changes downstream in the Delta. As provided in the last paragraph of Impact 3B.9-4 on page 3B.9-30 of the DEIR/DEIS, based on the change in delivery schedule, the assignment



would result in increased diversions during other times of the year when compared to existing conditions. This impact was determined to be less than significant in the context that the increased diversion would occur during times of the year when more water is present within the Sacramento River combined with a reduction in demand when water demands are at their highest (e.g. July and August) and river flows are at their lowest.

To provide additional details regarding the project's potential effects to average monthly storage within Shasta Reservoir, the City has added additional detail to Table 3B.9-3 of the DEIR/DEIS as shown in Chapter 5, "Errata" of this FEIR/FEIS.

USBR-26

*The comment states that no analysis is provided of the reoperation or the effects of distribution of the assignment as "new demand" in the Central Valley. The comment suggests that this information should appear in the Chapter 3, "Water" sections of the DEIR/DEIS.*

See response to comment USBR-25.

USBR-27

*The comment states that the "Water" Study Area includes NCMWC service area, portions of the Sacramento River, and pipeline alignments and water treatment plant (WTP) locations, which extend from the community of Freeport through central and eastern Sacramento County to the SPA, but not the integrated system of the CVP (Shasta Reservoir, Upper tributaries, Sacramento River, American River, and the Delta).*

See response to comment USBR-24.

USBR-28

*The comment states that other options to a diversion at Freeport, based on capacity issues, are not clearly described in the DEIR/DEIS.*

The DEIR/DEIS considered options to the diversion at Freeport. Section 2.8 of the DEIR/DEIS describes the "Water" Alternatives considered but eliminated from further evaluation in the DEIR/DEIS. Section 2.8.1 of the DEIR/DEIS describes the screening process and result of the various alternatives considered. As provided on page 2-99 of the DEIR/DEIS, a new Sacramento River diversion and water right was not considered as part of the Off-site Water Facility Alternatives primarily due to greater physical and operational impacts to the Sacramento River and the additional length of conveyance facilities that would be required. For this reason, the diversion of the assigned water at Freeport was selected for further consideration under NEPA. In addition, the DEIR/DEIS incorporates the Freeport Project's EIR/EIS by reference (DEIR/DEIS, page 1-17).

As explained in response to comment USBR-1, because the proposed assignment would not result in work in navigable waters or the discharge of dredged or fill material into waters of the U.S., this activity is not within the USACE's scope of analysis, and therefore USACE determined that the screening criteria for the water supply alternatives is sufficient for its purposes. If Reclamation were to determine that additional analysis would be required on the proposed assignment for compliance with NEPA, the USACE anticipates that Reclamation would be the lead Federal agency. In addition, the USACE understands that this additional NEPA analysis might include an analysis of some or all of the water supply alternatives that were screened out within this EIS, or an analysis of other alternatives developed by Reclamation.

USBR-29

*The comment asks how sufficiency of the surface water supply from Natomas is addressed in the analysis of impacts (rescheduling base supply to cover shortages and long-term reliance on this water source).*

The sufficiency of NCMWC's water supply for the project is evaluated extensively in Section 3A.18, "Water Supply" of the DEIR/DEIS. As provided on page 3A.18-9 of the DEIR/DEIS, the analysis provided in the WSA and summarized in Table 3A.18-7 concludes that the NCMWC water supply would be sufficient to meet projected water demands in normal and critically dry years. This conclusion is supported by the draft agreements and MOUs entered into between the City and/or project applicants, and some of these critical approval entities (e.g., NCMWC)(see Appendices E-G to DEIR/DEIS Appendix M1; see also FEIR/FEIS Appendix T), thereby establishing a solid initial framework for the required approvals. Further, the DEIR/DEIS notes that because there is no complete certainty as to the legal and regulatory approvals required, including those from Reclamation, successful implementation of DEIR/DEIS Mitigation Measure 3A.18-1 would be required prior to approval of any small-lot tentative subdivision map.

Further, the assignment does not propose the purchasing or rescheduling of NCMWC's Base Supply and, therefore, the City anticipates no change to the delivery pattern for NCMWC's Base Supply. This conclusion is supported by the findings of the report prepared by Wagner and Bonsignore (contained in Appendix M2 of the DEIR/DEIS, see Tables 18 and 19), which indicates that no change in the delivery of NCMWC's Base Supply would be required, even during the critical year condition, to satisfy 2007 cropping patterns. As discussed in more detail below in response to comment USBR-35, the NCMWC-South Folsom Properties, LLC (SFP) agreement itself resolves this issue.

To further clarify this distinction between NCMWC's "Base Supply" and "Project" water," additional text has been added to page 2-81 of the DEIR/DEIS as shown in Chapter 5, "Errata" of this FEIR/FEIS.

USBR-30

*The comment suggests that the option of reducing existing water supplies north of U.S. 50 to meet the relatively small demand of the project (i.e., 5,600 AFY) should be analyzed in the DEIR/DEIS.*

See responses to comments USBR-10, USBR-12, and USBR-13.

USBR-31

*The comment states that NEPA requires all reasonable alternatives to be analyzed, even those beyond the authority of the agency to implement.*

See responses to comments USBR-10, USBR-12, and USBR-13.

USBR-32

*The comment states that the City did not appear to look at reliable water sources for the development that could meet the requirements of Measure W besides NCMWC assignment of CVP settlement contract water.*

See response to comment USBR-10. As provided on page 2-99 of the DEIR/DEIS, the City evaluated a total of 10 water sources for the project. Each of these alternative water sources were initially considered, but not carried forward for additional evaluation in the DEIR/DEIS as a result of one or more reasons described on page 2-99, except for the primary preferred source. Additionally, to satisfy the requirements of CEQA, the City evaluated three additional water supply options (to meet CEQA requirements under the *Vineyard* case) for the assignment in Section 3A.18.5, "Water Supply" of the DEIR/DEIS. The selection of the NCMWC CVP settlement contract supply for full

consideration under NEPA is rooted in the fact that this supply is most closely aligned with the purpose and need of the water portion of the project.

USBR-33

*The comment suggests that the analysis should look at the benefits/disadvantages of the various alternative sources, one of the criteria being whether the proposal would meet the Water Forum Agreement (WFA) objectives.*

As provided on page 1-8 of the DEIR/DEIS, a primary objective of the water portion of the project is to secure a reliable water supply consistent with the objectives of the Water Forum Agreement (WFA). Other alternatives considered but not carried forward for further evaluation are described in Section 2.8 on pages 2-97 through 2-104 of the DEIR/DEIS. Of the other alternatives considered, their consistency with the WFA was central to the City's evaluation and ultimate decision to carry forward the NCMWC supply with diversion at Freeport for consideration under NEPA and CEQA.

USBR-34

*The comment states that a key objective is [to determine] whether the water supply alternative would hamper in any way Reclamation's ability to meet in-stream/downstream flow and temperature requirements, as per the June 4, 2009, National Marine Fisheries Service (NMFS) Biological Opinion (BO), in accordance with its public trust resource responsibilities.*

The comment does not account for the fact that the City proposes to divert water only within the Freeport Project's existing capacity (DEIR/DEIS, page 1-2), which is already considered in the USFWS/NMFS Biological Opinions (BOs) and the Reasonable and Prudent Alternatives (RPA) prescribed by these agencies (DEIR/DEIS, page 3B.9-14). The DEIR/DEIS (page 1-17) also incorporates the Freeport Project's EIR/EIS by reference. Additionally, the comment does not consider the benefits of changing the Agricultural delivery schedule to an M&I schedule. This change would reduce deliveries in July in August, but would extend the deliveries into months of September, October, and November, thereby contributing minor additions of flow to the section of the Sacramento River between NCMWC's existing diversion point and the Freeport project and the stabilization of flows during the fall-run/late fall-run spawning period consistent with RPA and CVPIA Anadromous Fish Restoration Program guidelines. (DEIR/DEIS, pages 3B.3-37 to 3B.3-38, 3B.3-50, 3B.3-61, 3B.9-1 to 3B.9-6, 3B.9-19 to 3B.9-20, and 3B.9-28 to 3B.9-30.)

USBR-35

*The comments states that the agreement between NCMWC and the City indicates that the base supply would need to be rescheduled to the critical months, which is not analyzed in the DEIR/DEIS.*

While the NCMWC-SFP agreement suggests the possibility that NCMWC would seek to change the timing of the delivery of its Base Supply, that agreement also indicates that the issue (described in Milestone A of that agreement) was resolved by the time that NCMWC and SFP signed that agreement. (NCMWC-SFP agreement, Sections 1.6, 1.7, 8.2 [Appendix E to DEIR/DEIS Appendix M, pages 2, 5, and 17].) Any rescheduling of Base Supply that might have been contemplated is therefore not an issue for the DEIR/DEIS.

USBR-36

*The comment asks about the efficiency of the return flow once it was used consumptively by the project.*

See responses to comments USBR-8 and USBR-9.

- USBR-37 *Then comments asks for clarifications as to whether return flows under the assignment would go back into the American River or into the Cosumnes River.*
- See responses to comments USBR-8 and USBR-9.
- USBR-38 *The comment states that NCMWC did not appear to be included in the analysis of water demand factors.*
- Because the WSA only addresses the M&I water supplies associated with the project, its water-demand analysis did not review NCMWC's agricultural water demands. The WSA includes a review of demands within the service areas of nearby municipal and industrial water suppliers besides the City. (DEIR/DEIS, Appendix M1, pages 12-13.)
- For water demands within NCMWC's service area, the Wagner & Bonsignore Report provided in Appendix M2 of the DEIR/DEIS includes an analysis of available supplies before and after the assignment and their adequacy based on 2004 and 2007 cropping patterns.
- USBR-39 *The comment asks how projected water use within the current city limits is projected to experience a slight decrease by 2030 to 27,069 AFY and whether this decrease is anticipated in the SPA and reflects a 20% per capita reduction in urban water use statewide by 2020.*
- As the DEIR/DEIS text quoted by the comment explains, the SPA's water demands are separate from the water demands of the existing City service area. As the WSA explains, the City's 2005 urban water management plan (UWMP) addressed only the City's existing service area and the SPA's water demands were not included in the 2005 UWMP's analysis. (DEIR/DEIS, Appendix M, page 1.) As also described in the WSA, the 2009 conservation legislation supports the City's water-demand analysis for the SPA. (DEIR/DEIS, Appendix M, page 14.)
- USBR-40 *The comments asks whether the City's projected water use (by 2030) as provided in the City's Water Master Plan includes the SPA demand because the SPA is supposed to be annexed before 2030.*
- See response to comment USBR-39.
- USBR-41 *The comment states that the assignment suggests a need to reschedule base supply in the summer months, and the comment asks how is this factored into the DEIR/DEIS analysis.*
- See response to comment USBR-29.
- USBR-42 *The comment states that the timing of the agreement between NCMWC and SFP to ensure a secured water source (additional 1-year periods) is not consistent with a long-term assignment of the water by Reclamation.*
- The comment misinterprets the NCMWC-SFP agreement. Under that agreement, SFP has an initial period of 5 years to close its acquisition of 8,000 AFY from NCMWC and that 5-year period can be extended in 1-year increments. (NCMWC-SFP agreement, Section 8.7 [Appendix E to DEIR/DEIS Appendix M, page 6].) Once closed, SFP's acquisition of that supply would be permanent. (NCMWC-SFP agreement, Section 3.1 (Appendix E to DEIR/DEIS Appendix M, page 3).)

USBR-43

*The comment states that the City, not the developer, would need to work with Reclamation and Natomas to get approval for the assignment.*

The comment is correct. This understanding is reflected in the first two paragraphs on page 2-81 of the DEIR/DEIS.

USBR-44

*The comment suggests that water supplies used to service the other areas in Folsom are not accounted in the DEIR/DEIS analysis and should be evaluated under NEPA.*

See response to comment USBR-39. The EIR/EIS would support the City's application to the Sacramento County Local Agency Formation Commission (LAFCo) to annex the SPA and that LAFCo is a responsible agency for the current project. (DEIR/DEIS, pages 1-12 to 1-13.) The project does not propose to use "Project" water assigned by NCMWC to service other areas of Folsom or to construct new water conveyance facilities other than those analyzed in the DEIR/DEIS.

USBR-45

*The comment suggests that a section and page reference for mitigation measures associated with water supply facilities should be identified.*

Mitigation measures proposed specifically for one or more of the Off-site Water Facility Alternatives are distinguishable by a "B" in the mitigation number (e.g., 3B.1-2). The section number in each mitigation measure is denoted by the first three characters of the mitigation measures (e.g., Mitigation Measure 3B.1-2 applies to Section 3B.1, "Aesthetics – Water"). All mitigation measures proposed by the City are summarized in the DEIR/DEIS Executive Summary, Table ES-1, starting on page ES-10.

USBR-46

*The comment asks who would be responsible to mitigate for impacts associated with the water supply facilities.*

The City's Utilities Department would be the entity with the primary responsibility for implementing and enforcing mitigation measures prescribed for the Off-site Water Facility Alternatives.

USBR-47

*The comment asks if the rescheduling of the base supply into the summer months would necessitate a change in existing irrigation patterns. The comment then suggests that the biological effects of the water supply are not analyzed as a result of a limited project footprint.*

The comment incorrectly suggests that an assignment of Base Supply is proposed. Under the NCMWC-SFP agreement, "Project" water would be assigned. (NCMWC-SFP agreement, Sections 1.3 and 3.1 [Appendix E to DEIR/DEIS Appendix M1, pages 2-3].) In addition, as discussed in the Wagner & Bonsignore report, even an assignment of 10,000 AFY would not affect the availability of water to serve demands within NCMWC. (DEIR/DEIS Appendix M2, pages 16-27.) The NCMWC-SFP agreement suggests the possibility that NCMWC would seek to change the timing of the delivery of its Base Supply, but that agreement also indicates that the issue (described in Milestone A of that agreement) was resolved by the time that NCMWC and SFP signed that agreement. (NCMWC-SFP agreement, Sections 1.6, 1.7, and 8.2 [Appendix E to DEIR/DEIS Appendix M1, pages 2, 5, and 17].) Any rescheduling of Base Supply that might have been contemplated is therefore not an issue for the DEIR/DEIS. To the extent that NCMWC might make a future request to reschedule Base Supply, Reclamation would need to determine, at that time, what type of review under NEPA would be required to address NCMWC's specific request.

As discussed in response to comment USBR-24 above, the DEIR/DEIS analyzes the impacts to the portions of the CVP system that could be affected by the project. That analysis contains extensive analysis of the project's potential impacts within NCMWC's service area, which is Zone 1 of the DEIR/DEIS's "Water" study area. That analysis is based in part on Wagner & Bonsignore's analysis of any possible impacts on NCMWC's irrigation capacity that an assignment of up to 10,000 AFY would cause (see DEIR/DEIS Appendix M2).

USBR-48

*The comment states that because the project would be operated as an integrated system, the water supply portion of the biological effects analysis must consider the impacts of the diversion (both the rescheduling of project supply as M&I and seasonal diversion pattern change) as well as the scheduling of the base supply in the critical months of July and August.*

As provided in response to comment USBR-29 above, the project does not propose any rescheduling of NCMWC's Base Supply. In addition, as discussed in response to comment USBR-35 above, the NCMWC-SFP agreement treats the Base Supply rescheduling issue as resolved. Further, based on the findings of the Wagner and Bonsignore report in Appendix M2 of the DEIR/DEIS, other water sources within NCMWC would be available to compensate for the assigned "Project" water, thereby eliminating the need to reschedule a portion of NCMWC's Base Supply into the months of July and August.

To ensure an adequate evaluation of the potential effects to fisheries within the Sacramento River as a result of the assignment, the DEIR/DEIS incorporates by reference the EIR/EIS prepared for the Freeport Regional Water Project. As provided on page 3B.3-35 of the DEIR/DEIS, the Freeport Project EIR/EIS provides extensive detail regarding the terrestrial biological and fishery resources present within Zones 2 and 3 of the "Water" Study Area. This includes consideration of potentially occurring fish species and associated life stages relative to the magnitude, timing, frequency, and duration of operations at Freeport. This consideration includes construction of the diversion facilities and water supply operations. Species habitat attributes potentially affected by water supply operations and assessed in the Freeport Project EIR/EIS include spawning habitat area, rearing habitat area, migration habitat conditions, water temperature, food, and entrainment in diversions. Given that the assignment involves no increase in the permitted capacity for the Freeport Project diversion from that evaluated in the EIR/EIS, these issues are not revisited in the DEIR/DEIS prepared for this project.

Beyond considering the use of existing Freeport Project facilities, Impacts 3B.3-2 and 3B.3-6 in the DEIR/DEIS provide additional discussion of the potential effects to fisheries based on the change in flow within the Sacramento River as a result of the assignment. These effects are qualitatively discussed and are based on the changes in flow as provided in Table 3B.9-3 of the DEIR/DEIS. As discussed, the proposed change in the point of diversion and change in CVP delivery schedule are relatively minor effects when compared to overall flows in the Sacramento River system, including total Delta inflow and outflow, and Delta CVP and State Water Project (SWP) exports.

Further, consideration is also provided for potential impacts on special status fish species from increased discharges of ammonia from SRCSD's WWTP based on the change in return flows following the assignment. As provided on page 3B.3-51 of the DEIR/DEIS, given the various existing stressors that characterize existing river conditions combined with the fact that the Off-site Water Facility Alternatives would involve only minor hydrologic changes and essentially a trading in the type of nitrogen-based inputs to the

system, potential impacts to fisheries in relation to cumulative sources of existing nitrogen loadings were considered less than significant.

Given the DEIR/DEIS' careful consideration of the direct and indirect impacts to fisheries as a result of the assignment, issues related to changes in the pattern and seasonal use of the assigned CVP are considered adequately covered and no additional analysis is warranted.

USBR-49 *The comments suggests that the DEIR/DEIS should provide an analysis of how the assignment's changes in pattern and seasonal water use would impact fish species because of the reoperation of the CVP (systemwide from Shasta Reservoir into the Delta).*

See response to comment USBR-48.

USBR-50 *The comment states that the land-use changes that would result in NCMWC's service area because of the assignment have not been fully analyzed.*

See responses to comments USBR-16 and USBR-29. In addition, the Wagner & Bonsignore report as provided in Appendix M2 to the DEIR/DEIS, satisfies the requirements of Section 1.7 "Milestone A" of the referenced agreement between NCWMC and SFP, and is intended to confirm the adequacy of NCMWC's critical month water supplies with the proposed assignment.

USBR-51 *The comment states that the Agreement between the land developer SFP and NCMWC (provided in Appendix M1 of the DEIR/DEIS) concludes the surface water needs would need to be analyzed to determine if future NCMWC service area needs would be met.*

See response to comment USBR-50.

USBR-52 *The comment states the DEIR/DEIS seems to conclude natural communities would be affected only by substantial changes in water levels or diversion of flow and that impacts resulting from changes in water temperature and seasonal flow fluctuations have not been addressed.*

The comment references DEIR/DEIS Impact 3B.3-5, "Loss of Sensitive Natural Communities" (not already covered under other impacts), and takes the discussion out of context. The discussion provided on DEIR/DEIS pages 3B.3-55 through 3B.3-56 focuses on physical impacts within Zone 4 of the "Water" Study Area and changes in water levels and flow within the Sacramento River as a result of the assignment and the corresponding effects to sensitive natural communities or habitats. Issues related to water temperature are addressed in the Freeport Project EIR/EIS, which is incorporated by reference into the DEIR/DEIS. Effects of the assignment on seasonal flow are discussed and analyzed in Impact 3B.9-4 of the DEIR/DEIS.

USBR-53 *The comment states that return flows need to be analyzed (i.e., those that would normally get into the American River to help meet downstream requirements as per NCMWC's unused contract irrigation supply) and asks how these are being factored in.*

See response to comment USBR-8.

- USBR-54 *The comment states that the DEIR/DEIS seems to suggest the return flows would continue down the Sacramento River and into the Cosumnes River.*
- See response to comment USBR-9.
- USBR-55 *The comment states that the DEIR/DEIS provide no discussion regarding the resource management agency consultation and coordination phase of this project, in particular, a consultation on the impacts of the Off-site Water Facility Alternatives on listed species because of the changes in delivery pattern/season/place of use under the assignment.*
- See response to comment USBR-4. Based on the assumptions described in response to comment USBR-1, the DEIR/DEIS analyzes all foreseeable environmental issues associated with the proposed assignment and therefore provides a technical basis for any required ESA analysis. Finally, the DEIR/DEIS analysis demonstrates that the assignment, as described in response to comment USBR-1, would not affect any listed species. (DEIR/DEIS pages 3B.3-34, 3B.3-50 to 3B.3-51, 3B.3-55 to 3B.3-56, 3B.3-61, 3B.9-19 to 3B.9-21, and 3B.9-28 to 3B.9-30.)
- USBR-56 *The comment states that the DEIR/DEIS contains no analysis to support ESA Section 7 compliance for the assignment.*
- See responses to comments USBR-1, USBR-4, and USBR-55.
- USBR-57 *The comment states that the Groundwater Basin Option described on page 3A.18-23 does not appear to be a viable alternative to the Natomas assignment given the contaminant levels within the surrounding areas.*
- As the DEIR/DEIS explains, the groundwater supply option is included to fulfill CEQA's requirement that, where the primary water supply is not secure, an EIR must describe the possible impacts of other water supply options. (See DEIR/DEIS pages 3A.18-23.) This CEQA requirement derives from state case law. NEPA does not require such an analysis. The groundwater supply option therefore is not relevant for NEPA purposes and, in particular, is not a NEPA alternative. In addition, CEQA does not require that the options to the primary water supply be secure, but only that the EIR disclose and discuss them. (*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* [2007] 40 Cal.4th 412, 432.) In addition, the DEIR/DEIS determined that this option has a high level of short-term certainty, pending operation of the Freeport Project's operation. While further contaminant analysis would be necessary to determine what drinking-water treatment would be necessary, groundwater from eastern portions of the Central Subbasin is already used as a source of supply and the existing level of information is sufficient for the City to conduct the water-supply option analysis required only by CEQA.
- USBR-58 *The comment states that data may be incomplete to make any conclusions regarding groundwater quality impacts because water quality data are limited, as stated on page 3A.09-6 in the DEIR/DEIS.*
- See response to comment USBR-57.



USBR-59

*The comment refers to seasonal perched groundwater that may be present in the fractures, whose quantity typically would vary throughout the project site. The comment states that this seems to suggest groundwater over a semi-confining layer and an unsaturated condition below the layers, but that this may not be the case for fractured bedrock.*

This information stated in DEIR/DEIS page 3A.9-5 is as follows, “Groundwater volumes typically vary locally throughout the SPA. Seasonal perched groundwater may be present in the fractures of the weathered bedrock found beneath the SPA at varying times of the year, as evidenced by the presence of vernal pools regarding the fractured bedrock aquifer.” This data was provided by Youngdahl Consulting Group, Ltd., certified geotechnical engineers, in its geotechnical report for the project site (2003), and attached as Appendix F to the DEIR/DEIS. The commenter states: “This seems to suggest groundwater over a semi-confining layer and an unsaturated condition below the layers. This may not be the case for fractured bedrock.” It is unclear as to what disagreement the commenter has with the opinion provided by the geotechnical engineer, (presented in the Affected Environment of Section 3A.9.1 of the DEIR/DEIS), or how it would affect the impact conclusions presented in Section 3A.9.3 of the DEIR/DEIS.

USBR-60

*The comment states that for the designated beneficial use that is listed as “irrigation,” it should be labeled “agriculture.” The comment states that the Central Valley Regional Water Quality Control Board (CVRWQCB) is adding or may have added the “commercial” (COMM) beneficial use for these water bodies.*

The DEIR/DEIS page 3A.9-6 lists agricultural supply under the first bullet point of designated beneficial uses. Irrigation is a subcategory under agriculture that is listed as a beneficial use for the American River (between Folsom Dam and the Sacramento River). The addition of the commercial beneficial use for the water bodies relevant to the project, as suggested by the commenter, was not able to be confirmed by the City based on the most recent Basin Plan (revised September 2009) available on the CVRWQCB website ([www.swrcb.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr.pdf](http://www.swrcb.ca.gov/centralvalley/water_issues/basin_plans/sacsjr.pdf)).

USBR-61 through  
USBR-62

*The comments state that the groundwater underlying Area 40 is contaminated with volatile and semi-volatile organic compounds, and although Section 3A.9-5 discussed groundwater hydrology in the SPA, no mention was made as to how potential changes in flows through Alder Creek because of development could affect the underlying groundwater under this stream channel and the subsequent movement or remediation of the contaminated groundwater.*

See response to comment USBR-5. As provided in that response, Alder Creek is approximately 1 mile north of Area 40. Further, Area 40 is located in an area tributary to Buffalo Creek and, therefore, the potential for a sub-surface connection between Alder Creek and Area 40 is unlikely.

USBR-63

*The comment references possible water quality impacts and asks that since the SPA is located in an area known to contain asbestos, whether any concerns exist with asbestos getting into the waterways for the short term, during construction.*

As stated in DEIR/DEIS Sections 3A.1 “Air Quality” and 3A.7 “Geology, Soils, Minerals, and Paleontological Resources,” soils containing naturally occurring asbestos have the potential to be present in the SPA. Because naturally occurring earth materials are subject to weathering and erosion, some background levels of asbestos and metals are likely present at all times in the streams that flow across soils containing naturally

occurring asbestos. Material disturbed during construction or subsequently weathered would settle out in sediments in creek beds and some would temporarily be contained in the water column. Asbestos fibers may be carried long distance by water currents before settling, but asbestos fibers do not bind to soils and do not migrate into groundwater through soils (USEPA 2010).

Any elevated concentrations of asbestos or metals in water would be expected to be short-term in duration during construction. In general, health concerns related to asbestos and metals in drinking water are related to chronic exposure over extended periods of time. Asbestos exposure in drinking water is not known to cause any human health problems with short-term exposure and asbestos is not expected to accumulate in aquatic life (USEPA 2010).

The measures included in DEIR/DEIS Mitigation Measure 3A.2-5 (“Implement a Site Investigation to Determine the Presence of NOA and, if necessary, Prepare and Implement an Asbestos Dust Control Plan”) would also serve to minimize the transport of asbestos fibers into waterways during construction. Additionally, the implementation of Mitigation Measures 3A.2-1a and 3A.9-1 in the DEIR/DEIS would address the principal sources of sediment that could otherwise be mobilized during construction through wind and/or water erosion thereby minimizing the potential for discharges of asbestos into local waterways, including Alder Creek.

USBR-64

*The comment suggests that for water quality terms, the units for organic pesticides should be noted as “ng/L.”*

The comment is correct that DEIR/DEIS Table 3A.9-1 (page 3A.9-14) incorrectly abbreviates nanograms per liter as Ng/l instead of as ng/l in the body of the table. However, this abbreviation is correctly represented in the notes at the bottom of the table. The comment is noted.

USBR-65

*The comment states that the final sentence on page 3A.9-20 of the DEIR/DEIS mentions an impoundment on Alder Creek that may be considered under the Division of Safety of Dams jurisdiction but does not offer any additional information about the impoundment—size, location, purpose, etc. The comment suggest that if this is a feature of the project, it should be fully analyzed.*

As stated on DEIR/DEIS page 3A.9-1, the impoundments on the project site consist of several irrigation/cattle water ponds. There are no impoundments located on Alder Creek. Rather, as stated on DEIR/DEIS page 3A.9-20, one of the impoundments is located on a tributary to Alder Creek. The potential impact from flooding related this impoundment is evaluated in DEIR/DEIS Impact 3A.9-4, and mitigation is recommended on page 3A.9-44.

USBR-66

*The comment notes that detention basins are effective at removing many water quality contaminants associated with stormwater flows if they are maintained and a long-term strategy is in place to keep them operating efficiently. The comment suggests that under the bullet on page 3A.9-38 of the DEIR/DEIS, "Source control program to control water quality ...," a commitment should be added to ensure the long-term sustainability of these activities through a permanent funding source.*

As described in the DEIR/DEIS on page 3A.9-39 in the explanation of Mitigation Measure 3A.9-3, “A pond management component for the proposed basins that shall include management and maintenance requirements for the design features and Best

Management Practices (BMPs), and responsible parties for maintenance and funding” is included as a requirement for the BMP and water quality maintenance plan. In addition, as part of DEIR/DEIS Mitigation Measure 3A.9-2 (page 3A.9-29), final drainage plans must include a description of the proposed maintenance program for the on-site drainage system. Therefore, long-term maintenance requirements for the proposed detention basins and drainage system are already included in the DEIR/DEIS.

The project would also be subject to the Sacramento County and City of Folsom Phase I NPDES MS4 Permit which includes monitoring requirements specified in the monitoring and reporting program (MRP) portion of the NPDES permit. The *Stormwater Quality Design Manual* for Sacramento and South Placer Regions, which is currently the guiding technical design document for development and major redevelopment in the unincorporated County of Sacramento and City of Folsom, describes that maintenance provisions are required for all treatment control measures, as mandated by the NPDES MS4 Permit. The local permitting agencies therefore are required to ensure a maintenance plan is in place through the execution of a maintenance agreement, covenant, or permit with the property owner. The agreements generally include provisions for the permitting agency to recover costs for maintenance in the event that the property owner fails to fulfill their obligations and they also require reconstruction or replacement of the feature when it fails to function properly (Sacramento Stormwater Quality Partnership [SSQP] 2007:3-8). In addition, the City of Folsom requires a standard maintenance agreement to ensure long term maintenance of stormwater quality treatment facilities (SSQP 2009:7-8).

USBR-67 through  
USBR-68

*The comments state that a statement in the table on page 3B.17-2 is unclear as to whether groundwater pumping would increase in dry years, and if it did increase, the comments state that mitigation would be required to ensure that impacts remained less than significant.*

The DEIR/DEIS evaluates the effects of the project to groundwater on both the North and Central Sacramento County Groundwater Basins. Increased groundwater pumping within NCMWC’s service area would not occur based on the combination of supplies available to NCMWC in relation to anticipated cropping patterns. This consideration and supporting discussion are provided in the first paragraph of page 2-82 of the DEIR/DEIS and the third paragraph of page 3B.17-13.

Impacts to the Central Sacramento Groundwater are discussed and evaluated in Impacts 3B.17-2 and 3B.17-3 of the DEIR/DEIS. As provided, the impacts to the Central Groundwater Basin are mainly centered around SCWA’s reduced surface water diversion and conveyance capacity within the Freeport Project. These impacts were determined to be less than significant in the short term. However, and as provided on page 4-43, the City concluded that the impacts to groundwater resources in the Central Basin in the longer term were cumulatively considerable.

USBR-69

*The comment states that the Federal project purpose, as considered by USACE (to construct a large-scale, mixed-use development with associated infrastructure within eastern Sacramento County) can be achieved without the assignment of CVP water, yet the water supply alternatives described in Section 2 do not appear to include any alternative water sources.*

As discussed in responses to comments USBR-10 and USBR-11, the City considered numerous possible water-supply alternatives, but determined that the NCMWC

assignment is the most feasible one that would satisfy the project's objectives at this time. (DEIR/DEIS, pages 2-97 to 2-103.) In addition, as required by CEQA, the DEIR/DEIS also considered the most likely three water supply options other than the Off-Site Water Facility Alternatives, but those options have long-term reliability issues, are currently uncertain in their amounts, or involve other CVP supplies. (DEIR/DEIS, pages 3A.18-37, 3A.18-38, 3A.18-40, and 3A.18-46.)

The City has added additional detail to the conclusions provided for each of the water supply options considered in Section 3A.18 of the DEIR/DEIS to elaborate on the reasons why these water supply options were not considered as alternatives under NEPA. See Chapter 5.0, "Errata" of this FEIR/FEIS.

Because the proposed assignment would not result in work in navigable waters or the discharge of dredged or fill material into waters of the U.S., this proposed activity is not within the USACE's scope of analysis. Therefore, if Reclamation (as the Federal agency with authority over the assignment) determines that additional water supply alternatives need to be analyzed and that a supplemental NEPA document is necessary, the USACE anticipates that Reclamation would be the lead Federal agency.

USBR-70

*The comment states that Section 2.15 (mentioned in Section 2.6 of the DEIR/DEIS) is not found in the document.*

The comment is correct. The correct section reference in the DEIR/DEIS is Section 2.8 "Water" Alternatives Considered and Eliminated From Further Consideration. The section number has been corrected as shown in Chapter 5, "Errata" of this FEIR/FEIS.

USBR-71 through  
USBR-72

*The comments state that under the proposed action, approximately 37% of NCMWC's "Project" water would no longer be permanently available for use within their service area and that this would appear to be a significant amount from the standpoint of surface water availability for use in NCMWC's service area. The comments ask for an explanation as to how the assignment would affect NCMWC.*

As discussed in the Wagner & Bonsignore report, efficiencies within NCMWC's drainage system combined with changes in land use patterns within NCMWC indicate that even an assignment of 10,000 AFY would not substantially affect irrigation within NCMWC. (DEIR/DEIS, Appendix M2, pages ES-1 to ES-3, and ES-21 to ES-27.) The DEIR/DEIS analyzes the impacts of the assignment in the NCMWC service area throughout the Chapter 3 "B" sections. See also responses to comments USBR-16 and USBR-17.

USBR-73

*The comment states that the DEIR/DEIS was difficult to read because of its organization, such as having the water discussion scattered in several locations throughout the document.*

The DEIR/DEIS is logically laid out in both the Table of Contents and Chapter 1, "Introduction." Section 1.8 of the DEIR/DEIS should be referenced for an organizational summary of the document. In addition, explanations regarding the document organization are provided in the following DEIR/DEIS sections: Executive Summary (page ES-7), Chapter 1 "Introduction" (pages 1-3, 1-10, 1-11, 1-16, and 1-17), Chapter 2 "Alternatives" (pages 2-1, 2-2, 2-5, 2-80, and 2-104), and Section 3.1 "Approach to Environmental Analysis" (page 3-2).

USBR-74

*The comment states that the additional alternatives or water supply options are contained in the land or “A” section of the DEIR/DEIS, near the end of Volume 3. The comment suggests that because these options are considered reasonable alternatives to the assignment (as described in section 3A.18), they would have been better located in the appropriate alternatives section of the document and should have been carried forward for analysis.*

See Master Response 20 – Formulation of Off-site Water Facility Alternatives and Water Supply Options. The comment misinterprets the purpose of the water supply options discussed in Section 3A.18, “Water Supply.” As the DEIR/DEIS explains, those options are included because CEQA uniquely requires the discussion of other possible water supplies where the primary water supply is not entirely secure. (DEIR/DEIS, page 3A.18-23.) Those options are placed in the “Land” section because CEQA requires that all impacts of a land use project be analyzed, including the potential impacts of water supplies that might be implemented if the primary water supply option cannot be implemented. (See *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* [2007] 40 Cal.4th 412, 432.)

USBR-75

*The comment states that no indication is stated that compliance with NHPA Section 106 sufficient for the assignment was considered.*

See response to comment USBR-3.

USBR-76

*The comment states Reclamation’s preference to avoid adding more water to the drainage over-chutes that cross Folsom South Canal as they are currently at their design capacity.*

DEIR/DEIS Mitigation Measure 3B.9-3 (page 3B.9-26) would be required to maintain peak runoff from the water treatment plant (WTP) to pre-construction conditions whether it is constructed at the White Rock Road or Folsom Boulevard location. To ensure that the City’s drainage plan for the WTP addresses this concern, an additional performance standard has been added to Mitigation Measure 3B.9-3a as shown in Chapter 5, “Errata” of this FEIR/FEIS.

As described in responses to comments USBR-5 and USBR-7 above, the “Land” portion of the project would conform to applicable state and local regulations regarding surface water runoff and would limit peak discharges to levels existing before development (pre-project levels) through the use of detention basins and LID control measures. Any flow increase caused by project development would be eliminated through the use of stormwater detention facilities, which would be sized to maintain peak storm flows not to exceed the level existing before development. Modeling results presented in the DEIR/DEIS in Table 3A.9-3 (page 3A.9-35) indicate that with the detention basins as proposed, peak flows under development conditions would remain at or below existing conditions for the 100-year and 10-year storm events and would therefore not add more water to drainage over chutes that cross the Folsom South Canal as compared to existing conditions.

USBR-77

*The comment states that any pipelines crossing the Folsom South Canal would need to go above the canal rather than under it because boring under the canal could cause earth movement that could damage the structural integrity of the canal lining.*

The City and USACE note Reclamation’s preference for an above-ground pipeline conveyance crossing for the Folsom South Canal as opposed to a bored crossing.

Additionally, the City understands that Reclamation would require that the crossing occur at an existing feature (e.g., a bridge) as opposed to the construction of a new feature, such as a pipe bridge crossing.

USBR-78

*The comment states Reclamation's recommendation to not use Douglas Bridge as a crossing point for pipelines because it already houses several utilities and space is restricted.*

The City and USACE note Reclamation's recommendation to not use the Douglas Road Bridge for a pipeline crossing due to the presence of existing utilities.

USBR-79

*The comment states that Section 3B.15-1 in the DEIR/DEIS does not address construction of the 6-lane International Drive in Zone 4.*

The additional roadway improvement project cited by the commenter is proposed just east of the central portion of Zone 4 of the "Water" Study Area. The City expects that this roadway project would remain outside the construction area for this project and, therefore, would not affect or be affected by this project's implementation

USBR-80

*The comment asks why the City would need the additional assignment water because, according to the State Urban Water Management Plan, all future population totals through 2025 are assumed to remain at 2010 levels.*

The SPA's demands were not included in the City's 2005 urban water management plan because the land use concept was not fully developed. (DEIR/DEIS, Appendix M1, page 1.) In addition, as discussed above, Measure W requires that the SPA's water demands not affect water supplies to the existing City. (See response to comment USBR-10.) Furthermore, as also discussed above, the mandates of the 2009 conservation legislation do not indicate that the City would be able to conserve sufficient water to serve the SPA when the SPA's demands occur. (See response to comment USBR-12.) Finally, as the DEIR/DEIS discusses, the potential yield of conservation measures is not sufficiently certain to support relying on that yield at this time. (DEIR/DEIS, pages 3A18-41 and 3A.18-43.)

USBR-81

*The comment states that additional growth could also be served by the 20% savings from SB 7 (20% reduction by 2020).*

See response to comment USBR-80.

USBR-82

*The comment asks whether the assigned water would continue to be stored in Shasta Reservoir.*

The City presumes that the assigned water would continue to be stored within Shasta Reservoir, with no change from existing contract terms.

USBR-83

*The comment states that it may be simpler to take the historical January/February metered water data and assume that is the indoor water use, then subtract that from the summer average to obtain the outdoor water use.*

There are many ways to calculate water demands. The City chose the demand calculation in this instance because the City is in the process of implementing a metering program and many of these connections do not have adequate data on which to base a demand calculation.

USBR-84

*The comment asks how the 3,920 square feet (landscape area) was determined in the WSA because a landscape area of 40% (each unit) for a parcel size of 10,890 square feet would be 4,356 square feet.*

The comment refers to the discussion of water demands in the existing City on page 10 of the WSA in Appendix M1 of the DEIR/DEIS. To develop an average residential indoor unit demand factor for use in projecting demand in the SPA, the average residential outdoor unit demand for the existing City was estimated and subtracted from the average total residential unit demand from the City's 2003-2008 residential meter study. To estimate the portion of the residential unit demand attributable to outdoor demand for that discussion, the landscaped area for each parcel was calculated. (DEIR/DEIS, Appendix M1, pages 9-11.) Starting with the statement that the meter data from the 2003-2008 study reflects a residential demand for units with a density of four units per acre, the square footage of each parcel was calculated by reducing the gross acreage attributable to each parcel (i.e., 10,980 square feet [sf]) by 10% to account for roads and rights of way). (DEIR/DEIS, Appendix M1, pages 9-11.) The resulting square footage for each of the four parcels in a 1-acre area (i.e., 9,801 sf) is considered the buildable area for each parcel to which a landscaped area percentage may be applied to estimate total landscaped area per parcel. The buildable area (9,801 sf) was multiplied by 40% to arrive at the landscaped area in Table 2-1 of the WSA, which is 3,920 sf. (DEIR/DEIS, Appendix M1, pages 9-11.)

USBR-85

*The comment suggests that the discussion of indoor water use should remain in a "per unit" context as opposed to being converted to gpcd.*

Because the number of persons per unit in both the single and multi-family land use categories in the SPA is estimated to be different than the single-family average in the existing City of Folsom service area, the indoor unit demand was converted into gallons per capita day. Specifically, dividing the projected population by the dwelling unit targets that are contained in the land use summary for the SPA (which appears as Appendix C in the WSA) results in a single-family unit population density of 2.92 persons per unit and a multifamily unit population density of 1.94 persons per unit (compared to 2.83 persons per unit for the existing City of Folsom service area, as contained in the 2005 UWMP). Thus, the existing gallons per capita day estimated in Section 2.1.1 of the WSA is a starting point for the calculation of the indoor residential demand component for the single and multi-family land use categories in the SPA. (DEIR/DEIS, Appendix M1, pages 9-11, and 20-21.) By converting the existing residential indoor unit demand estimate into gallons per capita day, the gallons per capita day estimate can be multiplied by the assumed persons per unit for each residential land-use category in the SPA as provided for in the Folsom Plan Area Specific Plan (FPASP). (DEIR/DEIS, Appendix M1, pages 20-21.) Also, discussing both methods enables comparisons to other regional purveyors, who vary in their presentation of demand factors.

USBR-86

*The comment recommends that the WSA shows the full effect of the 2010 California Green Building Standards Code (CALGreen) by showing a range of 10–20% savings; thereby bringing anticipated indoor use to 56 gpcd. The comment suggests that Table 2-4 could also reflect this range.*

The residential indoor demand calculations already include a conservation savings of 10% compared to the existing demand estimate to reflect potential lower demands resulting from the CAL Green requirements. (DEIR/DEIS, Appendix M1, pages 14-15.) Out of an abundance of caution to ensure that the water supply meets the demand in any given year, this reduction was limited to 10%. (DEIR/DEIS, Appendix M1, pages 14-15.)

Moreover, in calculating demand conservation savings under various laws including SBx7-7, the conservation savings across the entire service area, not just the single development, is the determining factor. (Water Code Sections 10608.12[b], 10608.20[b], 10608.28[a].) Furthermore, 55 gpcd as an indoor residential water use target is part of the methodology referenced in only one of four optional methods available to water purveyors. It is not a state mandate. See also responses to comments USBR-12 through USBR-14.

USBR-87

*The comment asks why the additional 5% is included in the dry-year total (Table 2-9 of the WSA) and why the City and the El Dorado Irrigation District would not encourage more conservation during dry years.*

See response to comment USBR-13. As presented in Section 2.4 of the WSA, the 5% increase in demand reflects the noticeable increase in demand for City water that occurs when there is less precipitation, which generally occurs in a drier year. (DEIR/DEIS, Appendix M1, page 30.) Customers often begin to irrigate residential and commercial landscaping earlier in the spring when there is less rain. (DEIR/DEIS, Appendix M1, page 30.) The annual outdoor demand factor of 3.73 acre-feet/year, which is based on application of the MWELo, is increased by 5% to conservatively quantify potential total water demand. (DEIR/DEIS, Appendix M1, pages 21-24, and 30.) Depending on circumstances, the City's water shortage contingency ordinances may be triggered, resulting in temporary reductions in this demand. However, for purposes of evaluating the availability of supply, the City did not apply a temporary conservation reduction on top of the demand increase in dry years.

The 5% factor is based on an evaluation of evapotranspiration data from a local weather station. (DEIR/DEIS, Appendix M1, page 30.) A comparison of high and low evapotranspiration values over the last 12 years indicates that the highest yearly value (representing the hottest year) is 5% higher than the average for the period of record. (DEIR/DEIS, Appendix M1, page 30.)

USBR-88

*The comment states that the WSA, dated 2010, contains assumptions on future landscape and indoor water use that are inconsistent with the current California MWELo and the 2020 urban water use baselines being developed as a result of the SBx7-7 process.*

See response to comment USBR-12.

USBR-89

*The comment suggests that the WSA should substantiate why a Reference Evapotranspiration (ETo) value of 53 inches was used because this value differs from the ETo for Fair Oaks, which is 50.5 inches (in the MWELo, Appendix A Reference Evapotranspiration Table).*

In calculating demand, using a single year ETo that exceeds the long-term average ETo is appropriate. ETo varies depending on year type; in order to ensure that the water supply meets demand in a maximum ETo year, 53 inches is the correct factor. (DEIR/DEIS, Appendix M1, page 10.) Furthermore, the location of the Fair Oaks station is geographically distinct from the SPA, and to account for potential climatological differences, including slightly higher and more exposed land surfaces and less tree canopy cover, the WSA retains the recent maximum ETo value out of an abundance of caution.



USBR-90

*The comment states that the WSA overestimates the outdoor water use and that the future landscape water use for residential and non-residential rate of 3.73 AF per acre should be adjusted to 3.1 AF per acre.*

Although the MWELo uses an ETo of 70%, the WSA uses an ETo of 85% to account for potential unforeseen issues after development and implementation of MWELo for the SPA. (See DEIR/DEIS, Appendix M1, pages 15-17, and 21-24.) This worst-case scenario for ETo is used out of an abundance of caution to ensure that the identified water supplies are able to meet identified demands in all year types in light of unpredictable human interaction after the development of preliminary landscape designs (e.g., removing the planned vegetation and replacing it with more water-intensive vegetation and gardens, as well as overwatering).

USBR-91

*The comment suggests that the WSA's indoor water use rate of 63 gpcd should be lowered to 55 gpcd to reflect the 2020 baseline, consistent with SBx7-7.*

See response to comment USBR-14. In addition, agencies have substantial discretion in developing technical analyses in their water supply assessments, provided that those analyses are not “arbitrary, capricious or entirely lacking in evidentiary support.” (*O.W.L. Foundation v. City of Rohnert Park* [2008] 168 Cal.App.4th 568, 593.) The City’s demand analysis in the water supply assessment is supported by the cited evidence of water demands within the existing City and other agencies and therefore is appropriate under the water supply assessment statutes. (DEIR/DEIS, Appendix M1, pages 9-29.)

USBR-92

*The comment states that Reclamation is currently evaluating all aspects of the proposed assignment from a contractual perspective.*

See responses to comments USBR-1 and USBR-15. As discussed in those responses, NCMWC’s settlement contract anticipates both assignments of water under that contract and shifts to M&I use, which may affect Reclamation’s exercise of its approval authority in considering the proposed assignment from NCMWC to the City. However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including the consideration of shifts to M&I use (change in pattern and season of use), which could require additional environmental review and NEPA compliance.

USBR-93

*The comment states that Reclamation is considering its ability to change its contract with NCMWC and what the benefits this would provide to the CVP.*

See response to comment USBR-92.

USBR-94

*The comment states that Reclamation may consider rescheduling base supply out of the months April–October and is evaluating whether this would be allowed under the current contract.*

See response to comment USBR-1. The proposed assignment does not concern Base Supply, but rather “Project” water. (NCMWC-SFP agreement, Sections 1.3 and 3.1 [Appendix E to DEIR/DEIS Appendix M1, pages 2-3].) In addition, NCMWC’s settlement contract contemplates that NCMWC could assign “Project” water to third parties or apply “Project” water to M&I use. (NCMWC contract, Articles 3(e) and 7(a) [Appendix G to DEIR/DEIS Appendix M1 (NCMWC contract)].) “Project” water under NCMWC’s contract is currently scheduled for July-August delivery, so deliveries for M&I use as contemplated by the contract could involve reallocation to a M&I delivery

pattern. (NCMWC contract, Article 7(a) and Exhibit A.) NCMWC's contract therefore already contemplates reallocation of "Project" water, so Reclamation's exercise of its approval authority in considering the proposed assignment may be constrained because the proposed assignment is consistent with the terms of NCMWC's settlement contract. That contract states that Reclamation may not unreasonably withhold its consent to a proposed assignment of "Project" water. (NCMWC contract, Article 3[e].) Regarding scheduling of Base Supply, see response to comment USBR-47.

However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including the consideration of water rescheduling provisions, which could require additional environmental review and NEPA compliance.

USBR-95

*The comment states that the during the last 10 years, NCMWC has only used 62% of its cumulative contract base supply water and only 37% of its cumulative contract "Project" water supply.*

See responses to comments USBR-1, USBR-17, and USBR-20. The assignment would trigger CVPIA Section 3405(a)(1)(M), which states that transfers between area of origin contractors like the City and NCMWC are deemed to satisfy CVPIA section 3405(a)(1)(A), which states that the amount of transfers would be based on historic use. The City is unclear on the commenter's suggested basis for treating the proposed assignment differently than how it would be treated as a transfer. However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including the applicability related to historic use of water under the contract, which could require additional environmental review and NEPA compliance.

USBR-96

*The comment states that the DEIR/DEIS does not recognize Reclamation might be making certain decisions regarding the proposed partial assignment of NCMWC's contract to the City of Folsom that would be different from those decisions the DEIR/DEIS refers to as "assumptions."*

See responses to comments USBR 1, USBR-2 USBR-10, USBR-20, USBR-94, and USBR-95. The City recognizes that Reclamation's approval of the proposed assignment is required and therefore has prepared the DEIR/DEIS to analyze the potential impacts of implementation of that assignment. As discussed in the above-referenced responses to comments, the DEIR/DEIS analysis is based on certain assumptions concerning the manner in which the proposed assignment would be implemented. As discussed in the above-referenced responses, the City believes that NCMWC's settlement contract and CVPIA may constrain Reclamation's exercise of its approval authority in relation to the proposed assignment. In addition, as discussed in responses to comments USBR-10, USBR-32, USBR-33, and USBR-69, the City examined multiple water supply options and determined that, at this time, the proposed assignment is the option that can satisfy the project objectives.

Because the proposed assignment would not result in work in navigable waters or the discharge of dredged or fill material into water of the U.S., this proposed activity is not within the USACE's scope of analysis. Therefore, if Reclamation (as the Federal agency with authority over the assignment) determines that additional water supply alternatives need to be analyzed and that a supplemental EA/FONSI or EIS is necessary for compliance with NEPA, the USACE anticipates that Reclamation would be the lead Federal agency.

USBR-97 *The comment states that the DEIR/DEIS does not analyze the environmental impacts of each of the possible alternative decisions that Reclamation is currently considering for the assignment.*

See response to comment USBR-96.

USBR-98 *The comment state that the DEIR/DEIS identifies the following discretionary Reclamation decisions as "assumptions": 1) Reclamation will approve NCMWC's partial assignment to the City of Folsom of its entitlement under its existing Sacramento River water right settlement contract to annually divert in July and August up to 8,000 acre-feet of "Project" water in most years and 6,000 acre-feet of "Project" water in critical years; 2) Reclamation will agree to make the assigned "Project" water available to the City of Folsom on a year-round M&I pattern rather than making it available only in July and August; 3) Reclamation may be able to make the assigned "Project" water available to the City of Folsom subject to the same shortage provisions that are included in Reclamation's CVP water right settlement contracts rather than the shortage provisions that are included in Reclamation's CVP water service contracts (i.e., that Reclamation could make the full supply of the assigned "Project" water available in all but critical years, as that term is defined in the NCMWC contract and to reduce that supply of "Project" water in critical years by no more than 25%).*

See response to comment USBR-96.

USBR-99 *By characterizing Reclamation's decisions as "assumptions" and not analyzing the environmental impacts of each of them and their respective alternatives, the DEIR/DEIS is to be insufficient for Reclamation to use for alternative decision making.*

See response to comment USBR-96.

USBR-100 *The comment states that authorizations from Reclamation would be required for the "Water" project to cover the pumping at the new point of diversion on the Freeport Project easement across the FSC, and assignment of NCMWC-CVP settlement contract water to Folsom.*

The comment is correct that, under NCMWC's settlement contract, Reclamation's authorization is necessary for the proposed assignment and the diversion of the assigned water at the Freeport diversion. As previously discussed, NCWMC's contract contemplates such an assignment to serve areas outside of NCMWC. (See responses to comments USBR-1 and USBR-20.) The comment also is correct that an easement from Reclamation would be necessary to cross the Folsom South Canal, unless such a crossing is already authorized by an existing easement. These approval requirements are noted on page 1-14 of the DEIR/DEIS. The City has updated page 1-14 of the DEIR/DEIS (as shown in Chapter 5, "Errata" of this FEIR/FEIS) to also reflect the need for Reclamation's approval for the addition of the Freeport Project as an additional point of diversion under NCMWC's settlement contract.

USBR-101 *The comment suggests that the DEIR/DEIS concedes to the fact that the assignment of the settlement contract water would need to be approved by Reclamation and questions how mitigation requirements in the Agreement between NCMWC and SFP are being met.*

The LAFCo resolution applied the following as a mitigation measure for LAFCo's approval of the expansion of the City's sphere of influence to include the SPA: "Prior to permitting annexation of any portion of the Folsom SOI [SPA] territory, LAFCo shall

require the City of Folsom to identify and secure sufficient water supplies to serve existing customers, future customers within the existing service area, and all proposed uses with the SOI territory [SPA] subject to the annexation proposal.” (See City Resolution No. LAFC 1193, Attachment A, page 2-12.) The City is addressing this LAFCo mitigation measure via the proposed assignment from NCMWC. Before the City can secure that assignment, it must complete environmental review under CEQA and it is addressing that requirement via this EIR/EIS. Reclamation’s approval also is necessary to implement the assignment. The City therefore is appropriately addressing the LAFCo mitigation measure. The City’s Utilities Department would be the primary implementing entity for all of the DEIR/DEIS mitigation measures for the Off-Site Water Facility Alternatives.

USBR-102 *The comment states that currently, base supply cannot be taken out of April–October delivery pattern and rescheduled in another period (contract terms and conditions).*

See responses to comment USBR-47.

USBR-103 *The comment states that the City, not the developer, would need to work with Reclamation and NCMWC to get approval for the assignment.*

The comment is correct. The issue raised in this comment is noted on pages 1-14 and 2-80 through 2-81 of the DEIR/DEIS. Additionally, the City has had several meetings with Reclamation to discuss the proposed assignment and what approvals would be required from Reclamation.

USBR-104 *The comment states that the assignment would not be an entitlement and that the assignment from NCMWC would need to be approved by Reclamation.*

This portion of the DEIR/DEIS only establishes the criteria for evaluating the water supply impacts resulting from development of the SPA and does not declare the proposed assignment from NCMWC to the City to be an “entitlement.” Section 1.6.3 of the DEIR/DEIS identifies Reclamation’s approval authority for the assignment. The City understands that the assignment is not an entitlement, but is subject to the terms of NCMWC’s settlement contract. Nonetheless, as discussed above in responses to comments USBR-1 and USBR-20, that contract contemplates that NCMWC, with Reclamation’s approval, could assign “Project” water to areas outside of NCMWC and shift “Project” water use to M&I use. That contract prohibits Reclamation from unreasonably withholding its consent to assignments and shifts to M&I use. (Appendix G to DEIR/DEIS Appendix M1, Articles 3[e] and 7[a].) Table 3B.9-3 of the DEIR/DEIS also discusses the proposed change in timing and pattern from NCMWC’s deliveries.

USBR-105 *The comment states that the assignment as proposed would represent an expanded entitlement (i.e., change of season and rescheduling of base supply into the critical months) and, therefore, the assignment would represent a significant action for which the impacts have not been adequately analyzed.*

See responses to comments USBR-1, USBR-20, and USBR-24. The Off-site Water Facility Alternatives would connect with the Freeport Project and the City proposes no increase in the permitted capacity for the Freeport Project. As a result, the effects of Freeport operations are covered in the corresponding Freeport EIR/EIS, which is incorporated by reference into the DEIR/DEIS for this project. The changes in the timing and pattern of NCMWC’s deliveries are provided in Table 3B.9-3 of the DEIR/DEIS. However, if Reclamation was to approve the proposed assignment, it could seek to do so

under different conditions, including the consideration of water rescheduling provisions, which could require additional environmental review and NEPA compliance.

USBR-106

*The comment states that one consideration in the DEIR/DEIS may be determining the certainty that storage in Shasta could be provided over the time period necessary.*

See response to comment USBR-1. As provided in Table 3B.9-1 of the DEIR/DEIS (page 3B.9-2), Shasta Reservoir's storage capacity is 4.55 MAF. Table 3B.9-3 of the DEIR/DEIS (page 3B.9-29) provides the changes in CVP use as a result of the assignment. As discussed on page 3B.9-30 of the DEIR/DEIS, in comparing these effects to total storage capacity with CVP reservoirs, including Shasta Reservoir, the changes were considered negligible and concluded to be less than significant. Additionally, as shown in Chapter 5, "Errata" of this FEIR/FEIS, Table 3B.9-3 of the DEIR/DEIS has been updated to provide additional detail in terms of changes in monthly storage.

According to the Shasta Lake Water Resources Investigation prepared in June 2004, average storage within Shasta Reservoir is 3.29 MAF and is at its lowest at 2.78 MAF in October. Based on the change in the delivery schedule for the assigned CVP water, the change in average monthly storage within Shasta Reservoir would be less than 0.03% in all months except July and August, which would experience net increases in storage. The change in the delivery schedule would add 2,440 AF to storage beyond August when compared to existing conditions, which in turn would contribute to cold pool storage through November. Further, increased deliveries in the winter months would occur when inflows to Shasta are at their highest, thereby creating additional storage capacity. For these reasons, impacts of the assignment of Shasta storage are considered less than significant.

Issues relating to the provision of storage within Shasta over the longer term and in the context of global climate change are discussed in Impact 3B.4-2 of the DEIR/DEIS on pages 3.B4-8 through 3B.4-9.

USBR-107

*The comment notes that the agreement between SFP and NCMWC is for 1-year increments, not to exceed 5 years and, therefore, no long-term commitment exists for water reliability.*

The NCMWC-SFP agreement only extends the time to complete an agreement for the permanent assignment in 1-year increments. (See response to comment USBR-42.) The 20-year period referred to in the WSA relates to need for the City to demonstrate sufficient water supplies for the project during normal, dry, and multiple dry years. Given that the assignment would be permanent, the WSA concludes that it would be sufficient based on current contract provisions.

USBR-108

*The comment states that it is uncertain whether the assignment could go forward without addressing the cumulative impacts of implementing the two OCAP BOs.*

As discussed above (see response to comment USBR-24), the City would divert water assigned by NCMWC within the Freeport Project's existing capacity. (See DEIR/DEIS, page 1-17.) As also discussed in responses to comments USBR-23, USBR-24, USBR-28, and USBR-34, the DEIR/DEIS incorporates the Freeport Project's EIR/EIS and, therefore, the project would not be incrementally adding to the diversion capacity on the Sacramento River. Finally, as discussed in responses to comments USBR-1, USBR-24, USBR-92, and USBR-106, the project involves the assignment of "Project" water under NCMWC's settlement contract and would involve negligible, if any, impacts on CVP

operations upstream of NCMWC's diversion. However, if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including analyses of different CVP operations related to changing operational assumptions, including the implementation of BO RPAs.

USBR-109

*The comment suggests that the DEIR/DEIS should consider the quantity of "Project" water available under contract in relation to amount of base supply.*

See responses to comments USBR-1 and USBR-96. In addition, the comment incorrectly suggests that the proposed assignment involves Base Supply, when it actually involves "Project" water that NCMWC is authorized to assign under its settlement contract. (See responses to comments USBR-47 and USBR-94.) Nothing in Article 9 of that contract affects the fact that Articles 3(e) and 23 of the contract authorize the proposed assignment with Reclamation's approval, which may not be unreasonably withheld.

USBR-110

*The comment asks how the stated NCMWC purpose aligns itself with what is being proposed under the assignment: change in place of use (outside the Sacramento Valley), purpose of use, and season of use.*

See response to comment USBR-1. In addition, nothing in Article 6 of NCMWC's settlement contract affects the fact that Articles 3(e) and 23 of the contract authorize the proposed assignment with Reclamation's approval, which may not be unreasonably withheld. Furthermore, Article 7(a) of the contract specifically contemplates shifts of "Project" water to M&I uses, which could require a revised season of use. (See response to comment USBR-94.) In addition, as discussed in response to comment USBR-20, congressional policy declared in CVPIA favors transfers of water among CVP contractors in the areas of origin; NCMWC and the City meet this definition. No rational basis has been identified for treating the proposed assignment differently from a transfer.

USBR-111

*The comment asks whether the assignment would be through March 31, 2024 (when NCMWC's contract expires).*

The assignment is for at least the full term of NCMWC's current settlement contract, which term extends to March 31, 2045, with possible further renewals. (NCMWC settlement contract, Article 2[a] [Appendix G to DEIR/DEIS Appendix M1].)

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# United States Department of the Interior



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**RECEIVED**  
SEP 09 2010  
**REGULATORY DIVISION**  
**USACE, SACRAMENTO**

**SEP 08 2010**

Subject: Comments on the Draft Environmental Impact Report/Environmental Impact Statement for the Folsom South of U.S. Highway 50 Specific Plan Project

Dear Ms. Gibson:

This responds to the Notice of Availability of the Draft Environmental Impact Report /Environmental Impact Statement (DEIR/DEIS) and request for comments for the Folsom South of U.S. Highway 50 (Hwy 50) Specific Plan Project (proposed project) in Sacramento County, California. The proposed project objective is to construct a mixed-use, master-planned community in an approximately 3,500-acre area in eastern Sacramento County to the south of Hwy 50, north of White Rock Road, west of the Sacramento/El Dorado county line, and east of Prairie City Road (the development site). The U.S. Fish and Wildlife Service (Service) is providing comments under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

1

The proposed project includes two components: (1) commercial and residential development of the project site, and (2) the infrastructure to transport, treat, and store water from the Sacramento River to the project site. In addition, the permanent assignment to the City of Folsom (City) of Central Valley Project (CVP) water of not more than 8,000 acre feet per year (AFY) from the Natomas Central Mutual Water Company (NCMWC) is proposed to provide water to serve the development site. Currently, this water is delivered to NCMWC's service area (the Natomas Basin) mostly during July and August to correspond with irrigation (agricultural) patterns; under the proposed project, the water would be delivered year-round to the project site for municipal and industrial uses. The City proposes to purchase dedicated capacity from the Sacramento County Water Agency at the existing Freeport Regional Water Project diversion facility. Water would then be pumped through an existing conveyance pipeline to the bifurcation point; at that point, new conveyance facilities will be built as part of this proposed project to convey water to the development site.

2





**Potential impacts on federally-listed species**

The Service believes the proposed project may affect the following federally-listed species:

- endangered vernal pool tadpole shrimp (*Lepidurus packardii*);
- threatened vernal pool fairy shrimp (*Branchinecta lynchi*);
- threatened California tiger salamander (*Ambystoma tigrinum*);
- endangered Sacramento orcutt grass (*Orcuttia viscida*);
- endangered slender orcutt grass (*Orcuttia tenuis*);
- threatened California red-legged frog (*Rana aurora draytonii*);
- threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*);
- threatened giant garter snake (*Thamnophis gigas*; GGS)

The DEIR/DEIS acknowledges that vernal pool fairy shrimp and vernal pool tadpole shrimp are likely to occur on the development site because of occurrences in the vicinity, and that the Conservancy fairy shrimp, Sacramento orcutt grass, slender orcutt grass and valley elderberry longhorn beetle could occur on the development site and the off-site water infrastructure areas. The DEIR/DEIS asserts that the California tiger salamander, California red-legged frog, and the giant garter snake are unlikely to occur and be affected by the proposed project. The Service agrees that the vernal pool fairy shrimp and vernal pool tadpole shrimp are likely to occupy the site, and possibly the off-site infrastructure improvement areas, and be affected by the proposed project. The full effects analysis and proposed conservation strategy for all of the species addressed in the DEIR/DEIS have not been evaluated by the Service to determine their consistency with requirements pursuant to the Act. Such evaluation would occur during informal or formal consultation pursuant to section 7 of the Act. At that time, the Service would use information provided by the U.S. Army Corps of Engineers (Corps) and information otherwise available to the Service to determine the extent of effects to federally-listed species. The Service looks forward to working with the Corps on a conservation strategy to address impacts to federally-listed species, and invites the Corps to initiate discussions with the Service on this project to ascertain the level of consultation necessary.

***Giant garter snake***

The City has negotiated a water entitlement purchase from NCMWC to provide a water supply source for the proposed project. This water purchase/reassignment requires approval by the Bureau of Reclamation (Reclamation); Reclamation is listed as a cooperating agency for this DEIR/DEIS. It appears that the transfer of water entitlements to the City would result in reduced surface water availability for irrigating agricultural lands (primarily rice fields) in the Natomas Basin. As described in our October 28, 2008, letter, the Service is concerned about the recent trend of fallowing rice fields in the Natomas Basin, and the effect this has on the giant garter snake. Fallowing rice fields may affect snakes, because rice adjacent to ditches and canals may serve as vital nursery habitat for young giant garter snakes and as “way stations” for snakes as they make their way through systems of ditches and canals. Females will often give birth in rice

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fields and the newly born snakes will feed on the small prey items that are prevalent in rice fields, but are rare or absent from other permanent aquatic habitat types. | 22 cont.

The DEIR/DEIS cites a 2007 study by Wagner and Bonsignore as the basis for the conclusion that this water entitlement transfer would not affect current cropping patterns in NCMWC’s service area. The Service was not able to access this study from the Corps website. Therefore, the Service requests the opportunity in the future to review this study for relevancy for to the effects analysis. The Service recommends that the DEIR/DEIS and any future documents used to assess the effects to the giant garter snake include information to substantiate the following statement: | 23  
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“...even if rice production were to increase in the future, landowners within the NCMWC would have sufficient surface water supplies to service the land available for planting in most years and no supplemental groundwater during normal conditions would be required.” | 26

To accomplish this, the Service recommends that the DEIR/DEIS outline how much land is available in NCMWC’s service area for rice field planting and correlate that with the water supplies under NCMWC’s current water entitlement and their entitlement under the proposed reassignment (with no supplemental groundwater). | 27  
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**Potential Impacts on the Natomas Basin Habitat Conservation Plan** | 30

As outlined above, the permanent reassignment from NCMWC to the City may result in reduced water availability to maintain agriculture; this action may negatively affect implementation of the Natomas Basin Habitat Conservation Plan (NBHCP; City of Sacramento *et al.* 2003). The DEIR/DEIS contains the following statement: | 31

“...changes within NCMWC’s service area as a result of the Off-site Water Facilities would not result in substantial changes to existing irrigation patterns, which changes could otherwise result in adverse effects to giant garter snake within the Natomas Basin...Based on these findings, the Off-site Water Facilities would not conflict with objectives and policies of the NBHCP.” | 32

Upon permitting the NBHCP, the Service assumed that the amount of available habitat (including rice fields) for the giant garter snake would remain generally consistent over the 50-year permit term with baseline conditions as outlined in the NBHCP at the time of permit issuance in 2003. This assumption includes the caveat that if additional development occurs in the Natomas Basin outside of the NBHCP permit areas, that that development would require additional consultation or amendment of the NBHCP. Although permanent fallowing of rice agriculture is not development per se, the effect of this action is similar in that it results in less habitat available to support the essential behavioral patterns for the giant garter snake. | 33  
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As noted in the DEIR/DEIS, the amount of habitat, primarily in the form of irrigated rice fields, has been reduced substantially in recent years due to fallowing. The DEIR/DEIS asserts that the proposed water reassignment would not adversely affect current cropping patterns in NCMWC's service area; however, "current cropping patterns" refers to habitat conditions in 2007. The DEIR/DEIS should base the analysis of the effect on the implementation of the NBHCP on the baseline conditions outlined in the NBHCP, not on year 2007 conditions. The Service believes that reduced surface water availability for irrigation may, in essence, result in permanent fallowing of rice habitat in NCMWC's service area. The Service recommends that these effects be incorporated into the DEIR/DEIS, and that the Corps and/or Reclamation initiate consultation on these effects to the giant garter snake.

***Potential Impacts on the South Sacramento Habitat Conservation Plan***

While not yet permitted, the South Sacramento Habitat Conservation Plan (SSHCP) is being designed to address the increasing demand for urban development, while establishing a conservation strategy designed to avoid, minimize, and mitigate for the loss or modification or wetlands, waters, and species habitat. The Service encourages the Corps to select a proposed project alternative which would not preclude the success of a future SSHCP.

We understand that the development area is not included in the current proposed planning area for the SSHCP. The DEIS states that the proposed project would not reduce the effectiveness of the proposed SSHCP conservation strategy because the off-site water infrastructure improvements are not included in the planning area. However, from our review of the most currently available information and maps, it appears that some of the proposed off-site water infrastructure improvement areas may be included in the SSHCP planning area. The DEIS also suggests that the proposed project does not conflict with the SSHCP because the SSHCP is not yet permitted. The Service recommends that the DEIS analyze the effects the proposed project may have on a permitted SSHCP based on the most currently available conservation strategy in the event the SSHCP is permitted prior to the proposed project implementation.

We are committed to working with the Corps and the City to ensure that this proposed project avoids and minimizes effects on federally-listed species and remains consistent with the conservation strategies and operating conservation programs of pending and existing habitat conservation plans. Please contact the acting Sacramento Valley Branch Chief at 916-414-6645 or myself at 916-414-6671 if you have any questions or concerns regarding this letter.

Sincerely,



Kenneth Sanchez  
Assistant Field Supervisor

Ms. Lisa Gibson

USFWS

cc:

Mr. Mike Finnegan, Bureau of Reclamation

Mr. Larry Combs, County of Sutter

Mr. Scot Mende, City of Sacramento

Ms. Leighann Moffitt, County of Sacramento

Mr. John Roberts, The Natomas Basin Conservancy

Mr. Jeff Drongesen, Mr. Todd Gardner, Mr. Patrick Moeszinger, California Department of Fish and Game

Mr. Don Lockhart, Sacramento Local Area Formation Commission

Mr. Dee Swearingen, Natomas Mutual Central Water Company

References cited

U.S. Fish and Wildlife Service. 2003. Final Natomas Basin Habitat Conservation Plan, Sacramento and Sutter Counties, California. Prepared by the City of Sacramento, Sutter County, and The Natomas Basin Conservancy in association with Reclamation District 1000 and Natomas Central Mutual Water Company.



USFWS-1

*The comment states that USFWS is responding to the Notice of Availability (NOA) of the DEIR/DEIS and provides comments under the authority of the Endangered Species Act.*

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

USFWS-2

*The comment restates various aspects of the project description.*

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

USFWS-3 through  
USFWS-15

*The comment states that, according to USFWS and as addressed in the DEIR/DEIS, the following Federally listed species could be affected:*

- ▶ *endangered vernal pool tadpole shrimp (Lepidurus packardi);*
- ▶ *threatened vernal pool fairy shrimp (Branchinecta lynchi);*
- ▶ *threatened California tiger salamander (Ambystoma tigrinum);*
- ▶ *endangered Sacramento orcutt grass (Orcuttia viscida);*
- ▶ *endangered slender orcutt grass (Orcuttia tenuis);*
- ▶ *threatened California red-legged frog (Rana aurora draytonii);*
- ▶ *threatened valley elderberry longhorn beetle (Desmocerus californicus dimorphus);*
- ▶ *threatened giant garter snake (Thamnophis gigas, GGS)*

*The comments further state that USFWS has not yet evaluated the full effects analysis and proposed conservation strategy addressed in the DEIR/DEIS. The comments also state that evaluation would occur during informal or formal consultation, pursuant to Section 7 of the ESA.*

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

USFWS-16

*The comment states that USFWS looks forward to working with USACE on a conservation strategy to address impacts to Federally-listed species, and invites USACE to initiate consultation with USFWS.*

On December 6, 2010, the USACE initiated consultation with the USFWS for potential impacts to vernal pool fairy shrimp, vernal pool tadpole shrimp, conservancy fairy shrimp, Valley elderberry longhorn beetle, Sacramento Orcutt grass, and Slender Orcutt grass, for compliance with Section 7 of the ESA.

USFWS-17

*The comment states that the City has negotiated a water entitlement purchase from NCMWC to provide a water supply source for the project.*

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

USFWS-18

*The comment states that the purchase/reassignment will require the approval Reclamation, and that Reclamation is listed as a cooperating agency in the DEIR/DEIS.*

Reclamation's approval authority is noted on page 1-13 in Chapter 1, "Introduction," of the DEIR/DEIS.

USFWS-19

*The comment states that the transfer of water entitlements to the City apparently would result in reduced surface water availability for irrigating agricultural lands (primarily rice fields) in the Natomas Basin.*

See Master Response 16 – Formulation of Baseline Conditions for Natomas Central Mutual Water Company's Service Area. As discussed on pages 3B.10-4 through 3B.10-5 of the DEIR/DEIS, the NCMWC service area (or Zone 1 of the "Water" Study Area) is experiencing a transition from irrigated agricultural uses to urban uses as a result of planned growth by the City of Sacramento, Sacramento County, and Sutter County. Table 3B.10-1 on page 3B.10-5 of the DEIR/DEIS documents this change as reflected by a nearly 4,500-acre reduction in agricultural land between 2004 and 2007. Based on a series of planned developments within the Natomas Basin, including but not limited to the Metro Air Park, Natomas Joint Vision, and Sutter Point Specific Plan, this pattern of development can reasonably be expected to continue in the future regardless of the project. These land use patterns were well established and in place before the issuance of the NOP for the project.

Furthermore, based on irrigation improvements within NCMWC's service area, such as the efficient use of return water, the assignment would not be expected to result in any further reductions in irrigated rice lands beyond the acreages present in 2007. Additionally, the irrigation efficiencies derived from these improvements would eliminate the need for any groundwater pumping, even during dry years, and would be sufficient to supply 2004 cropping patterns, should rice production rebound in the future.

USFWS-20 through  
USFWS-21

*The comments reference USFWS's October 28, 2008 letter, regarding the agency's concern about the trend of fallowing rice fields in the Natomas Basin and the effect this has on giant garter snake.*

See response to comment USFWS-19. The land use patterns responsible for the fallowing of rice field in the Natomas Basin are considered active and ongoing under the environmental baseline. Therefore, they would occur with or without implementation of the project. Furthermore, notwithstanding these ongoing changes in land use within the Natomas Basin, irrigation and drainage improvements within NCMWC's service area would continue to allow for increased agricultural production on fallowed lands even with the implementation of the "Project" water assignment.

USFWS-22 through  
USFWS-25

*The comments state the relevance of rice fields to giant garter snake habitat particularly for its young. The comments reference the citation in the DEIR/DEIS of a 2007 evaluation by Wagner and Bonsignore (prepared for NCMWC) as the basis for the conclusion that the water entitlement transfer would not impact current cropping patterns in the NCMWC's service area. The comments state the inability of USFWS to obtain a copy of the study and request a future opportunity to review the study for relevance to the effects analysis in the DEIR/DEIS.*

The Wagner and Bonsignore evaluation document was provided in Appendix M of the DEIR/DEIS, which was available on both the USACE and City websites. As shown in Chapter 5, "Errata" of the FEIS/FEIR, the Table of Contents has been revised to include a breakdown of the contents of Appendix M. See also Master Water Response 21 – Contents of Appendix M in the DEIR/DEIS.

USFWS-26

*The comment requests that the DEIR/DEIS include information to substantiate the following statement, "...even if rice production were to increase in the future, landowners within the NCMWC would have sufficient surface water supplies to service the land available for planting in most years and no supplemental groundwater during normal conditions would be required."*

This finding is based on the conclusions on pages 26 through 27 of the Wagner and Bonsignore evaluation (2007), which is included as Appendix M2 of the DEIR/DEIS.

USFWS-27 through  
USFWS-29

*The comments suggest that the DEIR/DEIS should outline how much land is available for rice planting in NCMWC's service area, correlating existing water supplies under NCMWC's current water entitlement and their entitlement anticipated under the project, with the water entitlement reassignment to the City (with no supplemental groundwater).*

The analysis requested in the comment is provided in the 2007 Wagner and Bonsignore evaluation, on pages 21 through 26 (see Appendix M2 of the DEIR/DEIS). Furthermore, as provided in Table 6 of the Wagner and Bonsignore evaluation, between 2004 and 2007 NCMWC experienced an over 4,500-acre net reduction in lands planted with rice. Based on data provided in Table 19 on page 26 of the evaluation, water supplies available to NCMWC under the project would continue to be sufficient to maintain 2004 and 2007 crop patterns, even in critically dry years and in the absence of supplemental groundwater pumping. Because a supply surplus would still remain for NCMWC's service area, the proposed assignment would not preclude an increase in rice planting in future years. Additional details are provided in Master Response 16 – Formulation of Baseline Conditions for Natomas Central Mutual Water Company's Service Area.

USFWS-30

*The comment introduces discussion regarding potential impacts on the City of Sacramento's 2003 Natomas Basin Habitat Conservation Plan (NBHCP). The comment states that the permanent reassignment of water entitlements from NCMWC to the City may result in reduced water availability to maintain agriculture.*

See responses to comments USFWS-27 through USFWS-29.

USFWS-31

*The comment states that the permanent reassignment of water entitlements may negatively affect [continued] implementation of the 2003 NBHCP.*

See responses to comments USFWS-27 through USFWS-29 and USFWS-33.



USFWS-32

*The comment references the statement in the DEIR/DEIS that “...changes within NCMWC’s service area as a result of the Off-site Water Facilities would not result in substantial changes to existing irrigation patterns, which changes could otherwise result in adverse effects to giant garter snake within the Natomas Basin....Based on these findings, the Off-site Water Facilities would not conflict with objectives and policies of the NBHCP.”*

See response to comment USFWS-33.

USFWS-33

*The comment states that in permitting the NBHCP in 2003, USFWS assumed that the amount of available habitat (including rice fields) for giant garter snake would remain generally constant over the 50-year permit term with baseline conditions as outlined in the plan.*

The USACE and the City understand the concerns raised by the comment in relation to assumptions contained in the NBHCP. However, as discussed in responses to comments USFWS-27 through USFWS-29, from 2004 through 2007 the NCMWC service area experienced a net reduction in rice acreage of over 6,000 acres. This condition is reflected in the baseline for the evaluation of potential impacts within NCMWC’s service area, with or without the project. The proposed reassignment of water would not have an effect on whether the amount of available habitat for giant garter snake would increase or decrease, because the Wagner and Bonsignore report (DEIR/DEIS Appendix M2) indicates the assignment would not result in water supply reductions that would result in reduced crop acreage. See also Master Response 16 – Formulation of Baseline Conditions for Natomas Central Mutual Water Company’s Service Area..

USFWS-34

*The comment references a caveat in the NBHCP that if additional development occurs in the Natomas Basin outside the NBHCP permit areas, that development would require additional consultation or amendment to the NBHCP.*

The USACE and the City have noted the NBHCP’s requirements for development within the Natomas Basin, outside the NBHCP permit areas. Based on the proposed actions associated with the project that are taken in the context of existing land use within the NCMWC service area as of 2007, these requirements cited by the commenter would not be applicable and no impact would occur.

USFWS-35

*The comment states that although permanent following of rice agriculture is not development per se, the effect of this action would be similar in that it would result in less habitat available to support the essential behavioral patterns of giant garter snake.*

As discussed in responses to comments USFWS-26 and USFWS-27 through USFWS-29, a reduction in land areas planted in rice within the NCMWC service area is reflected in the baseline condition for the project. Furthermore, reflecting the findings of the 2007 Wagner and Bonsignore evaluation (included in Appendix M2 of the DEIR/DEIS) and as summarized on pages 3B.3-37 and 3B.3-57 of the DEIR/DEIS, NCMWC would be able to maintain sufficient water supplies to accommodate 2004 crop patterns in the future even with the proposed assignment.

USFWS-36 through  
USFWS-38

*The comments restate the discussion in the DEIR/DEIS that the amount of habitat, primarily in the form of irrigated rice fields, has been reduced substantially in recent years because of fallowing. The comments reference the assertion in the DEIR/DEIS that the proposed water reassignment would not adversely affect current crop patterns in NCMWC's service area, but that "current" refers to habitat conditions in 2007.*

The commenter restates text that is contained in Section 3B.3, "Biological Resources," of the DEIR/DEIS; the comments are noted.

USFWS-39

*The comment suggests that the DEIR/DEIS should base the analysis of the impact of the project on baseline conditions that are assumed in the NBHCP, not on the 2007 conditions [presented in the Wagner and Bonsignore evaluation in Appendix M2 of the DEIR/DEIS].*

The application of the 2003 NBHCP baseline conditions for the evaluation of potential impacts to giant garter snake in the DEIR/DEIS would be inappropriate for three reasons. First and as discussed in response to comment USFWS-33, the NBHCP baseline does not accurately reflect the habitat conditions (or crop patterns) present in the NCMWC service area at the time of the release of the NOP for this project. The CEQA Guidelines state that the baseline for assessing impacts attributable to a project is normally the conditions at the time the NOP is published (California Code of Regulations [CCR] Title 14 Section 15125). Second, 2003 baseline conditions would fail to consider the water supply conditions (e.g., improved efficiency in return flows) that made the project feasible for the NCMWC service area in 2007. Third, the comment inappropriately places emphasis on characterizing the baseline condition in terms of physical land use changes within the NCMWC service area as opposed to the context of changes in water supply allocations as reflected in the DEIR/DEIS. Additionally, the physical land use changes referenced by the commenter were analyzed in the reviews under CEQA and NEPA that have been conducted for the major projects affecting giant garter snake habitat (e.g., Sutter Point Specific Plan EIR, certified on June 30, 2009).

For the project, the main consideration relevant to the giant garter snake would be whether enough water would remain in the NCMWC service area to maintain viable habitat conditions along existing channels and ponds, which provide permanent year-round habitat, as opposed to rice fields, which generally only provide summer habitat. As discussed on pages 2-80 through 2-81 in the DEIR/DEIS, the project only would purchase CVP water supplies and the discussion does not stipulate any corresponding land use changes that would be necessary to support the project. As provided in Tables 18 and 19 of the 2007 Wagner and Bonsignore evaluation (in Appendix M2 of the DEIR/DEIS), other existing water sources (excluding groundwater) would be available to compensate for the project-used CVP supplies. As a result, the environmental baseline applied in the DEIR/DEIS is considered appropriate for assessing the impacts of the project in the context of the changes in water use within NCMWC's service area and any corresponding affects to giant garter snake.

USFWS-40 through  
USFWS-41

*The comments state USFWS' belief that reduced surface water availability for irrigation might result in permanent fallowing of rice habitat in NCMWC's service area.*

See Master Response 16 – Formulation of Baseline Conditions for Natomas Central Mutual Water Company's Service Area. The project would not result in permanent fallowing of rice habitat within the Natomas Basin. As discussed in the conclusions of the

2007 Wagner and Bonsignore evaluation, contained in Appendix M2 and summarized on pages 3B.3-37 and 3B.3-51 of the DEIR/DEIS, even with the project, NCMWC would continue to have sufficient water supplies to maintain both 2004 and 2007 crop patterns. The comment fails to note that other influences (e.g., new development, crop demands, etc.) within the Natomas Basin are responsible for the conversion of rice acreage to other uses and were active before the NOP for this project was prepared and circulated. Therefore, connecting potential changes in crop patterns to the project is inaccurate. Rather, the changes in crop patterns combined with NCMWC's investment in irrigation efficiencies within its service area make the project feasible without the need for any permanent fallowing of agricultural lands.

USFWS-42 through  
USFWS-43

*The comments state USFWS' recommendation to incorporate the effects (discussed in the foregoing comments) into the DEIR/DEIS, and suggests that USACE and/or Reclamation initiate consultations on these effects to the giant garter snake.*

See response to comment USBR-4. If an ESA consultation concerning the proposed assignment is necessary, Reclamation would consult with USFWS.

USFWS-44 through  
USFWS-46

*The comments state that although the development area is not within the current proposed planning area for the South Sacramento Habitat Conservation Plan (SSHCP), USFWS encourages USACE to select a project alternative that does not preclude the success of the proposed SSHCP, which is aimed at establishing a conservation strategy designed to avoid, minimize, and mitigate for the loss or modification of wetlands, waters, and species habitat.*

None of the project land alternatives would affect the successful implementation of the draft SSHCP because the SPA is not within the SSHCP's proposed planning area. Conservation commitments for the SSHCP have not been secured at this point and the locations of SSHCP habitat preserves have not been established; thus, it is not currently possible for the project to design habitat conservation areas to complement SSHCP preserves. The current draft information available on the SSHCP website does not identify any conservation planning areas within or adjacent to the SPA. Ensuring that the conservation lands in the SPA would complement the conservation lands outlined in the SSHCP would be difficult until a plan was finalized and adopted, or until a draft plan is provided. Nevertheless, it is anticipated that the habitat preservation and wildlife corridor elements that are part of the project's open space design would complement the conservation goals set forth by an adopted SSHCP, or at least would not conflict with those goals.

USFWS-47

*The comment references the DEIR/DEIS conclusion that the project would not reduce the effectiveness of the proposed SSHCP conservation strategy, and states that that conclusion was apparently reached because the off-site water infrastructure improvements are not included in the SSHCP planning area.*

Section 3B.3, "Biological Resources," page 3B.3-32 of the DEIR/DEIS states that Zone 4 of the "Water" Study Area overlaps portions of, and therefore portions are included in, the SSHCP planning area. Furthermore, as discussed under Impact 3B.3-7 on page 3B.3-62 of the DEIR/DEIS, if the SSHCP was finalized and adopted before commencement of mitigation developed for the Off-site Water Facility Alternatives, USACE and the City would have the option of participating in the SSHCP for covered species.

USFWS-48 *The comment states that, from review of the most currently available information and maps, a portion of the “Water” Study Area (e.g., Zone 4) might overlap with the SSHCP planning area.*

This relationship is identified on page 3B.3-32 in Section 3B.3, “Biological Resources,” of the DEIR/DEIS.

USFWS-49 *The comment references the DEIR/DEIS’ suggestion that the project does not conflict with the SSHCP because the SSHCP is not yet permitted.*

The current draft of the SSHCP (2010) does not include the SPA, but as discussed in response to comment USFWS-48, Zone 4 of the “Water” Study Area does overlap with areas included within the SSHCP planning area. Because of the linear nature of the Off-site Water Facility Alternatives, their relatively small footprint, and close proximity to existing or planned roadways, the conclusion that the project would be unlikely to conflict with the conservation objectives of the SSHCP is reasonable. Additionally, if the SSHCP was adopted and permitted before construction of the preferred Off-site Water Facility Alternative, the City would continue to have the option of participating in the SSHCP planning area.

USFWS-50 through  
USFWS-51

*The comment suggests that the DEIR/DEIS should analyze the effects the project may have on the yet-to-be-permitted SSHCP, based on the most currently available conservation strategy in the event the SSHCP is permitted before the Folsom project is implemented.*

The DEIR/DEIS analyzes the potential effects of the Off-site Water Facility Alternatives on listed species; these species are covered under the SSHCP (see Impact 3B.3-2 and 3B.3-3 on pages 3B.3-46 through 3B.3-53 in Section 3B.3, “Biological Resources,” of the DEIR/DEIS). Furthermore, as discussed in the second paragraph on page 3B.3-62 of the DEIR/DEIS, USACE and the City would have the option of participating in the SSHCP, if the SSHCP was permitted before construction of the preferred Off-site Water Facility Alternative. Project consistency with the SSHCP is not required under CEQA because the SSHCP has not been adopted (see DEIR/DEIS Section 3A.3 “Biological Resources,” pages 3A.3-93 and 3A.3-94).

USFWS-52 *The comment states that USFWS is committed to working with USACE and the City to ensure that the proposed project avoids and minimizes effects on Federally listed species and remains consistent with conservation strategies and pending and existing habitat conservation plans. The comment also provides contact information.*

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

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION IX  
 75 Hawthorne Street  
 San Francisco, CA 94105-3901

SEP 17 2010

Lisa Gibson  
 US Army Corps of Engineers  
 Sacramento District  
 Regulatory Branch  
 1325 J Street, Room 1480  
 Sacramento, CA 95814-2922

Subject: Draft Environmental Impact Statement for Folsom South of U.S. 50 Specific Plan Project, Sacramento County, California [CEQ # 20100254]

Dear Ms. Gibson:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for Folsom South of U.S. 50 Specific Plan Project (Project), Sacramento County, California. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. These comments were also prepared under the authority of, and in accordance with, the provisions of the Federal Guidelines (Guidelines) promulgated at 40 CFR 230 under Section 404(b)(1) of the Clean Water Act (CWA). We appreciate the EPA-specific, informal extension of the comment deadline date from September 10, 2010 to September 17, 2010, granted by you on September 2, 2010.

EPA appreciates the efforts of the U.S. Army Corps of Engineers (Corps), City of Folsom (Folsom) and the project applicant, South Folsom Property Owners Group, in coordinating with EPA prior to the review of the Project DEIS. The DEIS for the Project provides a robust analysis of the potential impacts of the Project alternatives. Notable features include: a Proposed Project design that incorporates smart growth and low impact development principles, mitigation measures that include a site-specific screening analysis and/or Health Risk Assessment to determine the cumulative adverse air toxics effects on sensitive receptors, and a detailed "Summary of Impacts and Mitigation Measures" that clearly identifies the mitigation measures, who is responsible for implementation, timing of implementation, and enforcement responsibilities.

While we applaud the above design features and mitigation commitments, we believe the Proposed Project has the potential to contribute to significant cumulative environmental degradation that could be prevented with additional design modifications or the selection of other less damaging practicable alternatives. For example, the No U.S. Army Corps of Engineers Permit (No USACE Permit) and Resource Impact Minimization Alternatives, described in the DEIS, offer significantly reduced adverse environmental impacts, and could be redesigned to meet Sacramento Area Council of Governments (SACOG) density and smart growth goals.

Commendable design features and quality of the DEIS notwithstanding, we have rated the Proposed Project and DEIS as Environmental Objections – Insufficient Information (EO-2) (see enclosed EPA Rating Definitions), based on significant impacts to aquatic and ecologically important resources, the potential inability to achieve “no net loss of wetland functions and values,” a flawed Section 404(b)(1) On-Site Alternatives Analysis, significant air quality impacts, and lack of a demonstrated need for the proposed level of development. Because of the above, EPA is not able to determine whether the Proposed Project is the least environmentally damaging practicable alternative, consistent with the Guidelines. Furthermore, the Proposed Project would contribute to the exceedance of National Ambient Air Quality Standards. Proceeding with the Project, as proposed, would set a precedent for future actions that, collectively, could result in significant environmental impacts.

To address our objections, we recommend the Final EIS: 1) validate the need for the proposed level of development with appropriate data; 2) develop and analyze alternatives that maximize the avoidance and minimization of adverse impacts to sensitive resources while also meeting Sacramento Area Council of Government Blueprint density and smart growth goals; 3) demonstrate the feasibility of achieving “no net loss of functions and values” of wetlands, waters of the U.S., and other sensitive resources; 4) include a revised Section 404(b)(1) On-Site Alternatives Analysis that identifies the least environmentally damaging practicable alternative; and 5) provide a General Conformity Analysis, and if applicable, a draft General Conformity determination. Our detailed comments are enclosed.

EPA appreciates the opportunity to provide input on this Specific Plan Project. We are available to discuss all recommendations provided. When the Final EIS is released for public review, please send one hard copy and two CD to the address above (Mail Code: CED-2). If you have any questions, please contact me at 415-972-3843, or contact Laura Fujii, the lead reviewer for this project. Laura can be reached at 415-972-3852 or fujii.laura@epa.gov.

Sincerely,



Enrique Manzanilla, Director  
Communities and Ecosystems Division  
Mail Code CED-1

Enclosures: Summary of EPA Rating Definitions  
Detailed Comments

Cc: Gail Furness de Pardo, City of Folsom Community  
Michael R. Finnegan, Bureau of Reclamation  
Mr. Kenneth Sanchez, U.S. Fish and Wildlife Service  
Mr. Dan Gifford, California Department of Fish and Game

U.S. EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR FOLSOM SOUTH OF US 50 SPECIFIC PLAN PROJECT, SACRAMENTO COUNTY, CA, SEPTEMBER 17, 2010

**Section 404(b)(1) of the Clean Water Act**

*Develop and analyze alternatives that maximize the avoidance and minimization of adverse impacts while meeting SACOG density and Smart Growth principles.* The Proposed Project would result in direct impacts to 39,499 acres of waters of the U.S. (WUS), including 24.42 acres of vernal pools, seasonal wetlands, and seasonal wetland swales. The DEIS states that the total cumulative loss of WUS in Sacramento County and El Dorado County, including past and expected losses, is 381,039 acres out of 909,96 acres.<sup>1</sup> EPA has long expressed its concern over the significant direct, indirect, and cumulative loss of aquatic resources in the Sacramento County region. Cumulative impacts to vernal pool grasslands and seasonal wetland habitats (the distinction between which are often blurred on both technical and regulatory grounds) have been exceedingly large. The loss of these habitats has led to habitat fragmentation and the loss of connectivity. The Proposed Project would also result in the loss of 444 acres of blue oak woodland, another rapidly declining ecologically important habitat.

California has suffered between 80-90% loss of vernal pools, with a loss of over 137,000 acres of vernal pool habitat by 2005, as compared to habitat that existed in the baseline period of 1976-1995. Sacramento County is proposing the cumulative development and loss of nearly 2000 acres of WUS, including as much as 1200 acres of vernal pools and swales.<sup>2</sup> As noted in the DEIS, the U.S. Army Corps of Engineers (Corps) cannot issue a Section 404 Permit to the Proposed Project if a practicable alternative is identified that would have less adverse impacts on the aquatic ecosystem and no other significant adverse environmental consequences (p. 2-5).

The No U.S. Army Corps of Engineers Permit (No USACE Permit) and Resource Impact Minimization Alternatives avoid many impacts to waters of the U.S., blue oak woodlands, air quality, and cultural resources. However, the DEIS states these alternatives are inconsistent with SACOG’s Blueprint Scenario because they do not propose the density of development envisioned by the Blueprint (p. 4-66). The DEIS does not provide an explanation describing why these less damaging alternatives could not be designed to be more consistent with the SACOG Blueprint Scenario density goals.

**Recommendations:**

We recommend the final environmental impact statement (FEIS) include the analysis of alternatives that both avoid and minimize adverse impacts to sensitive resources while also meeting Sacramento Area Council of Government (SACOG) Blueprint Scenario density and smart growth goals. For instance, we recommend further refinement of the No U.S. Army Corps of Engineers Permit (No USACE Permit) and Resource Impact Minimization Alternatives to meet SACOG density and smart growth goals.

<sup>1</sup> Table 4-5: Wetlands and Other Waters at Specific Projects in the Vicinity of the Folsom South of Highway 50 Specific Plan, p. 4-30.

<sup>2</sup> Summary Report "Loss of Central Valley Vernal Pools; Land Conversion, Mitigation Requirements, and Preserve Effectiveness" by Placer Land Trust, 2009 www.placerlandtrust.org



**Revise the Section 404(b)(1) On-Site Alternatives Analysis and identify the LEDPA.** EPA does not concur with the conclusions of Appendix L: 404(b)(1) On-Site Alternatives Analysis, largely on the basis that the cost analysis is flawed. This Alternatives Analysis compares costs of identified alternatives to the cost of implementing the Proposed Project. Costs and other criteria should be used to determine the practicability of the alternatives and their ability to achieve the basic project purpose. The project purpose, as considered by the Corps, is to construct a large scale, mixed-use development, with associated infrastructure, within eastern Sacramento County (p. 1-7). We note that the Corps has not identified the least environmentally damaging practicable alternative (LEDPA).

**Recommendations:**

Include in the FEIS a revised Section 404(b)(1) On-Site Alternatives Analysis that properly applies criteria to determine the practicability of the alternatives and their ability to achieve the basic project purpose. The Section 404(b)(1) On-Site Alternatives Analysis should identify the LEDPA.

**Verify the ability to fully mitigate the loss of habitat functions and values of the LEDPA.** The 2008 Compensatory Mitigation Rule requires 404 Permit applicants to identify where and how they will mitigate for adverse impacts prior to issuance of the 404 Permit, with a hierarchy of preference starting with mitigation banks or in-lieu fee programs, progressing to permittee-responsible mitigation. The DEIS does not identify proposed mitigation sites nor provide a draft mitigation and monitoring plan. Thus, EPA is unable to determine compliance with the 2008 Compensatory Mitigation Rule. Considering the rapid rate of development in Sacramento County and the limited amount of undeveloped, uncommitted land that supports existing wetlands that could be preserved or that is suitable for compensatory aquatic habitat creation, it may not be possible to fully mitigate the loss of habitat functions and values of the Folsom South US 50 Specific Plan Area (SPA) (p. 4-32).

**Recommendations:**

We recommend the FEIS identify proposed mitigation sites and, if feasible, provide a draft mitigation and monitoring plan. This information would assist the Corps and EPA in determining compliance with the 2008 Compensatory Mitigation Rule. The FEIS should verify the ability to fully mitigate the loss of habitat functions and values.

**Consider the Off-Site Water Alternative 2B as the preferred water infrastructure alignment.** The construction of a large scale, mixed-use development in the Folsom South of US 50 Specific Plan Area (SPA) will require the construction and operation of new water and wastewater conveyance and treatment facilities. The DEIS evaluates eleven alternatives, consisting of various combinations of raw water or treated water conveyance, road route alignments, and water treatment plant (WTP) sites. The Off-Site Water Alternative 2B would reduce air quality, noise, wetland, and land use impacts by integrating with existing water treatment facilities, minimizing the conveyance alignment distance, and maximizing use of horizontal directional drilling construction methods where the pipeline route intersects WUS (p. 2-107).

**Recommendation:**

We recommend the Corps and project proponents consider selection of the Off-Site Water Alternative 2B, the identified environmentally superior alternative for the "water " portion of the project (p. 2-107), as the preferred water infrastructure alignment., | 79

**Air Quality**

***Aggressively implement emission reduction measures and include a General Conformity analysis and, if applicable, a draft General Conformity determination.*** Sacramento County is in nonattainment for ozone and particulate matter (PM), both fine PM and respirable PM (PM2.5 and PM10), with the Sacramento Valley Air Basin ranking among the worst in the nation for ozone. Emissions are dominated by area-wide sources, primarily because of development. Even with proposed mitigation, the construction, operation, and mobile-source emissions from the development of the SPA would exceed Sacramento Metropolitan Air Quality Management District-recommended thresholds and contribute to the exceedance of the National Ambient Air Quality Standards (NAAQS)(p. 3A.2-44). The Proposed Project would significantly increase peak-hour use, daily traffic volumes, and the demand for single-occupant automobile travel on roadways and intersections, resulting in a significant reduction in level of service and the need for major improvements. | 80 & 81  
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The DEIS correctly points out that EPA’s General Conformity program addresses emissions from federal projects and actions, in order to protect areas that EPA has designated as not meeting federal air standards. A federal agency first looks at whether its preferred alternative would result in direct and indirect emissions that are over the de minimis threshold for the program. If project emissions are above de minimis, the federal agency prepares a determination that describes in detail the manner in which the project conforms to the applicable state implementation plan (SIP) for the area. The DEIS states that General Conformity will be addressed in the Record of Decision (ROD) (p. 3A.2-11). While this is allowed under regulation and law, project emissions could be above the de minimis threshold, requiring a General Conformity determination. Addressing General Conformity requirements now may lead to project design modifications, emission offsets, and additional mitigation measures that significantly reduce emissions. | 94  
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| 97 & 98  
| 99 & 100  
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**Recommendations:**

We urge project proponents to aggressively implement emission reduction measures such as reliance on accessible transit and higher density development on more centralized, smaller parcels close to existing employment centers and infrastructure. We recommend working with transportation planners to fund and implement transit, roadway, and intersection improvement projects that will reduce adverse impacts to air quality. The FEIS should include a General Conformity Analysis, and, if applicable, a General Conformity Determination. If a determination is required, the results of that determination, in the form of emission reductions, should be integrated into the project design. | 102  
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| 102 cont.  
| 104 & 105  
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| 107 & 108  
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***Aggressively implement all feasible GHG reduction measures.*** The Proposed Project would generate temporary, short-term construction-related and long-term operational greenhouse gas emissions. These emissions would contribute to a substantial and unavoidable cumulative impact despite proposed mitigation measures. | 110 & 111  
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***Recommendation:***

We urge retention and aggressive implementation of all proposed mitigation measures, including those currently required under Assembly Bill 32, the California Global Warming solutions Act of 2006 (AB 32), regardless of the outcome regarding final implementation of AB 32. | 114  
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***Correct Sacramento Metro's PM2.5 designation in Table 3A.2-1.*** Table 3A.2-1, "Summary of Ambient Air Quality Standards and Attainment Designations," contains an error regarding the Sacramento Metro area's status with respect to fine particulate matter (PM2.5) NAAQS. The table indicates that the Sacramento Metro area is unclassifiable/attainment ("U/A" in the table). This designation is not correct. | 117  
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***Recommendation:***

Correct Table 3A.2-1 to state that the Sacramento Metro area was designated nonattainment for the 2006 PM2.5 NAAQS in December 2009. This designation is codified at 40 Code of Federal Register Part 81.305. | 120  
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**Need for Proposed Level of Development**

***Validate the need for the proposed level of development.*** The region surrounding the SPA is under rapid development, as demonstrated by the many nearby developments and Master Planned Communities described in the DEIS (4.1 Cumulative Impacts). There appears to be ongoing public debate regarding growth projections, level of development, and housing unit needs for Sacramento County.<sup>3</sup> The DEIS does not demonstrate the need for the proposed level of development, especially in light of already planned growth in the surrounding region. | 123 & 124  
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***Recommendations:***

The FEIS should validate the need for the proposed level of development with appropriate data. For instance, provide current data regarding the demand for housing and commercial/industrial space in this area. The FEIS should include a detailed explanation of why a development of this size, composition, and location is needed. If feasible, provide a more detailed description of the phasing of the Proposed Project, including the criteria that will be used to determine the need for subsequent stages. | 131  
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**Water Supply**

***Provide a more robust evaluation of the long-term reliability of the proposed water supply source.*** It is estimated that the Proposed Project annual water demand would be 3,648 acre-feet (af) for residential use and 1,898 af for nonresidential use, for a total of 5,546 af (p. 2-79). The proposed water source would be an agriculture-to-urban water transfer of no more than 8,000 acre-feet-per-year (afy) of Bureau of Reclamation Central Valley Project (CVP) contract entitlement from the Natomas Central Mutual Water Company (NCMWC), located in the | 136  
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<sup>3</sup> The Sacramento Bee, "Sacramento County may open 20,000 acres to development," Tuesday, July 27, 2010

Natomas Basin north of the City of Sacramento. The City of Folsom is an existing CVP contractor within the American River Unit. Upon annexation, the SPA would be within the CVP water rights place of use for the City (p. 2-80). A 2007 study, cited in the DEIS, indicates that, based on NCMWC cropping patterns, NCMWC has sufficient surface water supplies to transfer up to 8,000 afy without adverse effects to NCMWC, nor the risk of groundwater pumping by NCMWC as a result of the water transfer(p. 2-82). The NCMWC CVP contract supply originates from the Shasta/Trinity River Division of the CVP (p. 2-80). EPA is concerned with the long-term reliability of the proposed NCMWC water supply source, in light of efforts to reduce diversions from the Trinity River, increase Sacramento River flows for anadromous fish and the San Francisco-San Joaquin River Bay Delta (Bay Delta), increasing upstream demands, and climate change.

***Recommendations:***

We recommend the FEIS contain a more robust evaluation of the long-term reliability of the proposed water supply source. For instance, provide additional information on potential implications of full implementation of the Trinity River Restoration Program, more stringent Bay Delta downstream flow requirements, the likelihood of increased upstream demands, and climate change risks.

**Area 40 Aerojet Superfund Site**

Area 40, which is part of the Island Operating Unit of the Aerojet Superfund site, is located in the SPA, a short distance east of Prairie City Road. This site is undergoing investigation and remediation under the direction of EPA, the Central Valley Regional Water Quality Control Board, and the California Department of Toxic Substances Control. The Proposed Project would designate Area 40 as open space and parkland. Land identified for the proposed off-site detention basin is also located on the Aerojet Superfund site in the Eastern Operating Unit (p. 3A.8-23).

***Correct references regarding Area 40 “RI/FS”.*** The discussion of Area 40 references a 2007 document as an “RI/FS” and attaches a copy in Appendix G1. The referenced document is, in fact, a work plan for field sampling to support the preparation of a Remedial Investigation/Feasibility Study (RI/FS) report for the Island Operable Unit (IOU), including Area 40 (p. 3A.8-3).

***Recommendation:***

The FEIS should clarify that the referenced document is not the RI/FS report for the IOU because this document is in preparation and has not yet been submitted to EPA in final form. While the work plan does summarize soil and groundwater data collected prior to the date of its preparation in 2007, substantial additional sampling data have been generated during the field implementation of the sampling work plan. These data will be presented and analyzed in the forthcoming RI/FS for the IOU and should be consulted prior to planning future uses within Area 40. Cleanup levels for Area 40 will not be set until EPA signs a Record of Decision for the IOU.

***Correct text describing the content of EPA's Record of Decision for the Island Operating Unit.***

The text of the DEIS reads "Before any portion of the Aerojet Superfund Site can be made available for new uses, EPA must issue a record of decision (ROD) or similar certification indicating that remedial actions have been completed, and that no unacceptable risks would be posed to human health or the environment" (3A.8-3). This statement is not correct.

***Recommendation:***

The FEIS should clarify that EPA's ROD for the IOU will document EPA's selection of an alternative to clean up this portion of the Aerojet Superfund site to be protective of human health and the environment for the anticipated future uses of the site. Following the ROD, the remedial design process develops the technical and construction aspects of the remedy, which is then implemented during the remedial action phase. It is possible that portions of Area 40 may not be available for some uses (especially sensitive uses such as residential development) until the completion of cleanup. The range of cleanup time frames varies and is very site-specific. For instance, cleanup of soils may take only a matter of months to implement, while groundwater restoration remedies (such as pumping and treating extracted groundwater) may take years or decades.

Questions regarding the investigation and remediation of Area 40 may be directed to: Gary J. Riley, P.E., Environmental Engineer, Superfund Project Manager/Superfund Reuse Coordinator, US EPA Region 9, 415-972-3003 or riley.gary@epa.gov.

**Sustainable Development**

***Aggressively implement smart growth principles.*** EPA acknowledges the advantages of annexation of the SPA in order to provide the City of Folsom the ability to ensure that development on adjacent land within its sphere of influence is consistent with City's General Plan and SACOG Blueprint and Smart Growth Principles. We commend the commitment to smart growth and low impact development principles.

***Recommendations:***

We continue to strongly encourage the aggressive implementation of Smart Growth, Green Building, and Leadership in Energy and Environmental Design (LEED) principles as a means to minimize project impacts and create a healthier, more sustainable community. Where feasible, we encourage infill of existing urbanized parcels prior to the development of current open space, because infill reduces the need for new infrastructure, helps revitalize existing developed areas, and reduces development pressure of open space.

USEPA-1 through  
USEPA-4

*The comments state that the U.S. Environmental Protection Agency (EPA) appreciates the opportunity to comment on the DEIR/DEIS. The comments further states appreciation for early coordination with EPA, and that the DEIR/DEIS contains a robust analysis of the potential impacts of the project alternatives. The comments also state that the project has notable features including a project design that incorporates smart growth and low impact development principles.*

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

USEPA-5

*The comment notes that the project incorporates mitigation measures that include a site-specific screening analysis and/or Health Risk Assessment (HRA) to determine the cumulative adverse air toxics effects on sensitive receptors.*

The comment restates text that is contained within DEIR/DEIS Section 3A.-2, "Air Quality"; the comment is noted.

USEPA-6

*The comment states that the project includes a detailed "Summary of Impacts and Mitigation Measures" that clearly identifies the mitigation measures, who is responsible for implementation, timing of implementation, and enforcement responsibilities.*

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

USEPA-7

*The comment states that USEPA believes the project has the potential to contribute to significant cumulative environmental degradation.*

The City and USACE acknowledge that the project has the potential to contribute to significant individual and cumulative environmental impacts, as discussed in Section 4.1, "Cumulative Impacts" of the DEIR/DEIS. This specific comment is in regards to the EPA's Section 404(b)(1) Guidelines (404 Guidelines), which state that "no discharge of dredged or fill material shall be permitted which will cause or contribute to significant degradation of the waters of the United States." Any effects contributing to significant degradation are considered individually and cumulatively. The USACE has not yet made a determination on whether the proposed project or other alternative would result in significant degradation. Compliance with the 404 Guidelines would be determined within any supplemental NEPA documentation required and the ROD. See responses to comments USEPA-61 through USEPA-63 for additional information regarding compliance with the 404 Guidelines.

USEPA-8	<p><i>The comment states that the project’s potential contribution to significant cumulative environmental degradation could be prevented with additional design modifications or selection of other, less damaging alternatives.</i></p> <p>The DEIR/DEIS contains an analysis of five alternatives at an equal level of detail that would entail different designs and configurations of land uses at the project, three of which would also preserve more than 30% of the project’s open space. The DEIR/DEIS also evaluates a No Project Alternative in which the project site would not be annexed to the City of Folsom, would continue to be zoned as Ag-80, and would only allow construction of up to 44 rural residences under Sacramento County jurisdiction. There were several other additional alternatives that were considered and rejected, as discussed in Section 2.3.7, “Land Alternatives Considered and Eliminated from Further Consideration,” beginning on page 2-65. The City and USACE believe that the DEIR/DEIS analyzes a reasonable range of alternatives as required by both CEQA and NEPA; neither requires analysis of every possible alternative. See also responses to USEPA-61 through USEPA-63.</p>
USEPA-9 through USEPA-10	<p><i>The comments state that the No USACE Permit and Resource Impact Minimization Alternatives offer significantly reduced adverse impacts, and these two alternatives could be redesigned to meet the Sacramento Area Council of Governments’ (SACOG) density and smart growth goals.</i></p> <p>See responses to comments USEPA-8 and USEPA-61 through USEPA-63.</p>
USEPA-11	<p><i>The comment states that EPA has rated the project as “Environmental Objections – Insufficient Information (EO-2).”</i></p> <p>See responses to comments USEPA-61 through USEPA-63 for a description of USACE’s process for documenting the least environmentally damaging practicable alternative (LEDPA).</p>
USEPA-12 through USEPA-15	<p><i>The comment notes that the project and DEIR/DEIS were rated as Environmental Objections – Insufficient Information (EO-2, comment USEPA-11), because of a potential inability to achieve no net loss of wetlands, a “flawed” section 404(b)(1) alternatives analysis, significant air quality impacts, and “lack of a demonstrated need for the proposed level of development.”</i></p> <p>See responses to comments USEPA-61 through -63.</p>
USEPA-16	<p><i>The comment states that the DEIR/DEIS has a lack of demonstrated need for the proposed level of project development.</i></p> <p>See responses to comments USEPA-124 through USEPA-130.</p>
USEPA-17	<p><i>The comment states that EPA is unable to determine whether the project is the LEDPA.</i></p> <p>To receive a permit to fill waters within USACE jurisdiction, the project applicant must demonstrate that the selected alternative is the LEDPA. See responses to comments USACE-61 through USACE-63 for a description of USACE’s process for documenting the LEDPA.</p>

USEPA-18	<p><i>The comment states that the project would contribute to the exceedance of National Ambient Air Quality Standards.</i></p>
	<p>The comment restates text that is contained within DEIR/DEIS Section 3A.-2, “Air Quality”; the comment is noted.</p>
USEPA-19 through USEPA-20	<p><i>The comments state that the project could set a precedent for future actions, and that these future actions could collectively have significant environmental impacts.</i></p>
	<p>As discussed on page 1-9, the DEIR/DEIS is intended as a “first-tier” or program-level document. Subsequent actions within the Specific Plan would be assessed for their compliance and consistency with the DEIR/DEIS to determine whether further CEQA or NEPA analysis was required. Section 4.1, “Cumulative Impacts” of the DEIR/DEIS acknowledges that the project would contribute to a variety of significant cumulative impacts.</p>
USEPA-21	<p><i>The comment recommends that the FEIR/FEIS validates the need for the proposed level of development with appropriate data.</i></p>
	<p>See responses to comments USEPA-123 through USEPA-130.</p>
USEPA-22	<p><i>The comment recommends that the FEIR/FEIS develops and analyzes alternatives that maximize the avoidance and minimization of adverse impacts to sensitive resources while also meeting SACOG Blueprint density and smart growth goals.</i></p>
	<p>See responses to comments USEPA-8 and USEPA-61 through USEPA-63.</p>
USEPA-23 through USEPA-24	<p><i>The comments recommend that the FEIR/FEIS demonstrate the feasibility of achieving “no net loss of functions and values” of wetlands, waters of the U.S., and other sensitive resources.</i></p>
	<p>A draft wetland mitigation and monitoring proposal (MMP) was prepared by the project applicants and is appended to the FEIR/FEIS as Appendix Q. This draft MMP identifies a number of mitigation banks that appear to service the SPA. At this time, enough mitigation credits are available to fully cover the loss of wetland functions anticipated to result from project implementation; however, it is unknown whether sufficient mitigation credits would be available in the future for all phases of the SPA as the area builds out. Furthermore, the draft plan does not identify how or where mitigation for loss of seep, marsh, and other waters of the U.S. (totaling 15.02 acres) would be compensated. However, because USACE cannot issue a permit until the project applicants have developed a mitigation plan demonstrating that the loss of wetlands and other waters of the U.S. would be compensated in a manner that would result in no net loss of habitat functions and values, this is expected to eventually occur, and would occur before any physical changes that could affect wetlands would be allowed to occur.</p>
	<p>Mitigation Measure 3A.3-2b (page 3A.3-52 in Section 3A.3, “Biological Resources,” of the DEIR/DEIS) would require monitoring until performance standards were met and that corrective measures be applied if performance standards were not met. The MMP would need to demonstrate to USACE’s satisfaction how aquatic functions would be replaced and would need to account for the temporal loss of habitat, and contain an adequate margin of safety to reflect anticipated success.</p>



In addition to the preservation of 44.14 acres of waters of the U.S. within the SPA, the applicant's proposed mitigation plan is to purchase credits from an agency approved mitigation bank. Mitigation banks are not authorized to sell credits until they have met established performance standards and success criteria demonstrating that they are providing specified wetland functions and values. Because there are currently adequate mitigation credits available from approved mitigation banks to offset losses of functions and values resulting from the project and these banks must meet established criteria, it is expected that the no-net-loss of functions and values of wetlands and other waters standard could be achieved. However, a net loss of function up to the subbasin level could result, as discussed on page 3A.3-49 of the DEIR/DEIS.

USEPA-25 through  
USEPA-27

*The comment recommends that the FEIR/FEIS include a revised Section 404(b)(1) on-site alternatives analysis that identifies the LEDPA.*

See responses to comments USEPA-61 through -63.

USEPA-28 through  
USEPA-29

*The comment recommends that the FEIR/FEIS include a draft General Conformity determination, if applicable.*

The need for a generally conformity analysis would be determined by USACE at the time the ROD was prepared.

USEPA-30 through  
USEPA-31

*The comments state that detailed comments are enclosed in the comment letter, and that EPA is available to discuss all recommendations provided. .*

The comment references detailed comments, responded to individually in responses to comments USEPA-34 through USEPA-174.

USEPA-32

*The comment requests one hard copy and two CDs of the FEIR/FEIS.*

The USACE will provide one hard copy and two CDs of the FEIR/FEIS to EPA, as requested.

USEPA-33

*The comment provides contact information.*

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

USEPA-34

*The comment recommends the development and analysis of alternatives that maximize the avoidance and minimization of adverse impacts while meeting SACOG's density and smart growth principles.*

See responses to comments USEPA-8 and USEPA-61 through USEPA-63.

USEPA-35 through  
USEPA-41

*The comments state that EPA is concerned about the significant direct, indirect, and cumulative loss of aquatic resources in the Sacramento region, to which the project would be contributing. The comments state that these cumulative impacts have been exceedingly large and have resulted in habitat fragmentation and the loss of connectivity.*

The DEIR/DEIS acknowledges the cumulative regional loss of aquatic resources in Chapter 4, “Other Statutory Requirements” page 4-29 through -33.

USEPA-42

*The comment states that the Proposed Project Alternative would result in the loss of 444 acres of blue oak woodland, which is considered to be a rapidly declining ecologically important habitat.*

The Proposed Project Alternative would result in the loss of 243 acres of blue oak woodland habitat, as discussed on page 3A.3-87, Section 3A.3 “Biological Resources” of the DEIR/DEIS. The DEIR/DEIS includes mitigation measures to reduce impacts on this sensitive resource to the degree feasible. The discussion on page 3A.3-88 of the DEIR/DEIS concludes that impacts on blue oak woodland habitat would remain significant and unavoidable because the loss of individual oak trees and blue oak woodland acreage and function would be extensive and would contribute substantially to the regional loss of this resource.

USEPA-43 through  
USEPA-44

*The comments state that compared to the baseline period of 1976–1995, California has lost 80-90% of vernal pools. The comments also state that Sacramento County is proposing further loss of waters of the U.S., including up to 1,200 acres of vernal pools and swales.*

The DEIR/DEIS acknowledges the substantial cumulative loss of these resources in on page 4-32 in Chapter 4, “Other Statutory Requirements.”

USEPA-45 through  
USEPA-46

*The comments state that as noted on page 2-5 of the DEIS, USACE cannot issue a Section 404 permit for the Proposed Project Alternative if a practicable alternative was identified that would have less adverse impacts on the aquatic ecosystem and no other significant adverse environmental consequences.*

The commenter restates text that is contained in Chapter 2, “Alternatives” of the DEIR/DEIS; the comment is noted.

USEPA-47 through  
USEPA-50

*The comment states that the No USACE Permit and Resource Impact Minimization Alternatives avoid many impacts to waters of the U.S., blue oak woodlands, air quality, and cultural resources. However, the DEIR/DEIS states that the No USACE Permit and Resource Impact Minimization Alternatives are inconsistent with the SACOG Blueprint scenario because they do not propose the density of development envisioned by the Blueprint. The comments also state that the DEIR/DEIS does not provide an explanation describing why these less damaging alternatives could not be designed to be more consistent with the SACOG Blueprint scenario density goals.*

See responses to comments USEPA-8 and USEPA-61 through USEPA-63.

- USEPA-51 *The comment recommends that the FEIR/FEIS includes the analysis of alternatives that both avoid and minimize adverse impacts to sensitive resources while also meeting the SACOG Blueprint density and smart growth goals.*
- See responses to comments USEPA-8 and USEPA-61 through USEPA-63.
- USEPA-52 *The comment recommends further refinement of the No USACE Permit and Resource Impact Minimization Alternatives to meet the SACOG density and smart growth goals.*
- See responses to comments USEPA-8 and USEPA-61 through USEPA-63.
- USEPA-53 through  
USEPA-58 *The comment states that the USEPA does not agree with the conclusions reached in the draft 404(b)(1) analysis, because the USEPA believes that the cost analysis contained therein was “flawed” since it compared the costs of the alternatives to the cost of the proposed action.*
- See responses to comments USEPA-61 through USEPA-63.
- USEPA-59 *The comment states that USACE considers the project’s purpose to be to construct a large scale, mixed-use development with associated infrastructure within eastern Sacramento County.*
- The comment accurately restates the project purpose and need as described on page 1-7 of the DEIR/DEIS.
- USEPA-60 *The comment states that USACE has not identified the LEDPA.*
- See responses to comments USACE-61 through USACE-63.
- USEPA-61 *The comment suggests that the FEIR/FEIS should include a revised Section 404(b)(1) On-Site Alternatives Analysis.*
- The DEIR/DEIS is designed to integrate NEPA requirements for a reasonable range of alternatives with EPA’s 404 Guidelines requirements for all practicable alternatives. Because the proposed SPA involves eleven individual projects, including development on nine separate parcels with different property owners, on-site infrastructure, and off-site infrastructure, and because site-specific, project-level details were not available for each project within the SPA at the time a reasonable range of alternatives was selected for analysis under NEPA, the alternatives analyzed in the DEIR/DEIS are at a program level. In short, a reasonable range of alternatives was selected for the entire specific plan area, not for each of the eleven individual projects located within the SPA. Additional on-site, program-level alternatives for the entire SPA were determined by USACE to be not practicable and were considered but eliminated from further consideration, as described in Chapter 2, “Alternatives” of the DEIR/DEIS. The 404(b)(1) On-Site Alternative Analysis is included in Appendix L of the DEIR/DEIS has been submitted to EPA for specific review and comment.
- Project-level alternatives information, designed to show compliance with the 404 Guidelines, was developed by the project applicants for the following parcels (i.e., “projects” from a NEPA wetland permitting standpoint): Carpenter Ranch, Folsom South, and on-site infrastructure. This alternatives information is included and available for review in Appendix L of the FEIR/FEIS and has been submitted to EPA for review and

comment. For parcels located within the SPA for which alternatives information is not yet available, before completing a ROD and making a permit decision for these parcels, USACE will provide the alternatives information to EPA for review and comment. USACE will consider any comments received regarding alternatives to the proposed project, and will make a determination on compliance with the 404 Guidelines within the ROD and subsequent NEPA documents.

USEPA-62

*The comment suggests that the revised analysis (suggested in comment USEPA-61) should properly apply criteria to determine the practicability of the alternatives and their ability to achieve the basic project purpose.*

The DEIR/DEIS discusses four on-site alternatives for the SPA that were eliminated from further consideration: (1) Additional Avoidance Alternative, (2) Carpenter Ranch Avoidance Alternative, (3) Regional Commercial Avoidance Alternative, and (4) Western Residential Avoidance Alternative.

The first three of these alternatives all involved the preservation of an intermittent drainage and seasonal swale through the proposed regional mall on the Carpenter Ranch site. The primary basis for the elimination of these alternatives from further consideration was USACE's determination that the alternatives were not practicable because of logistics. Based on information received from the project applicants, including submittal of four letters from developers with experience and/or expertise in regional mall development, USACE determined that including a wetlands corridor that separated the northern and southern portions of the proposed regional mall site would make the construction of the mall infeasible. The USACE also determined that the required additional construction of parking garages, bridges, water quality detention basins, and the boring of utility crossings would make these alternatives not practicable because of cost.

The Western Residential Avoidance alternative would result in the additional preservation of 0.319 acres of human-made drainage ditch and intermittent drainage. Because this alternative would require the construction of additional bridges, the loss of several lots, the creation of an isolated portion of the development, and the requirement for a sanitary sewer pump station and force main, USACE determined that this alternative was not practicable because of cost and logistics.

The USACE is unclear about the additional criteria that EPA is requesting be included in the evaluation for compliance with the 404 Guidelines for the alternatives in the DEIR/DEIS and requests that EPA provide further clarification to allow more specific responses, as necessary.

As explained in response to comment USEPA-61, the DEIR/DEIS does not contain all of the alternatives that are being evaluated to ensure compliance with the 404 Guidelines, as the DEIR/DEIS is designed to provide a program-level analysis. Project-level alternatives information designed to show compliance with the 404 Guidelines was developed by the project applicants for the following parcels (i.e., "projects" from a NEPA wetland permitting standpoint): Carpenter Ranch, Folsom South, and on-site infrastructure. This alternatives information is included in Appendix L of the DEIR/DEIS and has been submitted to EPA for review and comment. For the parcels located within the SPA for which alternatives information is not yet available, before completing a ROD and making a permit decision for these parcels, USACE would provide the alternatives information to EPA for review and comment. USACE will consider any comments received regarding

alternatives to the proposed project, and will make a determination on compliance with the 404 Guidelines within the ROD and subsequent NEPA documents.

In accordance with the 404 Guidelines, USACE would not issue a permit for the discharge of dredged or fill material “if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have significant adverse environmental consequences.”

USEPA-63

*The comment suggests that the revised analysis (suggested in comment USEPA-61) should identify the LEDPA.*

As stated in response to comment USEPA-61, because site-specific, project-level details were not available at the time a reasonable range of alternatives was selected for evaluation, the DEIR/DEIS is intended to provide an analysis of all significant impacts for a reasonable range of alternatives at a program-level of analysis, evaluating the SPA as a whole. Because site-specific and project-level alternatives are not evaluated in the DEIR/DEIS and are not currently available for each parcel within the SPA, USACE has determined that selection of the LEDPA in the FEIR/FEIS is not appropriate. Following receipt of site-specific alternatives information, USACE would ensure that this information is submitted to EPA for review and comment. A final determination for the LEDPA for each parcel would be made within any supplemental NEPA documents prepared for these projects and the ROD.

USEPA-64

*The comment requests verification of the ability to fully mitigate loss of habitat functions and values of the LEDPA.*

As discussed in Chapter 2, “Introduction” page 1-2 and Section 3A-3 “Biological Resources” page 3A.3-24 of the DEIR/DEIS, the project applicants propose to create a 1,053-acre open-space preserve for the preservation of 44.19 acres of waters of the U.S., including Alder Creek, tributaries to Alder Creek, and adjacent wetlands. The Draft Operations and Maintenance Plan and Mitigation and Monitoring Plan are included in Appendix P and Q of the FEIR/FEIS. In addition, the project applicants propose to mitigate for impacts of the project through the purchase of credits at a USACE-approved mitigation bank, at a ratio of 1:1. Because of the lack of existing or proposed mitigation banks within the watershed that would be affected by the project, as discussed in Section 3A.3, “Biological Resources,” of the DEIR/DEIS, full compensation for impacts to waters of the U.S. for the project or any alternative are unlikely to occur within the watershed. Therefore, impacts of the project to waters of the U.S. within the watershed would be expected to remain significant and unavoidable under NEPA. However, the functions of the waters likely to be affected would be replaced at a mitigation bank that would have the project site within its service area.

In addition, any permit issued for the project or other alternative would require compliance with the 2008 Compensatory Mitigation Rule (33 CFR 332) and Executive Order 11990, Protection of Wetlands. The project applicants have provided information in Appendix Q of the DEIR/DEIS about existing mitigation banks and/or mitigation sites proposed to be used to compensate for unavoidable impacts to waters of the U.S. caused by the project. The USACE invites EPA and other interested parties to review the submitted information and provide comments or further suggestions on the proposed preservation plan and compensatory mitigation plan.

Due to the programmatic nature of the EIR/EIS, as discussed in responses to comments USEPA-61 and USEPA-62, a determination of the LEDPA would be made by USACE

within the ROD and supplemental NEPA documents. It is within these documents that a final determination would be made on the requirements for mitigation to compensate for unavoidable impacts to waters of the U.S. for the proposed project or other alternative.

USEPA-65 through  
USEPA-68

*The comments state that EPA is unable to determine compliance with the 2008 Compensatory Mitigation Rule because the DEIR/DEIS does not identify proposed mitigation sites or provide a draft mitigation and monitoring plan. The comments state that Section 404 permit applicants must identify where and how they will mitigate for adverse impacts before issuance of the Section 404 permit.*

The project applicants' biological consultant has prepared a draft wetland mitigation and monitoring proposal, provided as Appendix Q to this FEIR/FEIS. The project applicants propose to compensate for the unavoidable loss of wetlands and other waters through the purchase of credits at agency-approved mitigation banks. Table 2 in the draft MMP shows that currently 121 acres of vernal pool credits and 358 acres of seasonal wetland credits are available for purchase at agency-approved mitigation banks, authorized to sell credits to offset impacts in the SPA. This is over 10 times the number of compensatory credits needed to offset project impacts. According to the 2008 Compensatory Mitigation Rule, mitigation banks should be given preference over other types of mitigation because much of the risk and uncertainty regarding mitigation success is alleviated by the fact that mitigation bank wetlands must be established and demonstrating functionality before credits can be sold. This also alleviates temporal losses of wetland function while compensatory wetlands are being established. Mitigation banks also tend to be on larger, more ecologically valuable parcels and are subjected to more rigorous scientific study and planning and implementation procedures than typical permittee-responsible mitigation sites (33 CFR Section 332.3[b][2] and 40 CFR Section 230.93[b][2]) (USACE and EPA 2008).

USEPA-69 through  
USEPA-70

*The comments state that it may not be possible to fully mitigate the loss of habitat functions and values of the project because the rapid rate of development in Sacramento County has resulted in a limited amount of land where wetlands could be preserved or compensatory aquatic habitat created.*

At the time these responses were drafted, ample compensation credits appeared to be available at agency-approved mitigation banks authorized to sell credits in the SPA. See responses to comments USEPA-65–68. As stated on page 13 of the draft MMP, the project applicants would provide additional off-site compensatory mitigation, if necessary, at a permittee-responsible mitigation site approved by USACE and USFWS (if the mitigation also was for listed-species habitat). The permittee-responsible mitigation site and plan would be subject to the specifications outlined in Mitigation Measure 3A.3-1b in Section 3A.3 “Biological Resources” (pages 3A.3-37 through 3A.3-40) of the DEIR/DEIS. The site where permittee-responsible mitigation would be carried out is not identified at this time because all compensatory mitigation is anticipated to be accomplished through credit purchase at approved mitigation banks, and if that occurs, permittee-responsible mitigation would not be needed. In addition, 30% of the project site would be preserved as open space, which includes the Alder Creek corridor.

However, the discussion in Chapter 4, “Other Statutory Requirements,” on page 4-33 of the DEIR/DEIS concludes that even with implementation of all feasible mitigation and enforcement of USACE “no-net-loss” standard, the value of the region as it relates to the long-term viability of these resources would be substantially diminished. The “Land” and

“Water” portions of the project would result in a cumulatively considerable incremental contribution to significant cumulative biological resources impacts, including the loss and degradation of sensitive habitats, habitat for special-status wildlife, and habitat for special-status plants; and loss/ displacement of special-status wildlife.

On page 3A.3-50 of the DEIR/DEIS, the discussion further concludes that implementing the project likely would substantially diminish the water quality, hydrologic, and habitat functions of all wetlands remaining on-site and downstream in the project vicinity, and an overall loss of function could occur up to the subbasin watershed level. Therefore, direct and indirect impacts would remain significant and unavoidable.

USEPA-71 through  
USEPA-74

*The comments recommend that the City provides a draft mitigation and monitoring plan, and verifies the ability to fully mitigate the loss of habitat functions and values in the FEIR/FEIS, to assist USACE and EPA in determining compliance with the 2008 Compensatory Mitigation Rule.*

Agency-approved mitigation banks, authorized to sell credits in the SPA, are identified in Table 2 of the draft MMP, provided in Appendix Q of this FEIR/FEIS. One or more of these banks would be used, as needed, for purchasing compensatory mitigation credits to offset the loss of wetland acreage, functions, and values resulting from project implementation. The use of mitigation banks is the preferred method of compensation, according to the 2008 Compensatory Mitigation Rule.

A draft wetland MMP has been prepared and is appended to this FEIR/FEIS. See responses to comments USEPA-65–68.

USEPA-75

*The comment suggests that Off-site Water Facility Alternative 2B should be considered as the preferred water infrastructure alignment, for the reasons listed in comment USEPA-78.*

See response to comment USEPA-79.

USEPA-76

*The comment states that the construction of a large scale, mixed-use development would require the construction and operation of new water and wastewater conveyance and treatment facilities.*

Descriptions of the various alternatives for water and wastewater conveyance and treatment facilities are presented in Chapter 2, “Alternatives” of the DEIR/DEIS, and impacts from construction and operation of those facilities are evaluated in Section 3A.16 “Utilities and Service Systems,” Section 3A.18 “Water Supply,” and throughout Sections 3B.1 through 3B.17. The City notes that since the time of publication of the DEIR/DEIS, it has determined that the preferred location for the water treatment plant is on site (within the SPA), as discussed in Chapter 2, “Minor Modifications to the Project Description” of this FEIR/FEIS.

USEPA-77

*The comment states that the DEIR/DEIS evaluates eleven alternatives, consisting of various combinations of raw water or treated water conveyance, road route alignments, and water treatment plant sites.*

The comment is generally correct in terms of the Off-site Water Facility Alternatives considered in the DEIR/DEIS. The DEIR/DEIS also provides a separate evaluation for six land use alternatives within the SPA, including the No Project Alternative. As

discussed Chapter 2, “Alternatives,” in the third paragraph on page 2-80 of the DEIR/DEIS, any one the Off-site Water Facility Alternatives would be capable of providing a reliable, long-term water supply for any of the land use alternatives.

USEPA-78

*The comment states that Off-site Water Facility Alternative 2B, on page 2-107 of the DEIR/DEIS, would reduce air quality, noise, wetland, and land use impacts by integrating with existing water treatment facilities, minimizing the conveyance alignment distance and maximizing use of horizontal directional drilling construction methods where the pipeline route intersected waters of the U.S.*

The comment is noted.

USEPA-79

*The comment recommends that Off-site Water Facility Alternative 2B be selected as the preferred water infrastructure alignment, the identified environmentally superior alternative for the “water” portion of the project.*

Off-site Water Facility Alternative 2B is identified as the environmentally superior alternative in the DEIR/DEIS, but was not selected as the City’s preferred Off-site Water Facility Alternative for several reasons. The City has selected the Proposed Off-site Water Facility Alternative as described on pages 2-80 through 2-87 of the DEIR/DEIS as its “Preferred” Off-site Water Facility Alternative. The main reasons for the City’s position include the inclusion of the WTP within the SPA, thereby reducing the overall footprint of the Off-site Water Facilities; operational control over major water treatment processes, structural facilities, and maintenance activities; and a preference for conveyance of raw water through the conveyance pipeline to the SPA as opposed to treated water. In addition to the City’s reasoning for the selection its “Preferred” Off-site Water Facility Alternative, Off-site Water Facility Alternative 2B would likely not meet the project’s scheduling needs due to delays in the construction of SCWA’s North Service Area pipeline.

Although not identified as the Environmentally Superior Alternative in the DEIR/DEIS, the “Preferred” Off-site Water Facility Alternative shares many of the same attributes as the Environmentally Superior Alternative, including a reduced construction footprint due to the fact that it would integrate with existing and/or planned facilities.

USEPA-80 through  
USEPA-81

*The comment suggests that the project applicant(s) should aggressively implement emission reduction measures, adding the requirement of a General Conformity analysis and, if applicable, a draft General Conformity determination in the DEIR/DEIS.*

The DEIR/DEIS contains emission reduction mitigation measures; see Mitigation Measures 3A.2-1a through -1h, 3A.2-2, 3A.2-4a and -4b, and 3A.2-6 in Section 3A.2, “Air Quality.”

Page 3A.2-11 of the DEIR/DEIS states that general conformity with respect to the project would be determined within the ROD prepared by USACE.



USEPA-82 through  
USEPA-83

*The comment states that Sacramento County is in nonattainment for ozone and particulate matter, with Sacramento Valley Air Basin ranking among the worst in the nation for ozone.*

The comment restates information that is presented in DEIR/DEIS Section 3A.2.1, “Air Quality–Affected Environment.” Sacramento Metropolitan Air Quality Management District (SMAQMD) notes that Sacramento County does meet the Federal standard for particulate matter with a diameter of 10 microns or less (PM<sub>10</sub>) as stated in SMAQMD’s CEQA Guide, 2009, page 1-2, available at: <http://www.airquality.org/ceqa/cequguideupdate/Ch1IntroAQFINAL.pdf>.

USEPA-84 through  
USEPA-88

*The comment states that emissions are dominated by area-wide sources, primarily because of development, and that even with proposed mitigation, construction, operation, and mobile source emissions from development of the plan area would exceed SMAQMD-recommended thresholds and contribute to the exceedance of National Ambient Air Quality Standards.*

The comment restates text that is contained within DEIR/DEIS Section 3A.2, “Air Quality”; the comment is noted.

USEPA-89 through  
USEPA-93

*The comment states that the project would significantly increase peak-hour use, daily traffic volumes, and the demand for single-occupant automobile travel on roadways and intersections, resulting in a significant reduction in level of service (LOS) and the need for major improvements.*

The comment restates text that is contained within DEIR/DEIS Section 3.15-2, “Traffic and Transportation”; the comment is noted.

USEPA-94 through  
USEPA-96

*The comment states that the DEIR/DEIS correctly describes EPA's General Conformity program, which addresses emissions from Federal projects and actions, to protect areas that EPA has designated as not meeting Federal air standards. The comment states that, under the General Conformity program, a Federal agency first would look at whether the preferred alternative would result in direct and indirect emissions that would exceed the de minimis threshold for the program. The comment further states that if the project emissions were above de minimis, the Federal agency would prepare a determination which would describe the manner in which the project conformed to the applicable state implementation plan for the area.*

As stated on page 3A.2-11 of the DEIR/DEIS, general conformity with respect to the project would be determined within the ROD process.

USEPA-97 through  
USEPA-100

*The comment cites discussion in the DEIR/DEIS that states General Conformity would be addressed in the ROD. The comment further states that, although this would be allowed under regulation and law, project emissions could be above the de minimis threshold, requiring a General Conformity determination.*

The comment restates text that is contained within DEIR/DEIS Section 3A.-2, “Air Quality”; the comment is noted.

USEPA-101 through  
USEPA-103

*The comment states that addressing General Conformity now might lead to project design modifications, emission offsets, and additional mitigation measures that would significantly reduce emissions. The comment urges project proponents to aggressively implement emission reduction measures such as reliance on accessible transit and higher density development on more centralized, smaller parcels, close to existing employment centers and infrastructure.*

As stated on page 3A.2-11 of the DEIR/DEIS and noted in USEPA-97 to USEPA -100, General Conformity would be addressed in the ROD. As described in the Air Quality Monitoring Plan (AQMP) (attached to the DEIS as Appendix C2), the project includes numerous measures to reduce air emissions, including 3A.2-1a through 3A.2-1h, 3A.2-2, 3A.2-4a and 3A.2-4b, and 3A.2-6.

USEPA-104 through  
USEPA-106

*The comment (continued from USEPA-102 and USEPA-103) suggests working with transportation planners to fund and implement transit, roadway, and intersection improvement projects that would reduce adverse impacts to air quality.*

The proposed project and the other four action alternatives under consideration would be required to comply with the AQMP (attached to the DEIR/DEIS as Appendix C2), which identifies numerous measures to reduce air emissions through support and infrastructure for transit, bicycle, and pedestrian transportation. The measures required in the AQMP would include construction of bicycle and pedestrian infrastructure, mixing of uses, and transit improvements to reduce the number of internal and external trips related to the project that rely on single-occupant automobiles. Section 7.8.3 of the FPASP (Appendix N of the DEIR/DEIS) describes the proposed transit system plan, which includes connections to existing city transit routes, regional transit routes, and a Bus Rapid Transit corridor that would link the project to the Sacramento Regional Transit light rail system.

USEPA-107 through  
USEPA-108

*The comment suggests that the FEIR/FEIS should include a General Conformity analysis and, if applicable, a General Conformity determination.*

As stated on page 3A.2-11 of the DEIR/DEIS, general conformity with respect to the project would be determined within the ROD process.

USEPA-109 through  
USEPA-112

*The comment suggests that, if a determination was required, the results, in the form of emission reductions, should be integrated into the project design. The comment states that all feasible greenhouse gas (GHG) reduction measures should be aggressively implemented, and that the project would generate short-term construction-related and long term operational GHG emissions.*

The General Conformity analysis (and determination, if necessary), would be addressed in the ROD, and emission reductions would be integrated into the project design as required. The description of GHG emissions is noted. The DEIR/DEIS identifies feasible GHG reduction measures in Mitigation Measures 3A.2-1a (on page 3A.2-30), 3A.2-1b (on page 3A.2-32), 3A.2-2 (on page 3A.2-43), 3A.4-1 (on page 3A.4-14), 3A.4-2a (on page 3A.4-26), and 3A.4-2b (on page 3A.4-29).

USEPA-113

*The comment (continued from comments USEPA-109 through USEPA-112) states that these emissions would contribute to a substantial and unavoidable cumulative impact despite proposed mitigation measures.*

The comment restates text that is contained in DEIR/DEIS Section 3A.4, “Climate Change”; the comment is noted.

USEPA-114 through  
USEPA-116

*The comment suggests retention and aggressive implementation of all proposed mitigation measures including those currently required under Assembly Bill 32, the California Global Warming Solutions Act of 2006 (AB 32), regardless of the outcome regarding final implementation of AB 32.*

The party responsible for enforcing each mitigation measure is identified in the DEIR/DEIS immediately following the text of the mitigation measure, including those that would be imposed based on AB 32 requirements. AB 32 was designed to mitigate GHG emissions at the state level; reduction measures specified in the Scoping Plan are separate from those specified as mitigation measures in the DEIR/DEIS, and are subject to state oversight.

USEPA-117 through  
USEPA-119

*The comment states that SMAQMD’s particulate matter with a diameter of 2.5 microns or less (PM<sub>2.5</sub>) designation in Table 3A.2-1 of the DEIR/DEIS contains an error regarding the area’s status with respect to PM<sub>2.5</sub> NAAQS (the table indicates that the area is unclassifiable/attainment, or “U/A”, and the comment states that this designation is incorrect).*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the PM<sub>2.5</sub> designation of “nonattainment” has been revised as requested by the commenter.

USEPA-120 through  
USEPA-122

*The comment states that in Table 3A.2-1 of the DEIR/DEIS, the Sacramento area was designated nonattainment for the 2006 PM<sub>2.5</sub> NAAQS in December 2009, and this nonattainment designation is codified at 40 CFR 81.305.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS the PM<sub>2.5</sub> designation of “nonattainment” has been revised as requested by the comment.

USEPA-123 through  
USEPA-130

*The comments request the validation for the proposed level of project development. The comments state that the region surrounding the SPA is undergoing rapid development and ongoing public debate exists about growth projections, level of development, and housing unit needs for Sacramento County. The comment further states that the DEIR/DEIS does not demonstrate the need for the proposed level of development in light of other, already planned growth in the surrounding region.*

As stated in Chapter 1, “Introduction” on page 1-6 of the DEIR/DEIS:

The Proposed Project Alternative has been formulated to achieve the purpose, objectives, and needs summarized below. State CEQA Guidelines CCR Section 15124(b) requires that the project description contain a clear statement of the project objectives, including the underlying purpose of the project. NEPA regulations (40 CFR 1502.13) require that an EIS contain a statement of the

purpose and need that “briefly specif[ies] the underlying purpose and need to which the agency is responding in proposing the alternatives, including the proposed action.” The statement of objectives is important under CEQA in helping the City (State lead agency under CEQA), and the statement of purpose and need is important under NEPA in helping USACE (Federal lead agency under NEPA), to develop a reasonable range of alternatives to the Proposed Project Alternative for evaluation in the EIR/EIS.

The purpose and need for the project, from the standpoint of USACE, is stated on page 1-7 of the DEIR/DEIS as follows:

The project purpose, as considered by USACE, is to construct a large scale, mixed-use development, with associated infrastructure, within eastern Sacramento County.

The purpose and need for the project, from the standpoint of the City of Folsom, is stated on page 1-7 of the DEIR/DEIS as follows:

The purpose of the Folsom South of Highway 50 Specific Plan project is to provide a mixed-use, master-planned community within an area south of U.S. 50 that would be annexed to the City of Folsom, and also to secure a reliable water supply consistent with the requirements of Measure W and objectives of the Water Forum Agreement and the necessary off-site conveyance infrastructure to facilitate the planned development of the SP. In accordance with local and regional plans, including the City’s General Plan and SACOG Blueprint and Smart Growth Principles, the project would expand the City’s current sphere of influence south of U.S. 50 in a manner that would foster orderly urban development and discourage leapfrog development and urban sprawl. The project would provide both jobs and housing and would generate a positive fiscal impact for the City.

Neither CEQA nor NEPA require that a lead agency justify the need for the project beyond the required discussion of the project purpose, need, and objectives; rather a lead agency is only required to specify the underlying purpose and need to which it is responding (40 CFR Section 1502.13). The City of Folsom has provided the following information regarding the need for the project.

The City of Folsom is planning for anticipated growth over the next 20-30 years because the City is near buildout within its existing limits. The City believes that additional lands for its future growth will be required. In 2001, the Sacramento LAFCo designated the undeveloped land south of U.S. 50 between Prairie City Road, White Rock Road, and the El Dorado County line as part of the City’s sphere of influence. The City entered into a Memorandum of Understanding (MOU) with Sacramento County before approval of the SPA application by Sacramento LAFCo. The intent of the MOU is to serve as a guide for sound regional long-range planning efforts relative to the annexation of the SPA. The MOU outlines a comprehensive planning process for the project site, including the participation of various stakeholders and the general public. It also addresses a number of issues including water supply, transportation, air quality, schools, and open space that were later incorporated into language used in the City’s Measure W (City Ordinance No. 1022) and subsequently in the City Charter. In November 2004, following a series of visioning workshops, Measure W, which was designed to obtain voter approval of proposed annexation and guide development with the Folsom South of U.S. 50 Specific Plan Area, passed with support from 69% of City voters. The MOU led to LAFCo

Resolution 1196, approving the City's sphere of influence amendment. See pages 1-3 through 1-6 of the DEIR/DEIS for additional details.

USEPA-131 through  
USEPA-133

*The comments suggest that the FEIR/FEIS should provide appropriate data to validate the need for the proposed level of development, including a detailed explanation of why a development of this size, composition, and location is needed and a more detailed description of the phasing of the project.*

See responses to comments USACE-123 through USACE-130.

USEPA-134 through  
USEPA-135

*The comments request that a more detailed description of project phasing be provided, including criteria that would be used to determine the need for subsequent stages.*

Additional detail on project phasing beyond what is shown in Chapter 2, "Alternatives," in Exhibit 2-12 on page 2-43 of the DEIR/DEIS is not available at this program level of analysis. See the discussion in Chapter 1, "Introduction," on pages 1-9 and -10 of the DEIR/DEIS regarding the intended uses of this EIR/EIS and future environmental review that may be required during subsequent project-level development phases.

USEPA-136

*The comment suggests that the DEIR/DEIS should provide a more robust evaluation of the long-term reliability of the project's water supply source.*

The Water Supply Assessment (WSA), included in Appendix M1 of the DEIR/DEIS, provides a robust evaluation of the long-term reliability of the project's water supply source, consistent with the requirements of SB 610. Furthermore, Section 3A.18, "Water Supply" of the DEIR/DEIS provides a detailed discussion of the project's water supply (see page 3A.18-12) and the reasonable likelihood of water supplies meeting project demands (see page 3A.18-13). As shown in Table 3A.18-7 on page 3A.18-13 of the DEIR/DEIS, adequate water supplies would be available to meet projected water demands, even in critically dry years. These findings, when considered in the context of Reclamation's renewal of NCMWC's settlement contract in 2005 for another 40 years, support the conclusion that over the long term, the project's water supply would be reliable. This conclusion is supported the water supply evaluation provided in Impact 3A.18-1 on pages 3A.18-10 through 3A.18-14 of the DEIR/DEIS as well as in the discussion of cumulative impacts on pages 4-40 through 4-43, under the headings of "Surface Water Flows" and "Groundwater Resources."

USEPA-137

*The comment states that the project's annual water demand would be 3,648 acre-feet (AF) for residential use and 1,898 AF for non-residential uses, for a total of 5,546 AF annually.*

This information regarding water demands is provided on page 2-79 of the DEIR/DEIS, the estimates are summarized in Table 2-13 on that page, and the water supply assessment is included in Appendix M1. As noted on page DEIR/DEIS page 2-75, the total was rounded to 5,600 AFY, to give a conservative estimate.

USEPA-138

*The comment states that the proposed water source for the project would be an agricultural-to-urban water transfer of no more than 8,000 AFY of Reclamation CVP - contracted water from NCMWC.*

The transfer in effect would be permanent for the duration of NCMWC's settlement contract.

USEPA-139 through  
USEPA-140

*The comments state that the City of Folsom is an existing CVP contractor within the American River Unit. The comments further state that, on annexation, the SPA would be within the CVP water rights place of use for the City, as discussed on page 2-80 of the DEIR/DEIS.*

The commenter restates text contained in Chapter 2, "Alternatives," of the DEIR/DEIS; the comments are noted.

USEPA-141

*The comment reference a 2007 study which indicates that, based on cropping patterns, NCMWC would have sufficient water supplies to transfer up to 8,000 AFY, without adverse effects to NCMWC or the risk of supplemental groundwater pumping as a result of the water transfer, as discussed on page 2-82 of the DEIR/DEIS.*

The comment is generally correct; however, it is important to note that irrigation efficiencies within NCMWC also contribute to this finding. This finding is based on the conclusions of the 2007 Wagner and Bonsignore evaluation, provided in Appendix M2 and summarized in Impact 3B.10-3 on page 3B.10-18 of the DEIR/DEIS.

USEPA-142

*The comment states that NCMWC's CVP contract supply originates from the Shasta/Trinity River diversion of the CVP.*

The comment is partly correct. NCMWC's CVP settlement contract supply originates from the Shasta diversion above Keswick Reservoir. Keswick Reservoir captures water that is diverted from the Trinity River through the Trinity River Division.

USEPA-143

*The comment states that EPA is concerned with the long-term reliability of the project's water supply, in light of efforts to reduce diversions from the Trinity River, increase Sacramento River flows for anadromous fisheries and the San Francisco-San Joaquin River Bay Delta (Bay Delta), increasing upstream demands, and climate change.*

The USACE and the City are aware of the multitude of issues that might or might not influence existing diversions along the Sacramento River over the continued long-term operation of the CVP. These direct and indirect influences are considered in the DEIR/DEIS's evaluation of water resources, in terms of changes in flow of the Sacramento River and Delta, CVP operational changes, and in the context of other cumulatively considerable water supply projects. This consideration includes both direct and indirect influences as a result of reduced diversions from the Trinity River, new flow requirements for anadromous fisheries and the Bay Delta, increasing upstream demands, and the effects of climate change.

These influences were considered in the context of the project's use of the existing Freeport Project diversion and conveyance pipeline and reassignment of a portion of NCMWC's settlement contract "Project" water. The combination of these factors would translate into no net increase in diversion capacity along the Sacramento River system or no additional demand on the CVP system as a whole. As described in Chapter 1,

“Introduction” on page 1-17 of the DEIR/DEIS, the Freeport Project EIR/EIS is incorporated by reference into the DEIR/DEIS and is considered in Reclamation’s OCAP (2004 and 2008). For this reason, the combined impact of one or more of these factors on the project’s water supply is already considered in the Freeport Project EIR/EIS, Reclamation’s OCAP (2004 and 2008), and Reclamation’s EIS/EIR for the Long-Term Renewal of NCMWC’s settlement contract (2005). Any reductions in contracted supplies as a result of these combined influences would be too speculative for consideration in the DEIR/DEIS.

USEPA-144

*The comment recommends that the FEIR/FEIS contain a more robust evaluation of the long-term reliability of the project’s water supply source.*

See response to comment USEPA-136.

USEPA-145

*The comment recommends that the FEIR/FEIS provide additional information on the potential implications of full implementation of the Trinity River Restoration Program.*

Reduced diversions from the Trinity River to the CVP were considered in Reclamation’s OCAP and supporting Biological Assessment (BA) in the 2004 update. The OCAP (2004) incorporated implementation of the preferred alternative, as described in the ROD for the Trinity River Restoration Project EIS/EIR, which increased releases to the Trinity River and decreased average water exports to the CVP. Reclamation’s OCAP (2008) also incorporates these changes to CVP operations and, as discussed in Chapter 4, “Other Statutory Requirements” on page 4-20 of the DEIR/DEIS, is considered in the cumulative analysis for the project.

Full implementation of the Trinity River Restoration Program would result in reduced deliveries from the Trinity River, which would translate into reduced exports to the CVP of approximately 240,000 AFY (or 28%) on average and by 160,000 AFY (30%) during dry years. These reductions then result in corresponding reductions in Delta exports of 60,000 AFY (2%) over the long-term average and 90,000 acre feet (4%) during dry periods. (U.S. Department of the Interior 2000.)

Although implementation of the Trinity River Restoration Program could result in less water within the Sacramento River, as discussed on pages 4-40 and 4-41 of the DEIR/DEIS, the project’s contribution to additional reductions in river flow are considered minor and not cumulatively considerable. The project’s water supply (e.g., settlement contract water) was the subject of another, more-recently prepared EIS/EIR by Reclamation for the long-term renewal of NCMWC’s settlement contract in 2004. Reclamation adopted a ROD for the approval of NCMWC’s settlement contract in 2005, for a contract period of 40 years. Because assumed operations in Reclamation’s OCAP (2004 and 2008), including reoperation of the Trinity River diversion, were considered by Reclamation in the renewal of NCMWC’s settlement contract, reduced diversions from Trinity River are not expected to adversely affect the project’s water supply (USBR 2004). This determination is further supported by the fact that the project’s water supply would originate from the Upper Sacramento River and would be stored in the Shasta Reservoir, which are distinctly separate from the Trinity River diversion, which ties into the Sacramento River Division of the CVP further downstream at Keswick Reservoir.

USEPA-146

*The comment recommends that the FEIR/FEIS provide additional information on the potential implications of more stringent Bay Delta downstream flow requirements.*

New or modified flow requirements for the Sacramento River, Delta, and Delta fisheries are currently topics of debate and, during preparation of the DEIR/DEIS, no new standards were adopted. The DEIR/DEIS evaluates the project's changes to flows within the Sacramento River and Delta based on outflow requirements, set forth in Tables 3 and 4 in the 2006 Bay-Delta Plan and SWRCB's Decision 1641 (D-1641) (see Section 3B.9, "Hydrology and Water Quality," page 3B.9-12 of the DEIR/DEIS). These two basic standards consider specific numeric Delta outflow requirements and the position of X2, based on the water year, type, and season.

Any new flow requirements for anadromous fisheries and the Bay Delta continue to remain uncertain and, therefore, it would be inappropriate to apply such a standard in the DEIR/DEIS analysis until formal adoption by the SWRCB and other applicable resource agencies. Furthermore, how new flow requirements would impact existing CVP contract supplies and whether reductions in contracted amounts would be distributed uniformly or geographically is unclear. Additionally, because population trends for special status fish species within the Delta are tied to numerous physical parameters including ocean conditions, fish passage issues, suitability of available rearing habitat, and overall flow conditions for contributing waterways to the Delta, it would be speculative for the DEIR/DEIS to specify any net reductions in CVP contracted supplies. Furthermore, the project's water supply would be settlement contract water, which would receive higher priority in the overall CVP.

USEPA-147

*The comment recommends that the FEIR/FEIS provide additional information on the potential implications of increased upstream water demands.*

The USACE and the City acknowledge that increasing demands from upstream water users may place additional stress on the CVP and the Sacramento River. However, the comment does not acknowledge the priority of settlement contract water over that of other CVP water users, both north and south of the Delta. The facts that the water supply in question is associated with a settlement contract and serves the CVP's area of origin (Water Code Sections 11128, 11460, and 11463) indicate that these supplies would be the last to experience shortages. Based on current laws and contracting provisions and the duration of the contracted supplies (e.g., 40 years), effects from new or increased upstream demands on the project likely would be negligible.

USEPA-148

*The comment recommends that the FEIR/FEIS provide additional information on the potential implications of climate change.*

The effects of climate change on the CVP water supplies under consideration are evaluated in Section 3B.4, "Climate Change," Impact 3B.4-2 on pages 3B.4-8 and 3B.4-9 of the DEIR/DEIS. As discussed, the potential impacts of climate change on water supplies within California remain uncertain and, based on current information, it is not possible to accurately estimate the specific changes in water supplies that could occur over the duration of the proposed use. Nevertheless, Section 3B.4, "Climate Change" of the DEIR/DEIS describes the potential effects of climate change on waters of the U.S., as described in AB 32. However, given the modeling uncertainties that remain, the potential impacts of climate change to water supplies are considered too speculative for meaningful evaluation in the DEIR/DEIS.



USEPA-149 through  
USEPA-152

*The comments state that Area 40, a portion of the Aerojet superfund site undergoing investigation and remediation under direction of EPA, the Department of Toxic Substance Control (DTSC), and the CVRWQCB, is located on the SPA and would be designated as open space and parkland. The comments also state that land designated for an off-site detention basin is in the Eastern Operable Unit (OU) of the Aerojet Superfund site.*

The comments summarize text that is contained within DEIR/DEIS Section 3A.8, “Hazards and Hazardous Materials”; the comments are noted.

USEPA-153 through  
USEPA-156

*The comments state that references in the DEIR/DEIS to an RI/FS are incorrect; the document is in fact a field sampling plan to support the preparation of an RI/FS for the Island OU.*

As noted in response to comment CVRWQCB-2-34, text references are corrected in Chapter 5, “Errata” of this FEIR/FEIS to clarify that the document is an RI/FS sampling plan, not an EPA-approved RI/FS. See also response to comment CVRWQCB-2-34.

USEPA-157 through  
USEPA-160

*The comments state that although the 2007 RI/FS sampling plan summarizes previous soil and groundwater data, additional sampling has been completed since then. These additional data will be incorporated into an RI/FS for the Island OU and should be consulted before planning future uses of Area 40. The comment further states that cleanup levels for Area 40 will not be set until EPA signs a ROD for the Island OU.*

As stated on pages 3A.8-23 and 3A.8-26 of the DEIR/DEIS, Area 40 could not be released for reuse until the agencies (EPA, the DTSC and the Central Valley RWQCB) determined an acceptable future use for Area 40. The City understands the cleanup levels for Area 40 will not be set until EPA signs an ROD for the Island OU; this comment is noted.

USEPA-161 through  
USEPA-168

*The comments state that the summary of EPA’s ROD, provided in the DEIR/DEIS, is not correct. The comments further state that the ROD will document EPA’s selection of an alternative to clean up this portion of the Superfund site to be protective of human health and the environment for the anticipated future uses of the site. The comments state that the remedial design and remedial action phases both would follow EPA’s ROD and could take years or decades, depending on the alternative selected and the cleanup required. The comments also note that land might not be available for some uses until cleanup was completed.*

As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the discussion of the ROD and the process by which land in Area 40 would be released for future uses has been revised. The revised text clarifies the content of the ROD and describes the approval process for future land uses.

USEPA-169

*The comment provides contact information for questions concerning the investigation and remediation of Area 40.*

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

additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

USEPA-170 through  
USEPA-171

*The comment states the Environmental Protection Agency's acknowledgement of the advantages of annexation of the SPA, to provide the City of Folsom with the ability to ensure that development on adjacent land within its sphere of influence would be consistent with the City's General Plan and with the SACOG's Blueprint and Smart Growth Principles, specifically to aggressively implement smart growth principles.*

The FPASP (Public Review Draft, June 2010, in Appendix N of the DEIR/DEIS) places high importance on sustainability and Smart Growth principles in its design. The objectives and policies of the FPASP support these six founding principles:

FPASP Principle 1: Comprehensively planned community; Create a well integrated, comprehensively planned community.

FPASP Principle 4: Transportation Options; Provide a public transportation system; complete streets with bike lanes, sidewalks, planting and transit stops and a complete network of Class I bike paths, sidewalks and pedestrian trails.

FPASP Principle 5: Compact Development: Provide compact walkable neighborhood development form with vibrant, pedestrian oriented centers and gathering places that are consistent with Smart Growth principles.

FPASP Principle 5: Sustainable Design: Make use of sustainable design practices intended to reduce GHG emissions, reduce water consumption and energy use and preserve valuable natural resources.

FPASP Principle 6: Sustainable Design: Make use of sustainable design practices intended to reduce GHG emissions, reduce water consumption and energy use, and preserve valuable natural resources.

USEPA-172

*The comment commends the project's commitment to smart growth and low impact development principles.*

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

USEPA-173

*The comment suggests aggressive implementation of Smart Growth, Green Building, and Leadership in Energy and Environmental Design principles to minimize project impacts and create a healthier, more sustainable community.*

The FPASP (FPASP Public Review Draft, June 2010, in Appendix N of the DEIR/DEIS) places high importance on sustainability and Smart Growth principles in its design. In addition to the planning principles noted in response to comment USEPA-170 and 171, Section 10.3, "Sustainable Design" beginning on page 10-27 of the FPASP, includes policies on implementing low impact development techniques, water efficiency and conservation, energy efficiency, building material conservation and resource efficiency, and reducing GHG emissions in future site planning and development within the plan area.

USEPA-174

*The comment suggests infill of existing urbanized parcels, where feasible, before development of existing open space because the infill would reduce the need for new infrastructure, help revitalize existing developed areas, and reduce development pressure of open space.*

The City notes that this comment does not pertain to the environmental analysis contained in the DEIR/DEIS and the City therefore has no obligation to respond to this comment (State CEQA Guidelines, CCR Section 15088[c]). Nevertheless, responses to specific comments are provided as follows. Infill growth is proposed within the City, and has been and is occurring on an ongoing basis. However, the City is near its buildout capacity within the existing city limits. The City does not believe that the limited amount of infill development that would be possible in the future would meet the market demand that is projected to occur over the next 20-30 years.

## **STATE COMMENTERS**

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MARK B HORTON, MD, MSPH  
Director

State of California—Health and Human Services Agency  
California Department of Public Health



ARNOLD SCHWARZENEGGER  
Governor

July 3, 2009

David Miller  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630

RE: Folsom South of U.S. Highway 50 Specific Plan – SCH 2008092051

Dear David,

The California Department of Public Health (CDPH), Environmental Review Unit (ERU) is in receipt of the Draft Environmental Impact Report/Environmental Impact Statement for the above project. As a responsible agency under the California Environmental Quality Act (CEQA), we appreciate the opportunity to comment.

The CDPH, Division of Drinking Water and Environmental Management is responsible for issuing water supply permits administered under the Safe Drinking Water Program. A new or amended Water Supply Permit may need to be issued for the above referenced project if it includes an increase in water supply, storage, or treatment of drinking water. These future developments may be subject to separate environmental review.

For questions or information on the Water Supply Permit application process, please contact the CDPH Sacramento District office at (916) 449-5600.

Sincerely,

Bridget Binning  
CDPH Environmental Review Unit

Cc:  
Project File  
David Lancaster

1



CDPH-1

*The comment states that the California Department of Public Health's (CDPH), Division of Drinking Water and Environmental Management is responsible for issuing water supply permits under the Safe Drinking Water Program and a new or amended water supply permit might be required for the project if it were to include an increase in water supply, storage, or treatment of drinking water. The comment further states that such future developments would possibly be subject to a separate environmental review.*

CDPH's regulatory approval authority for the project is discussed in Section 1.6.3, "Regulatory Requirements, Permits, Authorizations, and Approvals" for both the "Land" and "Water" portions of the project, on page 1-15 of the DEIR/DEIS.



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**Linda S. Adams**  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114  
Phone (916) 464-3291 • FAX (916) 464-4645  
<http://www.waterboards.ca.gov/centralvalley>

**CVRWQCB-1**



**Arnold Schwarzenegger**  
Governor

16 August 2010

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

Lisa Gibson  
U.S. Army Corps of Engineers  
1325 J Street, Room 1480  
Sacramento, CA 95814-2922

## CENTRAL VALLEY WATER BOARD STAFF COMMENTS FOR THE ANNEXATION OF FOLSOM'S SPHERE OF INFLUENCE SOUTH OF U.S. 50 SPECIFIC PLAN PROJECT AND DEIR

This letter provides comments from the staff of the Central Valley Regional Water Quality Control Board staff (Board staff) for the proposed Annexation of Folsom's Sphere of Influence South of U.S. 50 Specific Plan Project and DEIR. The lower American River and Lake Natoma are currently listed on the Clean Water Act Section 303(d) list because of mercury impairment. Board staff are currently developing a Total Maximum Daily Load and Basin Plan Amendment methylmercury control program for the lower American River and Lake Natoma. A large portion of the project area is located in the Alder and Buffalo Creeks' watersheds, which drain to Lake Natoma and the lower American River.

1

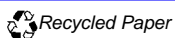
A study has found that Alder Creek aqueous total and methylmercury concentrations are elevated, when compared to Lake Natoma water concentrations. Mean and median Alder Creek methylmercury concentrations (mean = 0.192 ng/L and median = 0.177 ng/L, n = 5) are statistically greater than Lake Natoma concentrations (mean = 0.023 ng/L and median = 0.022 ng/L, n = 6, ANOVA and Tukey's Test (p<0.05) and Kruskal-Wallis nonparametric test and Dunn's nonparametric multiple comparisons test (p<0.05)). Statistically significant, positive correlations have been found between aqueous methylmercury and aquatic biota, indicating that methylmercury levels in water is one of the primary factors determining methylmercury concentrations in fish.

2

The project proposes to replace, restore, or enhance on a "no net loss" basis the wetland acreage that may be removed, lost, and/or degraded with implementation plans of project. Many types of wetlands have been found to be areas of enhanced methylmercury production. If new wetlands are constructed in areas with elevated levels of inorganic mercury, there is the potential to discharge greater loads of methylmercury to Lake Natoma and the lower American

3

**California Environmental Protection Agency**



River. The project plan does not include any measures to ensure that methylmercury concentrations and loads are not increased by the implementation plans.

3 cont.

Board staff are currently developing a mercury control program for the lower American River and Lake Natoma. Potential implementation actions that may be required by the control program include, but are not limited to, monitoring total and methyl-mercury discharges, reducing total and/or methyl-mercury sources, developing controls for total and/or methyl-mercury, etc.

4

Please contact me at 916-464-4627 or [sjlouie@waterboards.ca.gov](mailto:sjlouie@waterboards.ca.gov) if there are any questions on these comments.

Signed copy by mail.

Stephen Louie  
Environmental Scientist

CVRWQCB-1-1

*The comment states that the lower American River and Lake Natoma are currently listed on the Clean Water Action Section 303(d) list for mercury, and that a large portion of the project site is located in the Alder and Buffalo Creek's watersheds, which drain to these impaired water bodies.*

The DEIR/DEIS acknowledges on page 3A.9-6 that a segment of the American River (which is the receiving water for the Alder Creek and Buffalo Creek watersheds) is on the 303(d) list for mercury from resource extraction (Lake Natoma and Lower American River). In addition, a summary of the joint U.S. Geological Survey and University of California, Davis survey of mercury contamination in edible fish tissue taken from several sites in Lake Natoma is acknowledged on page 3A.9-9 of the DEIR/DEIS.

Impact 3A.9-1 (beginning on page 3A.9-24 of the DEIR/DEIS), which discusses the potential temporary, short-term construction-related drainage and water quality effects of the project, acknowledges that the presence and distribution of legacy mercury in upland areas and/or drainages is unknown; however, if it was present in the sediments where construction activities would disturb soils, it could mobilize and become exposed in the environment downstream. Mitigation Measure 3A.9-1 (on pages 3A.9-25 and 3A.9-26 of the DEIR/DEIS), would require the preparation of a project-specific Storm Water Pollution Prevention Plan (SWPPP) that would specify erosion and sediment control best management practices and construction techniques to reduce the potential for runoff and the release, mobilization, and exposure of pollutants, including legacy sources of mercury, from project-related construction sites.

CVRWQCB-1-2

*The comment states that aqueous total and methylmercury concentrations in Alder Creek are elevated when compared to Lake Natoma water concentrations and also states the correlations between aqueous methylmercury and aquatic biota.*

A summary of the joint U.S. Geological Survey and University of California, Davis survey of mercury contamination in edible fish tissue taken from several sites in Lake Natoma is provided on page 3A.9-9 of the DEIR/DEIS, including a description of the forms of mercury and how they are related to biological uptake in fish and bioaccumulation within the food chain.

Please see response to comment CVRWQCB-1-1 for a discussion of the potential impacts of project construction on legacy mercury mobilization and a description Mitigation Measure 3A.9-1 (on pages 3A.9-25 and 3A.9-26 of the DEIR/DEIS), which would reduce the potential for such mobilization and exposure of pollutants to less-than-significant levels.

CVRWQCB-1-3

*The comment states that the DEIR/DEIS does not include any measures to ensure that methylmercury is not discharged to Lake Natoma and the lower American River as a result of construction of new wetlands in areas with elevated levels of inorganic mercury.*

As stated on page 3A.3-40 of the DEIR/DEIS, compensatory mitigation for the loss of wetlands on the project site is proposed to be accomplished at an agency-approved mitigation bank, authorized to sell credits to offset impacts in the SPA. The draft wetland mitigation plan has been appended to the FEIR/FEIS (Appendix Q). Construction of new wetlands in the SPA is not proposed as mitigation, and approved mitigation banks have

been subject to a separate environmental review process to analyze and disclose the environmental impacts resulting from creation of wetlands within the mitigation bank site.

CVRWQCB-1-4

*The comment describes the mercury control program that is being developed for the lower American River and Lake Natoma, including potential requirements for monitoring and reduction of total and/or methylmercury sources.*

Any requirements developed by CVRWQCB would be anticipated to be required as a condition of coverage under the State Water Resources Control Board's (SWRCB's) National Pollution Discharge Elimination System (NPDES) stormwater permit for general construction activity (NPDES General Permit; Order No. 2009-0009-DWQ) and/or the Sacramento County and City of Folsom Phase I NPDES MS4 permit (Order No. R5-2008-0142). The SWPPP for the project is subject to all legally required elements.



California Regional Water Quality Control Board  
Central Valley Region

Katherine Hart, Chair



Arnold Schwarzenegger  
Governor

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2 September 2010

Gail Furness de Pardo  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630

Lisa Gibson  
US Army Corps of Engineers, Sacramento District  
1325 J Street, Room 1480  
Sacramento, CA 95814-2922

**COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT, FOLSOM SOUTH OF U.S. 50 SPECIFIC PLAN PROJECT, SACRAMENTO COUNTY, SCH#2008092051, SPK#2007-02159**

The California Environmental Quality Act (CEQA) provides an opportunity for the Regional Water Quality Control Boards (Regional Water Boards) to exercise their authority to require avoidance, minimization and mitigation of impacts to the waters of the state. The State Water Board and the Regional Water Boards regulate discharges to protect the quality of waters of the state, broadly defined as "the chemical, physical, biological, bacteriological, radiological, and other properties and characteristics of water which affects its use."<sup>1</sup> Early consultation is encouraged, as project reconfiguration may be required to avoid and minimize impacts to waters of the state.

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We noticed that a certain level of review has been performed, and some alternatives have been analyzed. We still have significant concerns about how the avoidance, minimization and mitigation process has been conducted and how some of the aquatic and ecological resources protection has been addressed.

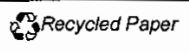
In case the applicant chooses to move forward with an alternative that may result in potentially significant or significant environmental impacts, even after all feasible mitigation measures are implemented, the applicant must perform an anti-degradation analysis<sup>2</sup> since that analysis is required for further permitting actions, such as a Clean Water Act (CWA) Section 401 Water Quality Certification.

2

<sup>1</sup> California Water Code, §13050.

<sup>2</sup> State Water Resources Control Board Resolution No. 68-16 ("Statement of Policy With Respect to Maintaining High Quality Waters in California") and Code of Federal Regulations Part 40 (40 CFR) Section 131.12

**California Environmental Protection Agency**



### Effects of Urban Development on Water Quality

Watersheds are complex natural systems in which physical, chemical, and biologic components interact to create the beneficial uses of water on which our economy and well-being depend. Poorly planned urban development upsets these natural interactions and degrades water quality through a web of interrelated effects. The primary impacts of poorly planned development projects on water quality are:

- **Direct impacts** – the direct physical impacts of filling and excavation of wetlands, riparian areas, and other waters;
- **Pollutants** – the generation of urban pollutants during and after construction;
- **Hydrologic Modification** – the alteration of flow regimes and groundwater recharge by impervious surfaces and stormwater collector systems;
- **Watershed-level effects** – the disruption of watershed-level aquatic functions, including pollutant removal, floodwater retention, and habitat connectivity.

These impacts typically degrade water quality, increase peak flows and flooding, and destabilize stream channels, resulting in engineered solutions to the disrupted flow patterns and, ultimately, near-total loss of natural functions and values in the affected basins. Many examples of such degradation exist in California and elsewhere. The Water Boards' are mandated to prevent such degradation.

A recent U.S. Geological Survey Study, *Selected Physical, Chemical, and Biological Data Used to Study Urbanizing Streams in Nine Metropolitan Areas of the United States, 1999–2004*, identified the impacts of urbanization on stream ecosystems at very low percentages of change in impermeability of the watersheds.

Another finding of the study identified that urban development significantly affected one or more biological communities with an immediate decline in macroinvertebrate community as urban development increases. In addition, the research determined that urban development was typically accompanied by a loss of pollution sensitive species and an overall shift in community composition to species that are more pollution tolerant.

### Comments on the Proposed Development

The Environmental Impact Report (EIR) for this project should characterize all project-specific, cumulative, direct, and indirect impacts of this project on the quality of waters of the state as defined above, and identify alternatives and other mitigation measures to reduce and eliminate such impacts. This analysis should be done at the:

- overall project size level;
- regional or subwatershed/subdrainage/neighborhood area; and
- lot-level, starting at the source.

Analyses should include:

#### 1. Avoidance and Minimization Analysis

There are many ways a proposed project can degrade water quality, and this complicates analysis. Fortunately, avoiding or minimizing any step in a pollution pathway will eliminate or reduce subsequent effects, and will simplify the associated needed analyses; and a

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small number of key variables control most of the pathways causing water quality degradation. We strongly encourage avoidance as the primary strategy to address water quality concerns.

5 cont.

For this issue, the EIR needs to include:

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- a. Measures to avoid or minimize each potential cause of water quality degradation.
- b. An analysis of why any remaining impacts cannot be avoided or further minimized.

7

## 2. Alternatives Analysis

Because development projects can individually and cumulatively cause major water quality impacts, we strongly encourage a low-impact planning approach. The projects proposed in the City of Folsom's Specific Plan and DEIR are within the regulated area covered by the *Sacramento County and Cities of Folsom, Citrus Heights, Galt, Elk Grove, Rancho Cordova, and Sacramento (Permittees) Storm Water Discharges from Municipal Separate Storm Sewer System (MS4 Permit), NPDES No. CAS083740, Waste Discharge Requirements Order No. R5-2008-0142, (Order)* which is regulated by the Regional Water Board. An integral and enforceable part of the Order includes the Storm Water Quality Improvement Plan (SQIP). One of the six programmatic control measures in the SQIP includes the Planning and New Development Program. The Order states that the Permittees must require long-term post-construction best management practices (BMPs) that protect water quality and control runoff flow ideally to the pre-development levels to be incorporated into development and significant redevelopment projects. Low impact design (LID) strategies are specifically required, as well as the City addressing LID designs early in the entitlement phase of a project. LID provides opportunities to avoid and minimize impacts starting at the source and at initial phases of planning and design of a project. It also provides opportunities for mitigation close to the source avoiding expensive, end-of-pipe, treatment controls. The MS4 Permit may be found at:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/)

8

In addition, the new CALGreen Code, California Code of Regulations Title 24, Part 11, scheduled to be in effect on 1 January 2011, also requires implementation of BMPs and LID techniques in residential and non-residential projects.  
<http://www.bsc.ca.gov/CALGreen/default.htm>

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The EIR should be revised to include:

- a. A low-impact approach, based on principles and practices described in the documents listed, *Low Impact Development References*. The low impact development analysis should be performed starting at the lot-level, continuing at the neighborhood, sub-drainage, culminating at the watershed level.
- b. Such an approach generally involves more compact development that:
  - minimizes generation of urban pollutants;
  - preserves the amenity and other values of natural waters;
  - maintains natural waters, drainage paths, landscape features and other water-holding areas to promote stormwater retention, pollution removal, and groundwater recharge;

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- designs communities and landscaping to minimize storm water generation, runoff, and concentration; promote groundwater recharge; and reduce water demand; and
- promotes water conservation and re-use.

11 cont.

### 3. Identification of Affected Waters

A clear understanding of the location and nature of the waters potentially affected by this project is fundamental to fulfillment of our regulatory responsibilities.

- a. The EIR should provide regional-scale and 1:24,000-scale (or other appropriate scale for the project) maps and a description of all waters potentially affected by the proposed project, tabulated and organized by watershed (drainage basin) and waterbody type, e.g., wetlands, riparian areas (as defined by the National Academy of Sciences),<sup>3</sup> streams, other surface waters, and groundwater basins (a greater level of discrimination is usually appropriate, e.g. of wetland type). An estimate of the quality status of the resource should be included.
- b. The EIR needs to contain additional specific information regarding waterbodies. For waterbodies expected to be directly affected, identify the acreage and, for drainage or shoreline features, the number of linear feet potentially impacted, and sum the total affected acres and linear feet by waterbody type.
- c. A figure should be included in the EIR that identifies any "isolated" wetlands or other waters excluded from federal jurisdiction by court decisions.<sup>4</sup>

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### 2. Characterization of Impacts

As noted above, we believe avoidance is the best strategy for managing potential water quality impacts. In case avoidance is not achievable, a description of the overriding considerations must be included.

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For unavoidable impacts, understanding how pollution pathways will operate is essential to managing them.

The EIR should be revised to:

- a. Specify the causes, nature, and magnitude of all proposed impacts. Provide a level of analyses commensurate with the size and complexity of the project and its potential water quality impacts.
- b. Quantify impacts as definitively as feasible, using appropriate modeling and adequate data. Modeling approaches should be documented; and data deficiencies or other factors affecting the reliability of the results identified and characterized; and

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<sup>3</sup> "Riparian areas are transitional between terrestrial and aquatic ecosystems and are distinguished by gradients in biophysical conditions, ecological process, and biota. They are areas through which surface and subsurface hydrology connect water bodies with their adjacent uplands. They include those portions of terrestrial ecosystems that significantly influence exchanges of energy and matter with aquatic ecosystems (i.e., a zone of influence). Riparian areas are adjacent to perennial, intermittent, and ephemeral streams, lakes, and estuarine-marine shorelines" (National Research Council. *Riparian Areas, Functions and Strategies for Management*. National Academy of Sciences, Washington, D.C. 2002). Riparian areas are created and maintained by periodic inundation by overbank flood flows from the adjacent surface water bodies.

<sup>4</sup> E.g., U.S. Supreme Court, *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 2001.

c. Identify whether impacts will be temporary or permanent.	18
<b>5. <u>Hydrologic Disruption Analysis</u></b>	
Because increased runoff from developed areas is the key variable driving a number of other adverse effects, attention to maintaining the pre-development hydrograph will prevent or minimize many problems and will limit the need for other analyses and mitigation in the EIR.	19
The EIR needs to be revised to:	
a. Perform an existing status hydrograph profile. Include in the EIR's alternatives and mitigations analyses measures to maintain the pre-project hydrograph; and	
b. Provide a meaningful analysis of potential cumulative impacts to watershed hydrology from existing and other planned development in the watershed or planning area.	20
<b>6. <u>Habitat Connectivity Analysis</u></b>	
Riparian corridors and other waters within the regulatory purview of the Regional Water Boards play an important role in maintaining habitat connectivity. Both aquatic and terrestrial habitat may be fragmented by impacts to streams, riparian areas, or other waters. The analysis must include the areas adjacent to the proposed project(s) and how the proposed development will assure connectivity and viability with the neighboring natural resources or corridors throughout the watersheds/subwatersheds and riparian corridors. As presented currently, the alternatives depict only features ending at the boundaries of the project and it is hard to determine if the proposed development cuts off any headwaters or adjacent habitats or natural features, or how the proposed development is harmonized with the adjacent natural features pre development.	21
The EIR should be revised to:	
a. Analyze the regional importance of movement corridors in and along waterbodies, the potential effect of disrupting such corridors, how those disruptions will be avoided, and the potential for enhancing such corridors through mitigation measures, including connectivity and continuity with adjacent natural features or corridors.	23
b. Include information regarding any sensitive plant and animal species that likely utilize the corridors.	24
c. Identify any impacts to riparian or other waters that could compromise future remediation of existing connectivity barriers; and	25
d. To inform these analyses, consider the information and literature referenced in Attachment 1, <i>Terrestrial Habitat Connectivity Related To Wetland, Riparian, and Other Aquatic Resources</i> , including recent data on the role of riparian corridors as movement corridors in California.	26

**Mitigation Monitoring and Reporting Program**

The DEIR should include a proposed Mitigation Monitoring and Reporting Program (MMRP) as required by California Public Resource Code Section 21081.6 and CEQA Guidelines, California Code of Regulations Section 15097. The MMRP must include the elements outlined in this comment letter for purposes of monitoring how they are addressed through the entire process of adopting the EIR, and throughout the design and implementation phase of the project. CEQA Guidelines Section 15041 grants the Regional Water Board the authority to	27
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require changes in a project to lessen or avoid effects of that part of the project which the Responsible Agency will be called on to approve or permit.

27 cont.

### Low Impact Development References

[http://www.opr.ca.gov/ceqa/pdfs/Technical\\_Advisory\\_LID.pdf](http://www.opr.ca.gov/ceqa/pdfs/Technical_Advisory_LID.pdf)

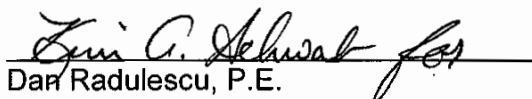
<http://www.epa.gov/smartgrowth/>

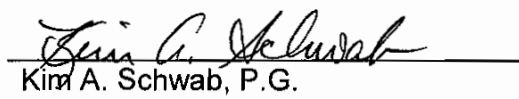
[http://www.waterboards.ca.gov/water\\_issues/programs/low\\_impact\\_development/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/index.shtml)

Some additional, detailed comments are included in this document in Attachment 2.

28

We welcome the opportunity to work with you and the project proponent to make this project an example of environmental sustainability in California. If we may clarify any of our comments or be of further assistance, please contact me at (916) 464-4736 or email [dradulescu@waterboards.ca.gov](mailto:dradulescu@waterboards.ca.gov).

  
Dan Radulescu, P.E.  
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Kim A. Schwab, P.G.  
Engineering Geologist

cc: State Clearinghouse

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Bruce Fujimoto, Storm Water Unit, State Water Resources Control Board

Daniel Barry, Storm Water Coordinator, County of Sacramento

Sarah Staley, Storm Water Coordinator, City of Folsom

#### Sacramento Storm Water Quality Partnership

Sherill Huun, Storm Water Coordinator, City of Sacramento

Fernando Duenas, Storm Water Coordinator, City of Elk Grove

Kevin Becker, Storm Water Coordinator, City of Citrus Heights

Trung Trinh, Storm Water Coordinator, City of Galt

Britton Snipes, Storm Water Coordinator, City of Rancho Cordova

**ATTACHMENT A**

**DETAILED COMMENTS ON DRAFT EIR/EIS FOR THE FOLSOM SOUTH OF US50  
SPECIFIC PLAN**

**Section 2, Alternatives**

1. Page 2-15, Exhibit 2-3. This exhibit provides a figure depicting the land uses in the Proposed Project Alternative. Development on the adjacent Aerojet site as part of the Easton Project has been designed to maintain the existing habitat along the Alder Creek corridor from Prairie City Road west to the Aerojet property boundary at Folsom Boulevard. We recommend that this process be continued as Alder Creek crosses the proposed project area. It is difficult to discern the location of Alder Creek in relationship to the proposed industrial/office park use in the northwestern corner of the project. That land use should be kept away from Alder Creek and outside of the existing tree canopy that lines the northern portion of Prairie City Road (south of US 50) and wraps around with Alder Creek. 29
2. In addition, the sections of Eastern Valley Parkway and Oak Avenue that bifurcate the oak woodlands that are being preserved should be designed in such a manner to maintain a continuous corridor and an appropriate buffer zone to the Alder Creek preserve on the Aerojet property. By doing so, it will greatly enhance the value of the open space preserve and help maintain water quality in Alder Creek. This could be done by making the crossings of Alder Creek sufficiently large so as to provide unobstructed pathways for animal migration along the length of the Alder Creek and oak woodland open space. 30, 31, 32
3. There is also a proposal for a water quality detention basin at the northwestern edge of the project. This basin should not be located within the Alder Creek channel or floodplain. 33

**Section 3A.8**

1. Page 3A.8-3, Area 40. In the discussion on Area 40 there is text about an RI/FS prepared by Aerojet that includes Area 40. In fact, the document being discussed is an RI/FS sampling plan, and not the RI/FS itself. The sampling for the RI/FS is just being completed and the RI/FS document will not be available for some time. Aerojet did conduct RI sampling back in the early 1990's and the work under the recent sampling plan is the follow-on to that initial sampling. 34
2. The information supplied in the summary is correct; however, the sampling conducted under the recent RI effort will further delineate the extent of contamination and refine the earlier assessment of Area 40. This more recent data needs to be reviewed and assessed before it can be determined what the allowable uses of the property will be. Given the shallow depth to groundwater and the 35, 36

- elevated concentrations of VOCs, as well as the potential long-term remedial efforts needed at the site, concerns over vapor intrusion into buildings will likely influence land-use decisions. 37
3. The assessment of the potential hazards performed by Arcadis was done prior to Aerojet collecting the latest RI samples and should be reviewed for adequacy once the newer data become available. In addition, how was it determined that a 3000 µg/L total VOC value was that which should be used to determine areas of possible VOC off-gassing and its associated risks? Similar assessments on other portions of the Aerojet site (Perimeter Groundwater Operable Unit) showed potentially unacceptable risk at much lower concentrations. Until the groundwater concentrations are remediated to low enough levels, the potential adverse exposure remains on certain uses of the property. 38  
39  
40  
41
4. Page 3A.8-6, Eastern OU. The text discusses a potential detention basin on the east side of Prairie City Road within the Eastern OU. The Eastern OU is on the west side of the road. Regardless, this section refer to Exhibit 3A.8-3 for the location of the proposed basin to allow an assessment of the conclusion that there are no source sites at that location. 42
5. Page 3A.8-6, Phase I Assessments. The Phase I site assessment performed by ERM was done prior to Aerojet collecting the more recent RI sampling discussed above. 43
6. Page 3A.8-21, Mitigation Measure 3A.8-2. Unless the groundwater is grossly contaminated, there will very little sensory indication that contamination is present. In any excavation around Area 40, groundwater should be assumed to be contaminated and handled appropriately. 44
7. Page 3A.8-23. This page discusses the Arcadis assessment mentioned above in Comment 3. Comment 3 also applies to this section and to the figures presented in Exhibits 3A.8-4, 5, 6, 7 and 8. The area of potential off-gassing that will require land use restricts can be significant larger than that shown based on more recent RI data and a screening level of much less than 3000 µg/L. 45  
46
8. Page 3A.8-26. Not only will Aerojet and the regulatory agencies need access to monitor wells, but also to any remediation system that will be installed in Area 40. An alternative may be that Aerojet would maintain those portions of the property, or at least have an access agreement, instead of "purchasing existing lots" as proposed in the text. 47
9. Page 3B.17-11, Construction Dewatering. If the flows from the dewatering effort go to surface water or surface water drainage courses, the project proponent must seek coverage under an appropriate NPDES permit issued by the Regional Board to allow the discharge of the water from the dewatering wells to occur. 48
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State Water Resources Control Board

**Terrestrial Habitat Connectivity Related To  
Wetland, Riparian and Other Aquatic Resources**

## Terrestrial Habitat Connectivity as Related To Wetland, Riparian, and Other Aquatic Resources

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"Habitat connectivity" refers to the need for plant and animal populations to have some mobility over the landscape, i.e., to avoid becoming "isolated" or "disjunct."<sup>1</sup> A large body of research has demonstrated that such "isolated" populations face a high probability of eventual extinction, even if their immediate habitats are spared.<sup>2</sup> In general, the smaller such an isolated population, the more quickly it will die out. Urban development typically fragments habitat by creating artificial landscapes which are movement barriers for most species. Unless mitigation measures are taken, isolated, non-viable populations are created as buildings, roads, and landscaping cut off lines of movement.

In the context of wetlands, "habitat connectivity" refers to three related phenomena:

- a. The need of some animals to have access to both wetland and upland habitats at ~~different parts of their life cycle~~. Some wetland animals, e.g., some amphibians and turtles, require access at different seasons and/or at different life stages to both wetland and to nearby upland. Preserving the wetland but not access to upland habitat will locally exterminate such species.<sup>3</sup>
- b. The ecological relationship between separate wetlands. Some wetland communities and their associated species comprise networks of "patches" throughout a landscape. Wetland plants and animals are adapted to the presence of wetland complexes within a watershed and are dependent on moving among the wetlands within the complex, either regularly or in response to environmental stressors such as flood or drought, local food shortage, predator pressure, or influx of pollution. Removing one such water from the complex will reduce the biological quality of the rest, and at some point the simplified wetland complex will be incapable of supporting at least some of the species, even though some wetlands remain.<sup>4</sup>
- c. The role wetlands and riparian corridors play in allowing larger-scale movements. Some strategically located wetlands and continuous strips of riparian habitat along streams facilitate connectivity at watershed and regional scales for terrestrial as well as aquatic and amphibious species.

As noted above, habitat connectivity is critical to biodiversity maintenance, and will become more so because of global warming. Significant range shifts and other responses to global warming have already occurred. The ability of biotic populations to move across the landscape may be critical to their survival in coming decades.<sup>5</sup>

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- <sup>1</sup> Such mobility may occur at the level of the individual organism (e.g., a bird or turtle travelling between separated wetlands) and/or of the population (e.g., a plant species colonizing a new wetland through seed dispersal); and over different time scales.
- <sup>2</sup> For the effects of habitat fragmentation and population isolation on the survival of plants and animals, see for example:
- K. L. Knutson and V.L. Naef, *Management Recommendations for Washington's Priority Habitats: Riparian*, Washington Dept. of Fish and Wildlife, Olympia, WA, December 1997, p. 71.
- R.F Noss and A.Y Cooperrider, *Saving Nature's Legacy; Protecting and Restoring Biodiversity*, Washington, D.C., Island Press, 1994, pp. 33-34, 50-54, 59-62, 61-62.
- D.E. Saunders, R.J. Hobbs, and C.R. Margules, "Biological Consequences of Ecosystem Fragmentation: A Review," *Conservation Biology* 5(1), March 1991, pp. 18-32.
- Michael E. Soulé, "Land Use Planning and Wildlife Maintenance, Guidelines for Conserving Wildlife in an Urban Landscape," *Journal of the American Planning Association* 57(3), 1991, pp. 313-323.
- Michael E. Soulé, "The Effects of Habitat Fragmentation on Chaparral Plants and Vertebrates," *Oikos* 63, 1992, pp. 39-47.
- United States Federal Interagency Stream Restoration Working Group, *Stream Corridor Restoration: Principles, Practices, and Processes*, October 1998, [Online]. Available from: [http://www.usda.gov/stream\\_restoration](http://www.usda.gov/stream_restoration). Printed copy available from: National Technical Information Service (NTIS), Springfield, VA, pp. 2-80, 2-82.
- <sup>3</sup> Regarding the relationship between wetland/riparian and upland habitats, see for example:
- Vincent J. Burke and J. Whitfield Gibbons, "Terrestrial Buffer Zones and Wetland Conservation: A Case Study of Freshwater Turtles in a Carolina Bay," *Conservation Biology* 9(6), 1995, pp. 1365-1369;
- C. Kenneth Dodd, Jr. and Brian S. Cade, "Movement Patterns and the Conservation of Amphibians Breeding in Small Temporary Wetlands," *Conservation Biology* 12(2), 1998, pp. 331-339;
- Raymond D. Semlitsch, "Biological Delineation of Terrestrial Buffer Zones for Pond Breeding Salamanders," *Conservation Biology* 12(4), 1997, pp. 1113-1119.
- Hilty, J. A. and Merenlender, A. M. Use of Riparian Corridors and Vineyards by Mammalian Predators in Northern California. *Conservation Biology* 18(1) 126-135; 2004 February.
- <sup>4</sup> Regarding the ecological relationship between separated wetlands, see for example:
- C. Scott Findley and Jeff Houlahan, "Anthropogenic Correlates of Species Richness in Southeastern Ontario Wetlands," *Conservation Biology* 11(4), 1997, pp. 1000-1009;
- Lisa A. Joyal, Mark McCollough, and Malcom L. Hunter, Jr., "Landscape Ecology Approaches to Wetland Species Conservation: A Case Study of Two Turtle Species in Southern Maine," *Conservation Biology* 15(6), 2001, pp. 1755-1762;
- Raymond D. Semlitsch and J. Russell Bodie, "Are Small, Isolated Wetlands Expendable?" *Conservation Biology* 12(5), 1998, pp. 1129-1133;
- National Research Council, *op. cit.*, 2001, p. 42;
- Nature Conservancy, *op. cit.*, July 2000, p. 10.
- <sup>5</sup> Recent reports comprehensively review observed effects of global change on plant and animal range shifts, advancement of spring events, and other responses. See:
- Terry L. Root, Jeff T. Price, Kimberly R. Hall, Stephen H. Schneider, Cynthia Rosenzweig, and Alan Pounds, "Fingerprints of Global warming on Wild Animals and Plants," *Science* 421:2, January 2003, pp. 57-60.



ATTACHMENT 1

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Camille Parmesan and Gary Yohe, "A Globally Coherent Fingerprint of Climate Change Impacts cross Natural Systems," *Science* 421:2, January 2003, pp. 37-42.

Thomas, et al. "Extinction risk from climate change", *Nature* 427, January 2004, pp. 145-148

- CVRWCB-2-1 *The comment states that CVRWQCB regulates discharges to protect the quality of waters of the state. Based on their review of the DEIR/DEIS, although a certain level of review was conducted, reviewers had substantial concerns related to how avoidance, minimization, and mitigation would be conducted and how some of the aquatic and ecological resources protection would be addressed.*
- Topics associated with the avoidance, minimization, and mitigation of potential water quality and biological resources impacts are addressed in DEIR/DEIS Sections 3A.9, “Hydrology and Water Quality” and 3A.3, “Biological Resources.” The commenter does not provide any specifics as to how he believes the existing analysis is deficient. Please refer to subsequent responses to CVRWQCB-2 comments, including CVRWQCB-2-5 and CVRWQCB-2-17, for additional discussion of specific analysis that was requested.
- CVRWCB-2-2 *The comment states that if an alternative is adopted that would result in potentially significant or significant environmental impacts, regardless of implementation of mitigation measures, the project applicants would be required to prepare an anti-degradation analysis for further permitting actions (e.g., Clean Water Act Section 401 Water Quality Certification).*
- The comment is noted. The project applicant(s) would be required to comply with all adopted laws, regulations, policies, and ordinances as part of the permitting process.
- CVRWCB-2-3 *The comment states that urban development might result in direct impacts to wetlands, riparian areas, and other waters; the generation of urban pollutants during and after construction; the alteration of flow regimes and groundwater recharge by impervious surfaces and stormwater collector system; and the disruption of watershed-level aquatic functions, including pollutant removal, floodwater retention, and habitat connectivity. These impacts would result in water quality degradation, increase peak flows and flooding, and stream channel destabilization, which in turn could negatively affect function and value of a habitats and biological communities, result in the loss of sensitive species, and cause an overall shift in community composition.*
- The DEIR/DEIS discusses the potential long-term water quality and hydrology effects from urban runoff in Impact 3A.9-3 on pages 3A.9-37 to 3A.9-43. The impacts of urban runoff, erosion, siltation, and altered hydrology on wetland habitat and biological communities is discussed on page 3A.3-33 of the DEIR/DEIS.
- CVRWQCB-2-4 *The comment states that an analysis should be included in the DEIR/DEIS for the topics described in the response to comment CVRWQCB-2-3, at the overall project size level, by regional or subwatershed area, and at the lot level.*
- The intended uses and purpose of this EIR/EIS are discussed in detail on DEIR/DEIS pages 1-8 through 1-10. This EIR/EIS provides a program-level analysis of a specific plan. (See Master Response 10 – Programmatic Nature of EIR/EIS Analysis.) The project has not been designed to a level that would permit a more detailed analysis as requested by the commenter. As stated on DEIR/DEIS page 1-10, “[D]evelopment of the SPA is expected to occur in multiple phases (see Section 2.3.1, “Project Phasing” in Chapter 2, “Alternatives”). To move forward with a specific phase, the project applicant(s) intend to

submit a tentative subdivision map/improvement plan for each project development phase. At that time, the City would require compliance with the FPASP performance standards and mitigation measures set forth in this EIR/EIS and incorporated into the FPASP for each tentative subdivision map/improvement plan as conditions of approval. Those future phases may require further environmental review.”

The long-term water quality and hydrology effects of urban runoff are discussed for each of the alternatives in the DEIR/DEIS at a program level in Impact 3A.9-3, and Mitigation Measure 3A.9-3 is proposed for implementation before approval of the final small-lot subdivision maps for all project phases and would include a detailed BMP and water quality maintenance plan. This mitigation measure includes specific performance standards requiring a plan to be prepared and implemented that would finalize the water quality improvements and would further detail the structural and nonstructural BMPs proposed for the specific plan, both at an overall project level as well as at a smaller, lot-level.

CVRWQCB-2-5

*The comment states that CVRWQCB encourages avoidance as the primary strategy to address water quality concerns.*

Several mitigation measures and BMPs have been included in the DEIR/DEIS that would serve to avoid or minimize the potential for water quality degradation, both during short-term construction and long-term operation of the project (Mitigation Measures 3A.9-1, 3A.9-2, and 3A.9-3 on DEIR/DEIS pages 3A.9-24 through -39).

CVRWQCB-2-6

*The comment states that the DEIR/DEIS must include measures to avoid or minimize each potential cause of water quality degradation.*

Measures to avoid or minimize the potential causes of short-term/temporary construction-related water quality degradation are addressed in Impact 3A.9-1 (beginning on page 3A.9-24) and associated Mitigation Measure 3A.9-1 (on page 3A.9-25) of the DEIR/DEIS. Mitigation Measure 3A.9-1 requires that the project applicants(s) obtain coverage under the SWRCB's NPDES General Permit, which would include preparation and submittal of a project-specific SWPPP and any necessary erosion and sediment control and engineering plans. The SWPPP would be required to identify and specify erosion and sediment control BMPs to be used during construction, including spill prevention and contingency measures and the implementation of approved local plans. The SWPPP also would need to address hazardous materials storage and use in addition to identifying measures for preventing non-stormwater discharges to surface water drainages. Specific BMPs to be implemented at the project site would be identified in detail in the SWPPP, in coordination with CVRWQCB; a list of potential BMPs that might be included in the SWPPP are provided on pages 3A.9-25 and 3A.9-26 of the DEIR/DEIS.

Measures to avoid or minimize the potential causes of long-term water quality degradation are addressed under Impact 3A.9-3 (on pages 3A.9-37 and 3A.9-38 of the DEIR/DEIS) and associated Mitigation Measure 3A.9-3 (on page 3A.9-38 of the DEIR/DEIS). Mitigation Measure 3A.9-3 would require development and implementation of a BMP and water quality maintenance plan that would include structural and nonstructural BMPs for the long-term operation of the project, as well as final details of the water quality improvements to be included as part of the project. Nonstructural BMPs would include source control programs to control water quality pollutants in the SPA. Structural BMPs would be designed pursuant to the Stormwater Quality Design Manual for the Sacramento and South Placer Regions (SSQP 2007b) and

would include LID control measures as well as other water quality BMPs to meet or exceed the requirements established by the City of Folsom. Management and maintenance of design features and BMPs also would be required.

CVRWQCB-2-7 *The comment states that the FEIR/FEIS needs to include an analysis of any remaining impacts that cannot be avoided or further minimized.*

Impacts 3A.9-1 and 3A.9-3 (beginning on page 3A.9-24 and page 3A.9-37 of the DEIR/DEIS, respectively), relating to potential short- and long-term water quality impacts of the project, were determined to be less than significant with mitigation. No further analysis is required.

CVRWQCB-2-8 *The comment describes the requirements of the MS4 NPDES permit, including Low Impact Development (LID), and encourages a low-impact planning approach. The comment also states that the Waste Discharge Requirements Order No. R5-2008-0142 would require permittees to protect water quality and control runoff flow ideally to the pre-development levels.*

The Sacramento County and City of Folsom Phase I MS4 NPDES permit as well as the Stormwater Quality Improvement Plan (SQIP) are described on page 3A.9-18 of the DEIR/DEIS. Chapter 2, "Alternatives," pages 2-20 and 2-23 of the DEIR/DEIS states that the project would employ a LID stormwater management system and describes the benefits of LID systems in reducing runoff volume, rate, and reducing pollutants. Design elements that could be included as part of the LID system could include: bioretention facilities, infiltration trenches, dry wells, landscape/buffer strips, and swales. Specific features to be included in the LID system would be determined between the project applicant(s) and the City. Furthermore, Mitigation Measure 3A.9-2 (on page 3A.9-29 of the DEIR/DEIS) would require the preparation, submittal, and implementation of final drainage plans that would include the use of LID techniques to limit increases in stormwater runoff at the point of origination. Mitigation Measure 3A.9-3 (on page 3A.9-38 of the DEIR/DEIS) would include development and implementation of a BMP and water quality maintenance plan that also would include LID control measures.

Modeling results of peak flows, presented under Impact 3A.9-2 (on page 3A.9-32 of the DEIR/DEIS) indicate that with the detention basin facilities as proposed, the 100-year and 10-year storm events under the Proposed Project Alternative development conditions would remain at or below pre-development levels. During the 5-year and 2-year events, flow rates would increase at some locations under the Proposed Project Alternative, although these increases would be minor and would not be anticipated to affect downstream facilities.

CVRWQCB-2-9 *The comment describes LID requirements of California Code of Regulations Title 24, Part 11 (CALGreen Code), effective January 1, 2011.*

See response to comment CVRWQCB-2-8 for a description of how LID would be employed in the project and the DEIR/DEIS mitigation measures that would require the use of LID techniques.

CVRWQCB-2-10 *The comment suggests that the DEIR/DEIS should include LID principles and practices to protect water quality and control runoff.*

The discussion on pages 2-20 through 2-23 of the DEIR/DEIS states that the project would employ a LID stormwater management system that would increase infiltration

potential, evaporation, and surface storage while reducing excess stormwater runoff. The LID system might include the following elements: bioretention facilities, infiltration trenches, dry wells, landscape/buffer strips, and swales (grassed, bioretention, and/or wet). Additionally, Mitigation Measure 3A.9-2 (on pages 3A.9-29 and 3A.9-30 of the DEIR/DEIS) would require the preparation and approval of a drainage plan before issuance of grading or building permits, including LID techniques.

CVRWQCB-2-11

*The comment describes components of an LID approach to project design, including minimization of urban pollutant generation, preservation of natural waters, promotion of groundwater recharge, minimization of stormwater generation and runoff, and promotion of water conservation and re-use.*

As described in response to comment CVRWQCB-2-6, measures to avoid or minimize the generation of urban pollutants and protect water quality are addressed in Impact 3A.9-3 and associated Mitigation Measure 3A.9-3 (beginning on page 3A.9-37 of the DEIR/DEIS). Mitigation Measure 3A.9-3 would require the development and implementation of a BMP and water quality maintenance plan that would include nonstructural BMPs, including source control programs to control water quality pollutants in the SPA through programs such as 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.

The project would maintain at least 30% of the SPA as natural open space, including most of Alder Creek as well as most of the stream channels, and intermittent drainage channels found in the area, as described on page 2-24 of the DEIR/DEIS. Buffers of at least 75 feet also would be included in the open space design, to protect preserved habitats from adjacent development.

Soils in the SPA and surrounding area are described on page 3A.9-46 of the DEIR/DEIS as having a poor capacity for groundwater recharge, with most of the substantial recharge occurring along active stream channels. With the project, the areas within the SPA that would be most conducive to groundwater recharge, such as Alder Creek and tributary corridors, generally would be maintained as open space and would, therefore, continue to allow for groundwater recharge. Proposed detention basins and LID features, described in Mitigation Measure 3A.9-3 on page 3A.9-38 of the DEIR/DEIS, also would be sited and designed to maximize infiltration. Landscape irrigation also would have the potential to contribute to groundwater recharge; however, because of the generally poor capacity for recharge in the SPA, the contribution of landscape irrigation to recharge could be minor.

The project would employ a LID stormwater management system that would increase infiltration potential, evaporation, and surface storage while reducing excess stormwater runoff. See response to comment CVRWQCB-2-8 for a description of how LID would be employed in the project site to reduce runoff volume, rate, and pollutants and the DEIR/DEIS mitigation measures that would require the use of LID techniques.

As described on page 2-26 of Chapter 2, "Alternatives," the project would conform to the 2007 BMP requirements in the California Urban Water Conservation Memorandum of Understanding (or later edition if applicable). These BMPs could include: performing site-specific landscape and interior water surveys; conducting public information campaigns and school education programs; adopting a water waste ordinance; and identifying opportunities for installation of dedicated irrigation meters, monitoring progress through billing, and providing site-specific assistance for accounts 20% over budget. In addition, the project would include installation of a non-potable water

distribution system (“purple pipe” system) that could be used to route non-potable water to parks and landscaped areas (should a source of non-potable water become available in the future), thereby reducing the use of drinking water for irrigation in the SPA.

CVRWCB-2-12

*The comment suggests that the DEIR/DEIS should include a regional-scale and 1:24,000 scale (or other appropriate scale) maps, descriptions, and estimates of the quality status of all waters potentially affected by the project. The comment further suggests that water should be tabulated and organized by watershed (drainage basin) and waterbody type (e.g., wetlands, riparian areas, streams, other surface water, and groundwater basins).*

Exhibit 3A.3-3 in Section 3A.3, “Biological Resources,” on page 3A.3-19 of the DEIR/DEIS, identifies the waters of the U.S. that are located within the SPA boundary. In addition, Exhibits 3A.3-4 through 3A.3-8 beginning on page 3A.3-29 of the DEIR/DEIS depict the acreage and types of waters avoided and affected by the project alternatives, in both a map and tabular format. These exhibits do not organize waters by watershed; however, watersheds included within the SPA are discussed on page 3A.3-37 of the DEIR/DEIS and are depicted in Exhibit 3A.9-1 (page 3A.9-2).

CVRWCB-2-13

*The comment suggest that the DEIR/DEIS should include specific information about water bodies expected to be directly affected by the project, including acreage, linear feet of drainage of shoreline features, and total affected acres and linear feet by water body type.*

The acreage of creek/channel, intermittent drainages, ditches, ponds, as well as marsh, seeps, seasonal wetlands, swales, and vernal pools are displayed in both a map and tabular form in Exhibits 3A.3-4 through 3A.3-8, in Section 3A.3, “Biological Resources,” beginning on page 3A.3-29 of the DEIR/DEIS. A tabular representation of this information is also provided in Tables 3A.3-3 and 3A.3-4 on pages 3A.3-34 and 3A.3-35 of the DEIR/DEIS. These descriptions are adequate to fully characterize project impacts and satisfy CEQA and NEPA requirements for the program-level analysis. (See also Master Response 10 – Programmatic Nature of EIR/EIS Analysis.)

CVRWQCB-2-14

*The comment suggests that the DEIR/DEIS should include a figure showing any isolated wetlands excluded from Federal jurisdiction.*

Isolated seasonal wetlands are depicted in Exhibits 3A.3-4 through 3A.3-8, beginning on page 3A.3-29 of the DEIR/DEIS, in Section 3A.3, “Biological Resources” in both tabular and map form.

CVRWQCB-2-15

*The comment states that where water quality impacts cannot be avoided, a description of overriding considerations must be included, and an understanding how pollution pathways would operate would be necessary for management.*

As described in the DEIR/DEIS, all of the potential impacts to water quality were determined to be less than significant or less than significant with mitigation, as summarized in Executive Summary Table ES-1 (pages ES-102 to ES-111) and discussed in full on pages 3A.9-24 through 3A.9-46) of the DEIR/DEIS. A statement of overriding considerations that addresses any significant and unavoidable impacts would be prepared by the City prior to certification of the EIR .

CVRWQCB-2-16

*The comment states that the DEIR/DEIS should specify the cause, nature, and magnitude of all proposed impacts and should provide a level of analysis appropriate to the size, complexity, and potential impacts of the project.*

See Master Response 10 – Programmatic Nature of EIR/EIS Analysis. The commenter does not provide specifics as to exactly what additional analysis he believes should have been performed. The intended uses and purpose of this EIR/EIS are discussed in detail on DEIR/DEIS pages 1-8 through 1-10. This EIR/EIS provides a program-level analysis of a specific plan, consistent with California Public Resources Code [PRC] Sections 21083.3, 21093, and 21094; Title 14 CCR Sections 15152 and 15168; and 40 CFR Sections 1500.4(i), 1502.4(b), and 1502.20, among others. As stated on DEIR/DEIS page 1-9: “A program EIR addresses a series of related actions characterized as one large project. This program-level or ‘programmatic’ analysis evaluates the requested actions as they relate to the proposed land use designations for the overall specific plan. The program-level analysis considers the broad environmental effects of the overall specific plan. This program EIR/EIS also identifies performance standards (e.g., setbacks, measures to protect biological and other sensitive resources) and mitigation measures that would apply to all subsequent, future project development phases under the specific plan (as conditions of approval). These performance standards will be incorporated into the Folsom Specific Plan to avoid or reduce impacts to the degree feasible. In addition, the program-level analysis addresses the cumulative impacts of development of the project and analyzes a reasonable range of alternative land use maps at an equal level of detail. A No Project Alternative is also analyzed as required by CEQA, as well as a No Federal Action (no USACE Department of the Army Clean Water Act [CWA] Section 404 permit) Alternative as required by Council on Environmental Quality (CEQ) Regulations and USACE NEPA regulations.” The DEIR/DEIS contains over 2,000 pages of analysis and addresses several hundred impacts. The City and USACE believe that the DEIR/DEIS already specifies the cause, nature, and magnitude of all proposed impacts and already provides a level of analysis appropriate to the size, complexity, and potential impacts of project.

CVRWQCB-2-17

*The comment states that the impacts in the DEIR/DEIS should be quantified using appropriate modeling, the modeling approach should be documented, and any data deficiencies or factors affecting the reliability of the results should be identified.*

See Master Response 10 – Programmatic Nature of EIR/EIS Analysis. The commenter does not provide specifics as to how he believes the analysis contained in the DEIR/DEIS is deficient. For a program-level evaluation of a specific plan (as described above in response to comment CVRWQCB-2-16), a “quantification” of water quality impacts as requested by the commenter is not possible; however, as described on DEIR/DEIS page 3A.9-38, Mitigation Measure 3A.9-3 contains performance standards that require the development and implementation of a BMP and water quality maintenance plan. This plan would include a quantitative hydrologic and water quality analysis or proposed conditions incorporating proposed drainage design features and predevelopment and postdevelopment calculations demonstrating that the proposed water quality BMPs meet or exceed requirements established by the City of Folsom.

Modeling was conducted for the preliminary determination of water quality volumes required for each SPA subbasin, the results of which are presented in Table 3A.9-6 of the DEIR/DEIS. The 2007 draft Folsom Sphere of Influence Storm Drainage Master Plan engineering report that describes the modeling methodology, assumptions, and results used in this analysis is contained in Appendix H1, which was circulated with the DEIR/DEIS.

CVRWQCB-2-18

*The comment states that the DEIR/DEIS should identify whether impacts would be temporary or permanent.*

The water quality impacts described in Impact 3A.9-1 (beginning on page 3A.9-24 of the DEIR/DEIS) are identified as temporary, short-term water quality impacts. Water quality impacts described in Impact 3A.9-3 (beginning on page 3A.9-37 of the DEIR/DEIS) are identified as long-term, which would include impacts during project implementation that would be permanent.

CVRWQCB-2-19

*The comment states that the DEIR/DEIS must include an existing status hydrograph profile and include measures to maintain the pre-project hydrograph as mitigation.*

Impact 3A.9-2 (beginning on page 3A.9-32 of the DEIR/DEIS) includes an analysis of the potential increased risk of flooding and hydromodification from increased stormwater runoff resulting from implementation of the project. The 2007 draft Folsom Sphere of Influence Storm Drainage Master Plan engineering report that describes the modeling methodology, assumptions, and results in detail is contained in Appendix H1, which was circulated with the DEIR/DEIS.

Table 3A.9-2 of the DEIR/DEIS displays the 100-year peak flow contributions from off-site watersheds that were modeled for existing/predevelopment (pre-project) conditions. Table 3A.9-3 of the DEIR/DEIS displays the modeled peak flows (existing status hydrograph) for the pre-project conditions at eight project outfall locations for the 100-year, 10-year, 5-year, and 2-year storms. The 100-year, 10-year, 5-year, and 2-year storm event peak flows for the Proposed Project Alternative with the detention basin facilities as proposed are also displayed in Table 3A.9-3. For the 100-year and 10-year storms, peak flows with the project would remain at or below existing conditions (predevelopment conditions) at the eight outfall locations. During the 5-year and 2-year events, flow rates would increase at some locations under the Proposed Project Alternative, although these increases in peak flow rates would be minor and would not be anticipated to affect downstream facilities. Modified outlet facilities would be provided to reduce the flow of these 5-year and 2-year events to pre-project conditions if it was determined during detailed design studies that downstream facilities would be affected.

Mitigation Measure 3A.9-2 (page 3A.9-37 of the DEIR/DEIS) would require preparation and submittal of final drainage plans, including an accurate calculation of pre-project and post-project runoff scenarios and runoff calculations for the 10-year and 100-year (0.01 annual exceedance probability [AEP]) storm events (and other, smaller storm events as required), based on alignments and detention facility locations finalized in the design phase. Measures to appropriately contain runoff in detention basins or manage runoff through other improvements (e.g., use of LID techniques, source controls, and biotechnical stream stabilization) also would be required by Mitigation Measure 3A.9-2.

CVRWQCB-2-20

*The comment states that the DEIR/DEIS must include a meaningful analysis of potential cumulative impacts to watershed hydrology.*

Chapter 4, "Other Statutory Requirements" (on page 4-42 of the DEIR/DEIS) provides a discussion of potential cumulative impacts to hydrology resulting from existing, planned, and foreseeable future projects. The project, in terms of both planned and foreseeable future development, would have to comply with requirements of the design criteria that are identified in the Stormwater Quality Design Manual for the Sacramento and South Placer Regions (SSQP 2007b) and would, therefore, not result in a cumulative considerable contribution related to changes in drainage and runoff patterns and



stormwater conveyance. The City and USACE believe that the analysis contained in Chapter 4 of the DEIR/DEIS is sufficient. See also response to comment CVRWQCB-2-16. Finally, the commenter does not provide any specifics as to how he believes the existing analysis is deficient.

CVRWCB-2-21 through  
CVRWCB-2-22

*The comments state that aquatic and terrestrial habitats might be fragmented by impacts to streams, riparian areas, or other water. The comments suggest that the DEIR/DEIS should provide assurance of connectivity and viability of neighboring natural resources and corridors through the watersheds/subwatersheds and riparian corridors. The comments also state that alternative exhibits only depict features ending at the boundaries of the project and do not reveal if the proposed development would affect headwaters, adjacent habitats, or natural features, or how the project would be harmonized with adjacent natural features.*

See response to comment Brown, J-7. The FPASP includes preservation of the mainstem of Alder Creek and its associated riparian corridor, recognizing that this corridor provides the most cover for wildlife movement and migration. Alder Creek provides preferable cover and access for wildlife movement across the landscape and connects the habitat that would be preserved on-site with habitat to the south and west of the SPA. The Alder Creek riparian corridor is planned for preservation to the west of the SPA, so this would serve as a movement corridor between Lake Natoma and undeveloped areas south of the SPA into the future. This would provide connectivity to Folsom Lake and the foothills eastward. The project also would include corridors along drainages on the site, to connect the eastern portion of the SPA to oak woodland habitat in the larger preserve area and to the Alder Creek corridor. Lands east and north of the SPA are already developed; however, project design would retain an open space corridor along the eastern edge of the SPA that would provide migration potential northward to Folsom Lake and eastward from there, in addition to the connection via Lake Natoma. The headwater of Alder Creek is located approximately 0.6 mile south of the SPA's southern boundary, and the on-site wetland preserve would maintain connectivity with headwaters to the south. The project's open space design would provide multiple connectivity corridors to natural habitats located south of the SPA in unincorporated Sacramento County.

CVRWCB-2-23 through  
CVRWCB-2-26

*The comments suggest that the DEIR/DEIS should be revised to include an analysis of the regional importance of movement corridors in and along waterbodies, the potential effect of disrupting such corridors, how those disruptions would be avoided, and the potential for enhancing such corridors through mitigation measures, including connectivity and continuity with adjacent natural features or corridors. The comments further suggest that this analysis should consider sensitive plant and animal species that use the corridors and impacts to riparian habitat and other waters that could compromise future remediation of existing connectivity barriers. The comments also suggest that the DEIR/DEIS should consider terrestrial habitat connectivity related to wetland, riparian, and other aquatic resource in the analysis, including recent data on the role of riparian corridors as movement corridors in California.*

See responses to comments Brown, J-7 and Brown J-8; CVRWCB-2-21 and CVRWQCB-2-22; and ECOS-9.

CVRWQCB-2-27

*The comment states that the DEIR/DEIS should include a proposed mitigation monitoring and reporting program (MMRP). The comment further states that the RWQCB has the authority to require changes in a project to lessen or avoid effects of the project part that the Responsible Agency will be called on to approve or permit.*

CEQA provides that when an agency approves a project for which mitigation is required, that agency must adopt an MMRP that ensures mitigation measures will be implemented (State CEQA Guidelines CCR Section 15097). An MMRP would be prepared by the City to describe the approved mitigation measures identified in the EIR/EIS prior to certification of the EIR and adoption of the project. The mitigation measures proposed for the project, as well as the responsibilities for implementation, the timing of implementation, and the parties responsible for enforcement, are identified within each topic area analyzed in the DEIR/DEIS (i.e., Sections 3A.1–3A.18 and 3B.1–3B.17) and are also summarized in the Executive Summary, Table ES-1.

CVRWQCB-2-28

*The comment provides references to LID resources.*

See response to comment CVRWQCB-2-8 for a description of how LID would be employed in the project and the DEIR/DEIS mitigation measures that would require the use of LID techniques.

CVRWQCB-2-29

*The comment states that the neighboring Easton Project has been designed to maintain existing habitat along Alder Creek, from Prairie City to Folsom Boulevard. The comment states that this process should be continued as Alder Creek crosses the project site.*

Grading would be required in some of the open-space tract to contain seasonal flows to an active channel and more reliably define the extent of the 100-year (0.01 AEP) floodplain in this area. Construction of several roadway crossings are also proposed over Alder Creek; however, the project would maintain at least 30% of the SPA as natural open space, including most of Alder Creek as well as most of the stream and intermittent drainage channels found in the area, as described on page 2-24 of the DEIR/DEIS. The open space would be distributed throughout the SPA but would be concentrated primarily in the western portion of the site where oak woodlands and Alder Creek are present. Buffers of at least 75 feet also would be included in the open space design, to protect preserved habitats from adjacent development. No grading, trails, or improvements would be allowed within the first 25 feet of buffer, but temporary disturbance associated with contour grading, mitigation planting, trails, benches, and other passive recreational amenities could occur in the outer 50 feet of buffer.

CVRWQCB-2-30

*The comment states that it is difficult to discern the location of Alder Creek in relationship to the proposed industrial/office park use in the northwestern corner of the project. The comment suggest that proposed industrial/office park land use should be kept away from Alder Creek and outside of the existing tree canopy that lines the northern portion of Prairie City Road (south of U.S. 50) and wraps around with Alder Creek.*

The location of Alder Creek in relation to the proposed industrial/office park use in the northwestern corner of the project site is shown on DEIR/DEIS Exhibit 2-5 (page 2-21). Furthermore, Alder Creek is shown on Exhibit 3A.3-3 (“Wetlands and Other Water of the U.S.” page 3A.3-19), which can be compared with Exhibit 2-3 (“Proposed Project Land Use Plan” page 2-15). It is not possible to create an exhibit that overlays the land uses on top of the wetland features; the large number of details that would be required on such an exhibit would make it impossible to read.

The City notes that the comment regarding preservation of tree canopy along Prairie City Road pertains to an issue that is outside the jurisdiction and authority of CVRWQCB. However, as required by DEIR/DEIS Mitigation Measure 3A.9-1, all best practices for stormwater control would be employed in all phases of development. The land use plan (DEIR/DEIS Exhibit 2-3 on page 2-15) and the FPASP (DEIR/DEIS Appendix N) demonstrate that all development would be kept clear of Alder Creek because the Creek is in a wide, open space area. Where mitigation measures to reduce conflicts between oak trees and development would be feasible and practicable, all measures to protect oak trees would be employed. See Mitigation Measure 3A.3-5 on page 3A.3-76 and Mitigation Measure 3B.3-5 on page 3B.3-59 of the DEIR/DEIS.

CVRWQCB-2-31 *The comment suggests that sections of Easton Valley Parkway and Oak Avenue that bifurcate the oak woodlands that are being preserved should be designed to maintain a continuous corridor and appropriate buffer zone to the Alder Creek preserve on the Aerojet property. The comment further suggests that this would greatly enhance the value of the open space preserve and help maintain water quality in Alder Creek.*

See response to comment CVRWQCB-2-30.

CVRWQCB-2-32 *The comment (continuation of comment CVRWQCB-2-31) suggests that Alder Creek crossings could be made sufficiently large to provide unobstructed pathways for animal migration along the length of Alder Creek and the oak woodland open space.*

The City notes that the comment regarding pathways for animal migration along Alder Creek pertains to an issue that is outside the jurisdiction and authority of CVRWQCB. USFWS as well as the California Department of Fish and Game (DFG) would have jurisdiction over this issue and would be involved in Mitigation Measures 3A.3-1a, 3A.3-1b, and 3A.3-4a (on pages 3A.3-31, 3A.3-37, and 3A.3-73, respectively, of the DEIR/DEIS) under Section 404 of the Clean Water Act.

CVRWQCB-2-33 *The comment states that the detention basin proposed for the northwest corner of the SPA should not be located within the Alder Creek channel or floodplain.*

The detention basin that would be located at the northwest corner of the SPA is proposed by the project applicants to be constructed off stream, and therefore would not be located within the Alder Creek Channel. Appendix R attached to this FEIR/FEIS contains an exhibit identifying the proposed location of the detention basin.

CVRWQCB-2-34 *The comment states that the document being discussed on page 3A.8-3 is actually an RI/FS Sampling Plan, not an RI/FS as referenced in the DEIR/DEIS text.*

The comment is correct; the document referenced here and elsewhere in Section 3A.8, “Hazards and Hazardous Materials – Land” of the DEIR/DEIS is an RI/FS Sampling Plan. As shown in Chapter 5, “Errata” of this FEIR/FEIS, all references to the RI/FS in the DEIR/DEIS have been corrected to reference the RI/FS Sampling Plan.

CVRWQCB-2-35 through

CVRWQCB-2-37

*The comments state that the summary information [regarding the RI/FS sampling presented in the DEIR/DEIS] is correct. The comments further state that, however, sampling conducted under the RI effort would further delineate the extent of contamination in Area 40. The comments suggest that more recent data should be reviewed and assessed before acceptable uses of the property are determined, and that concerns over vapor intrusion into buildings would likely influence land use decisions.*

As stated on page 3A.8-26 of the DEIR/DEIS, any future uses of Area 40 are subject to restrictions imposed by the appropriate regulatory agencies (i.e., EPA, DTSC, and/or CVRWQCB).

CVRWQCB-2-38

*The comment states that ARCADIS' assessment of potential hazards was conducted before receipt of data from the RI sampling effort, and suggests that this should be reviewed for adequacy once newer data are available.*

ARCADIS' assessment of potential hazards assumed that parks and active recreation spaces would be the future land use in areas with contaminated groundwater associated with Area 40. No buildings were assumed in this future land use. ARCADIS' risk assessment was based on 2006 data for perchloroethylene (PCE) and trichloroethylene (TCE) concentrations in shallow groundwater, and concluded that the estimated total cancer risk from exposure to PCE and TCE in ambient air would be  $8 \times 10^{-7}$  (please refer to Appendix G3 to the Draft EIR/EIS for more detailed information concerning the assumptions and methodology of ARCADIS' assessment).

After the release of the DEIR/DEIS, ARCADIS reviewed groundwater data obtained during sampling conducted in 2007 and 2008. Using the same methodology as in their 2007 assessment, ARCADIS estimated that the cumulative risk from exposure to PCE and TCE in ambient air would be  $1.7 \times 10^{-6}$ . This represents a higher risk than was estimated in 2007 based on the 2006 data.

As stated on page 3A.8-26 of the DEIR/DEIS, ongoing regulatory review and approvals would ensure that any site-specific land use limitations would be identified and required when the land was made available for development. Investigation of soil and groundwater conditions at Area 40 is ongoing, and future data may reflect either greater or lesser concentrations of volatile organic compounds (VOCs) than were detected in 2006, 2007, and 2008. Future uses in Area 40 are subject to land use restrictions that may be imposed by the regulatory agencies to ensure that future land uses do not pose a risk to human health.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, Mitigation Measure 3A.8-3d has been added to require that areas subject to off-gassing hazards from groundwater contamination be designated for open space use. Areas designated for open space use under this mitigation measure would be determined using risk calculations (completed in accordance with published EPA and DTSC guidance) for exposure to off-gassing from either soil or groundwater based on detected PCE and TCE concentrations.

CVRWQCB-2-39 through

CVRWQCB-2-41

*The comments ask how it was determined that 3,000 micrograms per liter (µg/L) total VOCs should be used to identify areas of possible off-gassing and associated risks, and state that similar assessments elsewhere on the Aerojet site showed potentially unacceptable risks at much lower concentrations. The comments state that until groundwater concentrations are remediated to low enough levels, risk remains for certain uses of the property.*

ARCADIS' risk assessment was based on available (2007) groundwater data and the assumption that outdoor recreation for adults and children would be the future land use; its risk assessment was based on the actual PCE and TCE concentrations (rather than total VOC concentrations) in shallow groundwater. The ARCADIS study did not identify or use 3,000 µg/L total VOC concentration as a threshold of any kind; more detailed assumptions and discussions are presented in the ARCADIS study, included as Appendix G3 to the DEIR/DEIS. The 3,000 µg/L isocontour for total VOCs was used by the project applicant to determine which portion of the SPA should be designated for open space land use for all of the action alternatives.

As noted in responses to comments CVRWQCB-2-35 through CVRWQCB-2-37 and CVRWQCB-2-38, the ultimate land use configuration would be determined based on acceptable land uses as identified by the regulators (i.e., EPA, DTSC, and/or CVRWQCB). Furthermore, as shown in Chapter 5, "Errata" of this FEIR/FEIS, Mitigation Measure 3A.8-3d would require that areas subject to off-gassing from groundwater be designated for open space and park uses

CVRWQCB-2-42

*The comment states that the location of an off-site detention basin on the east side of Prairie City Road in the Eastern OU discussed on page 3A.8-6 of the DEIR/DEIS is incorrect, and also states that based on review of Exhibit 3A.8-3, no source sites are present at the proposed detention basin location.*

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text on page 3A.8-6 has been revised to indicate that the proposed off-site detention basin location is on the west side of Prairie City Road. The comment is noted that no source areas are present in this proposed detention basin location.

CVRWQCB-2-43

*The comment states that ERM's Phase I Environmental Site Assessment was completed before Aerojet's more recent sampling at Area 40.*

ERM's Phase I Environmental Site Assessment was completed before Aerojet's more recent sampling at Area 40. However, as noted on page 3A.8-7 and illustrated in Exhibit 3A.8-3 of the DEIR/DEIS, portions of the SPA have not been evaluated through the environmental site assessment process, and additional investigation might be required following project-level approvals. Furthermore, as described in responses to comments CVRWQCB-2-35 through CVRWQCB-2-37 and CVRWQCB-2-38, any future land uses at Area 40 would be subject to restrictions by the regulatory agencies (EPA, DTSC, and CVRWQCB).

CVRWQCB-2-44

*The comment pertains to DEIR/DEIS Mitigation Measure 3A.8-2 on page 3A.8-21 and states that unless groundwater is grossly contaminated, little sensory evidence of contamination would exist. The comment suggests that in light of this fact, for any excavation around Area 40, all groundwater encountered should be assumed to be contaminated.*

Mitigation Measure 3A.8-2 on page 3A.8-21 of the DEIR/DEIS pertains to areas of the project site that would need to undergo Phase I and/or Phase II environmental site assessments. Mitigation Measure 3A.8-2 would require reporting of any previously undiscovered evidence of soil or groundwater contamination. The comment pertains to Area 40, which is on the Cortese List and the National Priorities List and is the subject of ongoing environmental investigation well beyond the level of a Phase I or Phase II investigation. Mitigation Measures 3A.8-3a, 3A.8-3b, 3A.8-3c, and 3A.8-3d (beginning on page 3A.8-26 of the DEIR/DEIS and as modified in Chapter 5, "Errata" of this FEIR/FEIS) would require coordination with regulatory agencies (including CVRWQCB), coordination of development and construction activities to avoid interference with site remediation, and written notification that obligations and/or easements were fulfilled. The concern identified by the commenter (assuming all Area 40 groundwater was contaminated) would be addressed by implementing these mitigation measures rather than Mitigation Measure 3A.8-2.

CVRWQCB-2-45 through  
CVRWQCB-2-46

*The comments reference the ARCADIS assessment cited on page 3A.8-23 and Exhibits 3A.8-4 through -8 of the DEIR/DEIS. Based on more recent data, the comments suggest that the area of potential off-gassing that would require land use restrictions could be substantially larger than that shown. The comments also suggest that a screening level of less than 3,000 µg/L could be required.*

As noted in responses to comments CVRWQCB-2-39 through CVRWQCB-2-41, the ultimate land use configuration would be determined based on acceptable land uses identified by the regulators (i.e., EPA, DTSC, and/or CVRWQCB).

CVRWQCB-2-47

*The comment states that Aerojet and the regulatory agencies would need access to monitoring wells and remediation systems on Area 40, and suggests that changes should be made to the text of Mitigation Measure 3A.8-3a to set up an access agreement rather than purchasing of existing lots.*

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text of Mitigation Measure 3A.8-3a on page 3A.8-26 of the DEIR/DEIS has been revised and now requires the purchase of lots or an access agreement to permit continued access to monitoring wells and/or remediation systems.

CVRWQCB-2-48

*The comment states that if flows from the dewatering effort were to go into surface water or surface drainage courses, the project proponent would need to seek coverage under an appropriate NPDES permit issued by RWQCB.*

As described in DEIR/DEIS Mitigation Measures 3B.17-1a and 3B.17-1b (beginning on page 3B.17-11), if necessary, the City would implement a construction dewatering program in conjunction with a SWPPP. The program would encourage a preference for pumping dewatering discharges to an authorized on-site land area, existing detention facilities, or Baker tank or equivalent. If a direct discharge to surface waters could not be avoided, the City would consult with CVRWQCB to assess NPDES permitting requirements.

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## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



September 8, 2010

David Miller  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630

Re: Notice of Completion, Draft Environmental Impact Report (DEIR) and  
Draft Environmental Impact Study (DEIS)  
Folsom South of U.S. Highway 50 Specific Plan  
SCH# 2008092051

Dear Mr. Miller:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

As a responsible agency under CEQA; the traffic impact study within the traffic/circulation section of the DEIR/DEIS failed to consider safety issues to existing at-grade rail crossings within the project vicinity. There is an existing rail line that has been out of service since 1986; however it has not been abandoned. There has been discussion of opening sections of it for excursion trains. The at-grade railroad crossings need to be addressed as if there were trains running on them otherwise the traffic/circulation analysis is incomplete and inconclusive. The CPUC responded to the NOP on 11/10/08 and requested that the traffic/circulation section of the DEIR/DEIS address our concerns, however this was not done. This is a significant oversight by the project proponents and project consultants which could affect the certification process for this project as prepared and circulated.

Please provide a revised and or amended Traffic Impact Study to ensure that all at-grade railroad crossings are included in the DEIR/DEIS analysis. Otherwise subsequent site specific and or project level proposals will be required to provide additional Environmental analysis based on this significant oversight in the DEIR/DEIS.



The DEIR/DEIS is intended to disclose all available information so the lead Agency can make the best informed decision on the level of significance and mitigation measures, however when a key element of the environment such as Rail Safety is not disclosed and or analyzed in the DEIR/DEIS, what does that say for the integrity and transparency of the environmental process (Spirit of CEQA). 4

In addition to the potential impacts of the proposed project itself, the DEIR/DEIS needs to consider cumulative rail safety-related impacts created by other projects. 5

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians. The proposed project has the potential to increase vehicular and pedestrian traffic in the vicinity. 6

Measures to reduce adverse impacts to rail safety need to be considered in the DEIR/DEIS. General categories of such measures include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
- Improvements to warning devices at existing highway-rail crossing
- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption
- Installation of median separation to prevent vehicles from driving around railroad crossing gates 7
- Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
- Installation of pedestrian-specific warning devices and channelization and sidewalks
- Construction of pull out lanes for buses and vehicles transporting hazardous materials
- Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
- Elimination of driveways near crossings
- Increased enforcement of traffic laws at crossings
- Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing. 8

David Miller  
SCH # 2008092051  
September 8, 2010  
Page 3 of 3

Thank you for your consideration of these comments. We look forward to working with the City on this project and resolving this matter as it relates to rail safety. If you have any questions in this matter, please contact me at (415) 713-0092 or email at [ms2@cpuc.ca.gov](mailto:ms2@cpuc.ca.gov).

8 cont.

Sincerely,



Moses Stites  
Rail Corridor Safety Specialist  
Consumer Protection and Safety Division  
Rail Transit and Crossings Branch  
180 Promenade Circle, Suite 115  
Sacramento, CA 95834-2939



CPUC-1

*The comment suggests that project development should keep the safety of nearby rail corridors in mind. The comment states that new developments may increase vehicular and pedestrian volumes at nearby rail crossings, and working with CPUC staff in project planning will help improve safety for motorists, pedestrians, and railway passengers and personnel.*

One railroad line is present on the SPA. The line has not been abandoned, but it is not in active service. See responses to comments CPUC-2 through CPUC-8 for detailed responses to rail safety and compatibility issues.

CPUC-2

*The comment states that the traffic study failed to consider safety issues associated with the rail right-of-way extending through the property, citing discussions regarding potential excursion rail service. The comment includes the fact that the existing rail line has been out of service for several years but has not been abandoned.*

The City of Folsom maintains the portion of the Sacramento–Placerville transportation corridor within city limits and is a member of the Joint Powers Authority (JPA) (see page 7-16 of Appendix N of the DEIR/DEIS) that administers the corridor. As correctly stated by the commenter, at the date of publication of the DEIR/DEIS, the rail line was out of service but not abandoned and remains in that state. No active rail service exists within the corridor, nor are any reasonably foreseeable rail-oriented projects planned that the DEIR/DEIS is required to analyze under CEQA.

A proposal for excursion rail service was submitted to the JPA in 2008, by the Folsom-El Dorado-Sacramento Historical Railroad Society, but to date, little or no progress has been made on the proposal. If and when a viable project is submitted, it would require CEQA analysis; at that time, a rail safety analysis would be conducted.

CPUC-3

*The comment states that the traffic analysis in the DEIR/DEIS should be revised or amended to ensure that all at-grade railroad crossing are included in the analysis, or else subsequent project-level proposals will be required to perform rail safety analysis as part of the project's environmental clearance.*

Because no active rail service exists on the transportation corridor and no reasonably foreseeable rail service is planned, the DEIR/DEIS is not required to analyze rail safety. Should a viable rail service proposal be approved by the Sacramento–Placerville JPA and City of Folsom, a rail safety analysis would be prepared at that time. Furthermore, the policy of the City of Folsom has been and will continue to be that any project proposal for the JPA-governed transportation corridor is required to perform a rail safety analysis as a part of any transportation corridor project's environmental clearance. The project developer would be financially responsible to provide appropriate at-grade rail crossing safety equipment, if and when rail service was established along the corridor.

CPUC-4

*The comment states that the DEIR/DEIS does not disclose or analyze rail safety. The comment questions how this omission relates to the integrity and transparency of the environmental process.*

See responses to comments CPUC-1 through CPUC-3. An explicit discussion of rail safety is not required by the State CEQA Guidelines Appendix G checklist. However, in

the transportation section of the checklist, one factor to be considered is whether the project would substantially increase hazards because of design features or incompatible uses. Section 3A.15, “Traffic and Transportation – Land,” of the DEIR/DEIS discusses existing and planned roadways, as well as their potential conflict with bicycle, pedestrian, and transit facilities (on page 3A.15-27 of the DEIR/DEIS). Furthermore, City of Folsom General Plan Policy 17.9 (on page 3A.15-21 of the DEIR/DEIS) states that the City should preserve existing railroad rights-of-way for potential future use as public transit routes.

CPUC-5 *The comment states that the DEIR/DEIS needs to consider cumulative rail safety-related impacts created by other projects.*

See responses to comments CPUC-1 through CPUC-4. An explicit discussion of rail safety is not required by the State CEQA Guidelines Appendix G checklist. Cumulative impacts related to transportation are included in Section 3A.15, “Traffic and Transportation – Land,” of the DEIR/DEIS.

CPUC-6 *The comment describes the general types of potential collisions associated with at-grade rail crossings and states that the project has the potential to increase pedestrian and vehicular traffic in the project vicinity.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The City acknowledges the comment that the most common types of collisions at an at-grade rail crossing are between trains and vehicles or trains and pedestrians. See responses to comments CPUC-2 and CPUC-3. An analysis of project-related traffic impacts is contained in Section 3A.15, “Traffic and Transportation”

CPUC-7 *The comment lists general measures associated with rail safety.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted. See also responses to comments CPUC-2 and CPUC-3.

CPUC-8 *The comment states that approval from the California Public Utilities Commission is required to modify an existing highway-rail crossing or to construct a new crossing.*

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



# DEPARTMENT OF CONSERVATION

*Managing California's Working Lands*

## DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

September 9, 2010

**VIA EMAIL:** [gdeparado@folsom.ca.us](mailto:gdeparado@folsom.ca.us)

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

Subject: DEIR/DEIS for the Folsom South of US 50 Specific Plan Project –  
SCH# 2008092051

Dear Ms. Furness de Pardo:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the DEIR/DEIS for the Folsom South of US 50 Specific Plan Project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

### **Project Description:**

The proposed project includes annexation into the City of Folsom, and approval of various discretionary entitlements in support of a specific plan for a mixed-use development and related on- and off-site roadways and infrastructure. The specific plan covers an area in eastern Sacramento County, south of U.S. 50, and adjacent to the existing Folsom city limits. It supports a combination of retail and supporting services, recreational uses, and a broad range of residential uses and associated infrastructure and roads on approximately 3,510-acres that is located entirely within the City's sphere of influence, but currently under the jurisdiction of Sacramento County. 1

The specific plan area (SPA) consists of undeveloped grasslands used for cattle grazing. Structures within the SPA are limited to one residence and agricultural outbuildings located in the western portion, radio towers located in the northeastern corner, and a high-voltage electrical transmission corridor that traverses the western portion in a north-south direction between U.S. 50 and White Rock Road. The Sacramento County Important Farmland map, published by the California Department 2



Ms. Gail Furness de Pardo  
September 9, 2010  
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of Conservation's Division of Land Resource Protection, designates the entire SPA, the off-site sewer force main alignment, and the detention basin as Grazing Land.

2 cont.

The area is designated General Agriculture 80 and General Agriculture 80/ Resource Conservation Area by the Sacramento County General Plan. The area is zoned as Interim Agricultural, 10-acre minimum lot size; Agricultural, 20-acre minimum lot size; Agricultural, 80-acre minimum lot size; and SPA.

3

Approximately 1,530 acres of the SPA consists of agricultural lands under existing Williamson Act contracts that are in the process of nonrenewal. Notices of nonrenewal were filed on these parcels in 2004 and 2006; as a result, these existing contracts will expire in 2014 and 2016, respectively. None of the land proposed for the U.S. 50 interchange improvements, sewer force main, detention basin, or the two roadway connections into El Dorado Hills are held under Williamson Act contracts.

4

**Division Comments:**

Although direct conversion of agricultural land is often an unavoidable impact under California Environmental Quality Act (CEQA) analysis, mitigation measures must be considered. The adoption of a Statement of Overriding Consideration does not absolve an agency of the requirement to implement feasible mitigation that lessens a project's impacts. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation. Rather, the criterion is feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline §15370, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact.

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**Mitigation Measures**

The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. If a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, the Department recommends that mitigations for lost agricultural land be increased.

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The DEIR/DEIS(page 3A.10-42) states that: "Feasible mitigation measures, such as participation in an agricultural conservation easement, are not available to reduce impacts associated with the cancellation of these Williamson Act contracts to a less-than-significant level because no such programs are available." However, mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a

7



Ms. Gail Furness de Pardo  
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local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence the search for replacement lands can be conducted regionally or statewide, and need not be limited strictly to lands within the project's surrounding area.

7 cont.

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One source that has proven helpful for regional and statewide agricultural mitigation banks is the California Council of Land Trusts, which can be found at:

<http://www.calandtrusts.org>

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The California Council of Land Trusts deals with all types of mitigation banks. It is suggested that when the City contacts them they specify the need for agricultural mitigation banks.

The Department also has available a listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number at the conclusion of this letter. Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

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Williamson Act Contract Cancellations

The DEIR/DEIS (page 3A.10-41) states that, "Project implementation could result in the cancellation of Williamson Act contracts and would require the cancellation of one or more of these Williamson Act contracts before their expiration date because the proposed land uses would not be permitted under the existing contracts... Since the timing of the development of particular phases of the SPA is unknown at this time, future Williamson Act cancellation requests would be submitted on an as-needed basis, in conjunction with tentative map or other entitlement actions".

Sections 51282 through 51285 outline the steps necessary for the cancellation of a Williamson Act contract. Section 51284.1 requires the notice for a tentative cancellation of a contract to be sent as soon as the cancellation application is deemed complete, but not less than 30 (thirty) days prior to the scheduled action by the Board or Council. The Board or Council must consider any comments submitted by the Department when making their findings. A notice of the hearing and copy of the landowner's petition shall be mailed to the Director of the Department of Conservation 10 (ten) working days prior to the hearing as a separate application from any CEQA document. The notice must be mailed to:

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**DOC DLRP**

Department of Conservation  
C/o Division of Land Resource Protection  
801 K Street MS 18-01  
Sacramento, CA 95814-3528

12 cont.

Under Government Code section 51282, the city must base any approval of a request for cancellation on specific findings that are supported by substantial evidence. The Department recommends that a discussion of the required findings be included in any related CEQA document.

Thank you for giving us the opportunity to comment on the DEIR/DEIS for the Folsom South of US 50 Specific Plan Project. Please provide this Department with the FEIR/FEIS, the date of any hearings for this particular action, and any staff reports pertaining to it. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

13

Sincerely,



Dan Otis  
Program Manager  
Williamson Act Program

cc: Ms. Lisa Gibson  
US Army Corps of Engineers, Regulatory Branch  
1325 J Street, Room 1480  
Sacramento, CA 95814-2922  
[Lisa.M.Gibson2@usace.army.mil](mailto:Lisa.M.Gibson2@usace.army.mil)

State Clearinghouse  
FAX 323-3018

Sacramento County Farm Bureau  
8970 Elk Grove Blvd  
Elk Grove, CA 95624  
[sacfarmbur@msn.com](mailto:sacfarmbur@msn.com)

DOC DLRP-1

*The comment states that the California Department of Conservation's Division of Land Resource Protection has reviewed the DEIR/DEIS and is submitting comments and recommendations. The comment restates information from project description.*

The comment restates information that is contained in DEIR/DEIS Chapter 2, "Alternatives," Section 3A.10, "Land Use and Agricultural Resources – Land," and Section 3B.10, "Land Use and Agricultural Resources – Water." The comment is noted.

DOC-DLRP-2 through  
DOC-DLRP-4

*The comments summarize conditions on the SPA and off-site improvement areas, including the designation as Grazing Land on the Important Farmland map, existing Sacramento County zoning and general plan designations for the SPA, and the existence of Williamson Act contracts on the SPA.*

The comments restate information that is contained in DEIR/DEIS Chapter 2, "Alternatives," Section 3A.10, "Land Use and Agricultural Resources – Land," and Section 3B.10, "Land Use and Agricultural Resources – Water." The comment is noted.

DOC-DLRP-5 through  
DOC-DLRP-6

*The comments states that although conversion of agricultural land is often an unavoidable impact under CEQA, mitigation measures must be considered. The comment refers to CEQA Guidelines CCR Section 15370 regarding the lead agency's duty to implement feasible mitigation measures. The comments further state that if a Williamson Act contract is terminated or growth-inducing or cumulative agricultural impacts are involved, the Department recommends increased mitigation for loss of agricultural land.*

The commenter's blanket statement that "mitigation measures must be considered," when conversion of agricultural land is found to be an unavoidable impact is not an accurate representation of CEQA. Rather, CEQA requires that a lead agency must implement feasible mitigation measures, where they are available, to reduce the severity of a significant impact, and that the mitigation employed must be proportional to the impact.

The Department of Conservation's recommendation regarding increased mitigation is noted; however, the City as CEQA lead agency and USACE as NEPA lead agency have jurisdiction to determine whether appropriate and feasible measures that are comparable to the level of impact are available.

The agricultural land use on the SPA is classified as "grazing land" under the California Important Farmland Inventory System and Farmland Mapping and Monitoring Program (DEIR/DEIS page 3A.10-2). The conversion of "grazing land" does not meet the CEQA definition of Important Farmland; therefore, the impact is less than significant and no mitigation is required (see page 3A.10-29 of the DEIR/DEIS). No areas of active crop production exist in the SPA. The agricultural value of the land for crop production is marginal because of the shallow depth to bedrock, which is why the land is classified as "grazing land" as opposed to Important Farmland. The same is true concerning land abutting the SPA; thus, the impact from growth inducement on adjacent grazing lands would be the same as the project-specific impact on grazing land (i.e., less-than-significant impact). Therefore, no mitigation measures are required. As stated on DEIR/DEIS page 3A.10-42, because the Williamson Act contracts have already been

placed in non-renewal, the affected parcels would remain in agricultural use for only 3 to 5 more years. Also, these parcels are not areas of Important Farmland, as designated by the State. A mitigation measure which would require that replacement land be protected in perpetuity to compensate for the loss of 3 to 5 years of agricultural use (i.e., grazing) of lands with low agricultural value is not proportional to the magnitude of the potential impact and, therefore, does not constitute legally feasible or appropriate mitigation.

DOC-DLRP-7

*The comment refers to a statement (on page 3A.10-42 of the DEIR/DEIS) regarding feasible mitigation measures, such as participation in an agricultural conservation easement, as not being available to reduce impacts associated with the cancellation of Williamson Act contracts to a less-than-significant level because no such programs would be available. The comment further states that, on the contrary, mitigation via agricultural conservation easements could be included by the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization whose purpose included the acquisition and stewardship of agricultural conservation easements.*

The commenter suggests permanent conservation easements or fees to support purchase of such easements as mitigation for the project's impact related to cancellation of Williamson Act contracts. As noted on page 3A.10-2 of the DEIR/DEIS, the SPA consists of lands classified as Grazing Land rather than Important Farmland. Furthermore, the Williamson Act contracts that affect parcels in the SPA are currently in non-renewal and are set to expire in 2014 and 2016.

Because these contracts are in non-renewal, the affected parcels would remain in agricultural use for only 3 to 5 more years. Also, these parcels are not areas of Important Farmland, as designated by the State. A mitigation measure that would require that replacement land be protected in perpetuity to compensate for the loss of 3 to 5 years of agricultural use of lands with low agricultural value is not proportional to the magnitude of the potential impact and, therefore, is not legally feasible or appropriate mitigation. Per State CEQA Guidelines, CCR Section 15126.4(a)(4)(B), the mitigation measure must be "roughly proportional" to the impacts of the project. See *Dolan v. City of Tigard*, 512 U.S. 374 (1994). Where the mitigation measure is an ad hoc exaction, it must be "roughly proportional" to the impacts of the project. See *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854.

DOC-DLRP-8

*The comment states that the impact regarding the conversion of agricultural land should be deemed an impact of regional significance, and therefore the search for replacement lands (as mitigation) could be conducted regionally and statewide, as opposed to just locally.*

The commenter provides no justification as to why he believes the impact should be deemed "of regional significance." The impact from conversion of "Grazing Land" in the SPA does not meet the CEQA definition of "Important Farmland" and therefore the conversion of such lands is not a significant impact nor is it "an impact of regional significance." The City/USACE believe that the impact analysis and the conclusions that no feasible mitigation measures are available are appropriate. See Section 3A.10, "Land Use and Agricultural Resources," and responses to comments DOC-DLRP-5 through DOC-DLRP-7.

DOC-DLRP-9 and  
DOC-DLRP-10

*The comments provide information sources for agricultural mitigation banks and conservation tools.*

The commenter offers information resources and does not make specific comments related to the project or the adequacy of the environmental analysis provided in the DEIR/DEIS; the comments are noted.

DOC-DLRP-11

*The comment suggests that “any other feasible mitigation measures should also be considered.”*

All feasible mitigation measures have been considered. See also responses to comments DOC-DLRP-6 and DOC-DLRP-7.

DOC-DLRP-12

*The comment provides information on the procedural requirements for Williamson Act cancellations.*

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

DOC-DLRP-13

*The comment recommends that a discussion of the required findings for Williamson Act cancellations be included in any related CEQA document and provides contact information for the commenting agency.*

A discussion of the required findings for Williamson Act cancellations is provided on pages 3A.10-6 and 3A.10-7 of the DEIR/DEIS.

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DEPARTMENT OF TRANSPORTATION  
DISTRICT 3 – SACRAMENTO AREA OFFICE  
2379 GATEWAY OAKS DRIVE, SUITE 150  
SACRAMENTO, CA 95833  
PHONE (916) 274-0635  
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TTY 711



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September 30, 2010

0310-SAC0038  
03-SAC-50 PM 18.991-23.136  
Folsom South of U.S. 50 Specific Plan  
Draft Environmental Impact Report  
SCH# 2008092051

Ms. Gail Furness De Pardo, AICP  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630

Dear Ms. Furness De Pardo:

Thank you for the opportunity to review and comment on the Folsom South of U.S. 50 Specific Plan’s Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/DEIS), and for providing us with additional time to review inputs and assumptions to the traffic analysis that were not available in the DEIR and provide comment. The Project proposes 10,210 residential units at various densities on approximately 1,477 acres; approximately 363 acres are designated for commercial and industrial use, including a regional shopping center; public/quasi-public uses; elementary, middle, and high schools on approximately 179 acres; approximately 122 acres of community and neighborhood parks; storm water detention basins; approximately 1,053 acres of open-space areas and open-space preserves; and major roads with landscaping. The planned transportation system includes transit service, new bicycle/pedestrian overcrossings of U.S. 50, and parallel roads to U.S. 50 to minimize local trips on the highway.

1

**Direct Impacts/Mitigation**

- Caltrans concurs with the mitigation measures listed below; however the City should change the implementation and enforcement agency in many instances. The City is responsible, as the lead agency for the CEQA document, for implementation and enforcement. The City should identify the Project Sponsor that will provide the majority of the funding for each project; it is not Caltrans.
  - 3A.15-1o, fair share funding for eastbound U.S. 50 auxiliary lanes from Hazel Avenue to east of Folsom Boulevard
  - 3A.15-1p, improvements to SR 16/Grant Line Road intersection
  - 3A.15-r, fair share funding for eastbound US 50 auxiliary lane between Hazel Avenue and Folsom Boulevard

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- 3A.15-1s, fair share funding for eastbound US 50 auxiliary lane between Folsom Blvd and Prairie City Road
- 3A.15-1u, fair share funding for westbound US 50 auxiliary lane between Prairie City Road and Folsom Boulevard
- 3A.15-1v, fair share funding for westbound US 50 auxiliary lane from Hazel Avenue to Sunrise Boulevard
- 3A.15-1w, fair share funding for eastbound US50 auxiliary lane from Folsom Boulevard merge to Prairie City Road diverge
- 3A.15-1x, fair share funding for eastbound US 50 auxiliary lane from the Folsom Boulevard merge to the Prairie City diverge
- 3A.15-1y, fair share funding for eastbound US 50 auxiliary lane form Prairie City Road on-ramp merge to Scott/Bidwell diverge
- 3A.15-1z, fair share funding for eastbound US 50 eliminate unacceptable weave conditions from Prairie City Road on-ramp to Oak Avenue off-ramp
- 3A.15-1aa, fair share funding for eastbound US 50 auxiliary lane from Oak Avenue to Scott Road
- 3A.15-1dd, fair share funding for westbound US 50 auxiliary lane from Empire Ranch Road to East Bidwell Street
- 3A.15-1ee, fair share funding for westbound US 50 auxiliary lane from Oak Avenue to Prairie City Road
- 3A.15-1ff, fair share funding for westbound US 50 auxiliary lane from Prairie City Road to Folsom Boulevard
- 3A.15-1hh, fair share funding for westbound US 50 auxiliary lane from Prairie City Road to Folsom Boulevard
- 3A.15-1ii, fair share funding for westbound US 50 auxiliary lane from Hazel Avenue to Sunrise Boulevard

2 cont.

- Funding of Improvements. The City must identify fair share funding amounts and methodology for improvements to the transportation system, including US 50 and State Route (SR) 16. The improvements are required because of local development and Caltrans is not a source of funding for the improvements.

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Ms. Gail Furness De Pardo  
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**Cumulative Impacts/Mitigation**

- Caltrans concurs with the mitigation measures listed below; however the City should change the implementation and enforcement agency in many instances. The City is responsible, as the lead agency for the CEQA document, for implementation and enforcement. The City should identify the Project Sponsor that will provide the majority of the funding for each project; it is not Caltrans.
  - 3A.15-4p, participate in Fair Share Funding of Improvements to Reduce Impacts on the Hazel Avenue/U.S. 50 Westbound Ramps Intersection
  - 3A.15-4q, participate in fair share funding of improvements to reduce impacts on Eastbound US 50 between Zinfandel Drive and Sunrise Boulevard
  - 3A.15-4r, participate in fair share funding of improvements to reduce impacts on eastbound U.S.50 between Rancho Cordova parkway and Hazel Avenue
  - 3A.15-4s, participate in fair share funding of improvements to reduce impacts on eastbound U.S.50 between Folsom Boulevard and Prairie City Road
  - 3A.15-4t, participate in Fair Share Funding of Improvements to Reduce Impacts on Eastbound U.S. 50 between Prairie City Road and Oak Avenue Parkway
  - 3A.15-4u, participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Slip Ramp Merge
  - 3A.15-4v, participate in Fair Share Funding of Improvements to Reduce Impacts on the U.S. 50 Eastbound / Prairie City Road Flyover On Ramp to Oak Avenue Parkway Off Ramp Weave
  - 3A.15-4w: Participate in Fair Share Funding of Improvements to Reduce Impacts on U.S.50 Eastbound / Oak Avenue Parkway Loop Ramp Merge
  - 3A.15-4x, participate in Fair Share Funding of Improvements to Reduce Impacts on U.S.50 Westbound / Empire Ranch Road Loop Ramp Merge
  - 3A.15-4y, participate in Fair Share Funding of Improvements to Reduce Impacts on U.S. 50 Westbound / Prairie City Road Loop Ramp Merge

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**Traffic Analysis**

- Existing Scenarios Roadway Networks. Page 3A.15-28. The Existing Plus Project traffic analysis scenario includes both of the new interchanges (Oak Avenue and Empire Ranch). The interchanges *cannot* be assumed in the Existing Plus scenario. CEQA requires that existing conditions reflect what is on the ground at the time the DEIR is prepared. Furthermore, it would require that an interim year analysis be conducted when it was anticipated these improvements would be in place. There is no mention of the construction of the new interchanges as mitigation, yet the DEIR discusses mitigating the weave between the existing Empire Ranch interchange and the proposed Oak Avenue interchange. Because

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these two interchanges are part of the Existing Plus Project scenario, the Traffic Study needs to be revised and recirculated for review and comment.

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• Table 3A.15-15. Page 3A.15-31. The table indicates that total trip generation for the alternatives range from 168,700 to 218,500 trips per day. Using the detailed Specific Plan breakdown of land uses and ITE Trip Generation Rates, a total trip generation figure somewhere between 40,000 to 50,000 trips higher can be calculated. It is assumed that total trip generation was reduced for this project due to Smart Growth, Blueprint, and SB 375 sensitive land use and transportation initiatives included in the Specific Plan. The assumptions and techniques used to reduce the trips should be provided to Caltrans so a reasoned assessment can be made of the reduction. Detailed mode split (auto, transit, walk and bike) information for each land use and site should also be provided.

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• Oak Avenue Interchange. Mitigation Measure 3A.15-4w. Fair share funding for the US 50 Eastbound/Oak Avenue Parkway Loop Ramp Merge. Page 3A.15-117. Regarding the US 50/Oak Avenue interchange, has a possible phased project been discussed? It is recommended that future traffic studies for the Oak Avenue project address the possibility of beginning with an overcrossing to connect areas north and south of US 50, and phasing in the ramp connections as needed. In addition, it is also recommended that the City analyze future southbound trips from north of US 50 to eastbound US 50 (utilizing the existing flyover) and determine if the need for this flyover exists in the future. Without the flyover, a braided ramp option for Oak Avenue may not be needed. In addition, the significant and unavoidable impacts that would occur due to the weave on US 50 between Prairie City Road and Oak Avenue (with the construction of US 50/Oak Avenue interchange) are not acceptable. The project must be designed to have acceptable weave conditions on US 50 by way of a braided ramp option or a study of US 50/Prairie City Road to see what can be done with the existing flyover, or provision of north-south connection only on Oak Avenue. In addition, the implementing agency within the mitigation is not Caltrans or the Capital Southeast Connector Joint Powers Authority; it is the City of Folsom.

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• Cumulative Rock Quarry Truck Traffic. Page 3A.15-30. Regarding operation of trucks in the p.m. peak hour, the document is not accurate in stating that there won't be any trucks in the p.m. peak hour. The Project's analysis assumes that the majority of quarry truck traffic on US 50 will occur in the a.m. peak hour and not the p.m. peak hour. However, trucks will return to the quarries and back again to sites sporadically within the afternoon and evening hours, including the p.m. peak period and p.m. peak hour. On US 50, 4 p.m. to 5 p.m. is the p.m. peak hour. The Project's analysis should be revised to show quarry trucks using US 50 in the p.m. peak period and p.m. peak hour.

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**Other Comments**

- Mitigation Measure 3A.15-3. The Specific Plan should be much clearer and more defined as to how the City’s transportation impact fee program, Measure W, and other funding sources will fund specific transportation improvements, such as the Oak Avenue and Empire Ranch interchanges. This mitigation measure’s text is confusing regarding which improvements the project applicants are responsible for. Caltrans acknowledges the City’s Measure W funding framework specified that *Adoption of an Infrastructure Funding and Phasing Plan by the City Council providing for the construction of roadways and transportation improvements that are necessary to mitigate traffic impacts caused by any development of the Area. The infrastructure funding and phasing plan shall identify the timing for construction of all transportation improvements, including any required improvements along the Highway 50 corridor.* (Folsom Plan Area Specific Plan. Page 1-10). 23
- Transit. Because the improvements proposed for US 50 will not fully mitigate impacts, the funding commitment to transit capital and operations should be shown within the finance plan and the EIR for this project. The cumulative transit conditions, as stated on page 3A.15-30, need to be further defined as the project progresses. Mitigation Measure 3A.15-2 requires fair share participation in funding transit capital improvements and operations. The City should clarify in the financing plan how an existing city wide fee program will fund transit capital expenditures and operations, and how that does not conflict with Measure W mandates. 25
- Caltrans Priority Projects based upon the US 50 Corridor System Management Plan on and along US 50 include: 26

  - HOV lanes from Downtown to Watt Avenue
  - Auxiliary lanes from Bradshaw Road to Mather Road, and between the Sunrise Boulevard and Scott Road
  - Hazel Avenue interchange reconstruction and extension of Hazel Avenue south to Easton Valley Parkway 27
  - Adding Intelligent Transportation System (ITS) elements such as closed caption televisions (CCTV) and ramp meters
  - Parallel and connecting roadways such as White Rock Road, Scott Road, Prairie City Road, Hazel Avenue and Easton Valley Parkway 28



Ms. Gail Furness De Pardo  
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- Project Phasing. The Project’s phasing plan should be better developed to state clearly the triggers for building out the backbone infrastructure, including the transportation improvements and transit system. Please explain the basis for the assumption that the area along Scott Road will be the location of the initial development. 29  
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Caltrans looks forward to working with the City of Folsom throughout this project and to reviewing a revised document. If you have any questions regarding these comments, please contact Larry Brohman at (916) 274-0627.

Sincerely,



ALYSSA BEGLEY, Chief  
Office of Transportation Planning – South

Caltrans-1

*The comment thanks the City for additional review time and restates the project description.*

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

Caltrans-2

*The comment concurs with the Existing Plus Project freeway and ramp mitigation measures; however, the comment suggests that the City should change the implementation and enforcement agency in many instances. The comment states that the City is responsible for implementation and enforcement. The comment suggests that the City should identify the project sponsor who would provide the majority of the funding for each project, because the project sponsor is not Caltrans.*

The City agrees that Caltrans is not the project sponsor for DEIR/DEIS Mitigation Measures 3A.15-1o through 3A.15-1ii. The City of Folsom and/or Sacramento County would be responsible for funding and enforcement of these mitigation measures. Caltrans would still be responsible for review and ultimate approval of any/all improvements proposed to Caltrans facilities. The responsibility for implementation and enforcement of these mitigation measures have been clarified as shown in Chapter 5, “Errata” of this FEIR/FEIS.

Caltrans-3

*The comment suggests that the City should identify fair-share funding amounts and methodology for improvements to the transportation system, including U.S. 50 and State Route 16. The comment states that the improvements are required because of local development and Caltrans is not a source of funding for the improvements.*

The City of Folsom is currently in negotiations with Sacramento County to develop fair share funding methodology and amounts for improvements impacted by the proposed project. Caltrans is not assumed to be one of the funding sources in these calculations.

Caltrans-4

*The comment concurs with the Cumulative Plus Project freeway and ramp mitigation measures; however, the comment suggests that the City should change the implementation and enforcement agency in many instances. The comment states that the City is responsible for implementation and enforcement. The comment suggests that the City should identify the project sponsor who would provide the majority of the funding for each project, because the project sponsor is not Caltrans.*

The City agrees with the comment; Caltrans is not the project sponsor for DEIR/DEIS Mitigation Measures 3A.15-4p through 3A.15-4y. The City of Folsom and/or Sacramento County would be responsible for funding and enforcement of the mitigation measures. Caltrans is still responsible for review and ultimate approval of any/all improvements proposed to Caltrans facilities. The responsibility for implementation and enforcement of these mitigation measures have been clarified in Chapter 5, “Errata” of this FEIR/FEIS.

Caltrans-5 through  
Caltrans-9

*The comments state that the Existing Plus Project conditions include the new Oak Avenue Parkway interchange and the Empire Ranch Road interchange. The comments further state that these interchanges cannot be assumed under Existing Plus Project conditions because CEQA requires that Existing Conditions reflect what is on the ground when the DEIR/DEIS is prepared. The comments note that the two interchanges are not mitigation measures. The comments suggest that the traffic study should be revised and re-circulated because it includes the new Oak Avenue Parkway interchange and the Empire Ranch Road interchange under Existing Plus Project conditions.*

The new Oak Avenue Parkway interchange and the new Empire Ranch Road interchange are included as part of the project (see DEIR/DEIS Chapter 2, “Alternatives”); therefore, it is appropriate to include them in the “Existing Plus Project” traffic conditions analysis. Thus, there is no need to revise or recirculate the traffic study.

Caltrans-10 through  
Caltrans-13

*The comments state that the trip generation in the DEIR/DEIS is lower than an ITE Trip Generation Rate trip generation calculation based on the land use. The comments assume that the trip generation was reduced because of Smart Growth, Blueprint and SB 375 land uses and transportation initiatives. The comments suggest that the assumptions and techniques should be used to reduce the trip generation. The comments also request detailed mode split data.*

The project trip generation, distribution, mode choice, and assignment was calculated using the SACOG regional travel demand model, which estimates number and distribution of person trips and estimates the mode of travel for each trip based on an assumed roadway and transit network, transit fares, parking costs, and other information. The distribution model within SACOG’s regional travel demand model estimates the amount of internal travel. Therefore, no assumptions on trip reduction or mode split were made. Data on trip generation, distribution (including internal travel), and mode split was previously provided to the commenter, Larry Brohman, on September 13, 2010.

Caltrans-14

*The comment asks if the possible phasing of Mitigation Measure 3A.15-4w has been discussed.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. There have been preliminary discussions between the project applicant(s) and City regarding this phasing concept.

Caltrans-15

*The comment recommends that future traffic studies for the Oak Avenue/U.S.50 project address the possibility of an initial overcrossing and subsequent ramp phasing.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment suggests that in the future, additional traffic studies for the Oak Avenue/U.S. 50 interchange improvements be considered. Phasing of ramps would be considered by the City in the future.

Caltrans-16 through  
Caltrans-18

*The comments suggest that an analysis should be conducted to determine if the Prairie City Road interchange flyover ramp could be replaced by some other ramp configuration, removing the need for braided ramps toward the Oak Avenue Parkway interchange.*

The Prairie City Road interchange flyover ramp could be replaced by either a loop ramp or a southbound to eastbound left-turn lane onto the existing slip ramp, thereby improving the freeway operations over the current flyover design (as shown in Tables 3.15-31A, 3.15-32A, and 3.15-33A of the DEIR/DEIS); however, the left-turn lane would worsen operations at the eastbound off-ramp and would require widening of the Prairie City Road bridge over U.S. 50. These alternate designs could potentially remove the need for braided ramps toward the Oak Avenue Parkway interchange.

Caltrans-19

*The comment states that the implementing agency for improvements to U.S. 50 is the City of Folsom, not Caltrans.*

The City agrees with the comment; Caltrans is not the project sponsor. The City of Folsom and/or Sacramento County would be responsible for funding and enforcement of the mitigation measures. Caltrans is still responsible for review and ultimate approval of any/all improvements proposed to Caltrans facilities.

Caltrans-20 through  
Caltrans-22

*The comments state that the assumption in the DEIS/DEIR that no PM peak-hour aggregate quarry truck trips would occur is inaccurate. The comments suggest that the project's analysis should be revised to show quarry trucks using U.S. 50 in the PM peak period and PM peak hour.*

See response to comment Tsakopoulos-2-182.

Caltrans-23 and  
Caltrans-24

*The comments suggest that the Specific Plan should be much clearer and more defined regarding how the City's transportation impact fee program, Measure W, and other funding sources would fund specific transportation improvements, such as the Oak Avenue Parkway and Empire Ranch Road interchanges. The comments state that Mitigation Measure 3A.15-3 is confusing with respect to improvements for which the project applicants would be responsible.*

According to Measure W, the City of Folsom, upon annexation of the SPA, intends to update the City's Nexus Study and Transportation Impact Fee to incorporate the major transportation improvements associated with the project and establish fair share funding allocations. These allocations would likely include community financing districts (CFDs), developer contributions, and City contributions. The City also intends to fund mass transit improvements primarily through local funds, rather than sales tax revenue, consistent with Assembly Bill (AB) 32.

Caltrans-25

*The comment states that because the improvements proposed for U.S. 50 will not fully mitigate identified impacts, the funding commitment to transit capital and operations should be shown in the finance plan and EIR.*

As indicated in the Draft Folsom Plan Area Specific Plan Public Facilities Financing Plan dated June 2010 (incorporated herein by reference and available upon request to the City or at [www.folsom.ca.us](http://www.folsom.ca.us)), transit capital improvements would be funded from a number of

sources, including development impact fees, fair share contributions from developers, and possibly general fund revenues. The City also anticipates receiving other outside funding for transit improvements, such as state and Federal grants or other funds. (See Draft Financing Plan at pages 11, 12, and 14.) The City would fund transit operations through a combination of fair box revenues, state funding (such as funding from through the Transportation Development Act), and, if necessary, general fund revenues.

Caltrans-26

*The comment states that the cumulative transit conditions stated in the EIR need to be further defined as the project progresses.*

Transit conditions would evolve over time during the development of the SPA. As major roads are constructed and connected with each other, transit services would be adjusted to accommodate new transit demand. The proposed BRT system would only be implemented once Easton Valley Parkway is fully constructed between Scott Road and the Hazel Avenue Light Rail Station; the western half of this system falls outside the responsibility of the City of Folsom or the project applicants.

Caltrans-27

*The comment states that Mitigation Measure 3A.15-2, fair share funding of transit capital improvements and operations, should be more clearly defined by the City with respect to how an existing city-wide fee program will fund transit capital expenditures and operations without conflicting with Measure W.*

See response to comment Caltrans-23.

Caltrans-28

*The comment lists the U.S. 50 Corridor System Management Plan (CSMP) priority projects in the area.*

The comment does not identify how the list of projects provided in this comment is relevant to the analysis performed in the DEIR/DEIS, nor does the comment identify any specific requested changes to the DEIR/DEIS analysis; the comment is noted.

Caltrans-29

*The comment states that the project phasing plan should be better developed to clearly state triggers for building backbone infrastructure, including the transportation and transit systems.*

See response to comment Sac Cnty-2-270.

Caltrans-30

*The comment requests an explanation for an assumption that the area along Scott road will be the location of initial development.*

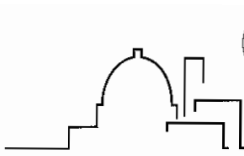
The assumption is based on current market trends that indicate that non-residential land uses are likely to lag behind residential growth in the foreseeable future. Initial development of any type is most likely to start along existing street corridors so that funding for future streets can be collected. The project features a substantial concentration of single family residential around the Scott Road corridor, more so than adjacent to the other existing roadway in the SPA (e.g., Prairie City Road). Therefore, the most reasonable assumption is that single-family residential would develop along Scott Road and then expand outward as funding for additional improvements is generated.

## **LOCAL COMMENTERS**

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**SMUD**

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**SMUD-1**

P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)

July 13, 2009

CITY OF FOLSOM  
PLANNING DEPARTMENT  
ATTN: Gail Furness De Pardo  
50 NATOMA STREET  
FOLSOM, CA 95630

And

US Army Corps of Engineers  
Attn: Lisa Gibson  
1325 J Street, Room 1480  
Sacramento, CA 95814-2922

Subject: Draft Environmental Impact Report/Draft Environmental Impact Statement for the Folsom South of US Highway 50 Specific Plan, Folsom, Sacramento County, CA.

Ms. Gail Furness De Pardo and Ms. Lisa Gibson,

The previously prepared letter that was sent to the City of Folsom on May 11, 2009 remains up to date and correct. For your reference the exact same information is repeated below:

The Folsom South of US Highway 50 Specific Plan Project will have a significant impact on SMUD's electrical facilities and will require new electrical substations and power lines in the area bounded by Prairie City Road (Western Boundary), US Highway 50 (Northern Boundary), the Sacramento County Line (Eastern Boundary), and White Rock Road (Southern Boundary). The existing facilities within the project boundaries are inadequate to serve the future load. A minimum of 3 distribution substations and new overhead 69kV lines will be required to serve future demand based on the Specific Plan Land Uses shown in Table 1 and the Conceptual Land Use Plan shown in Exhibit 3 on pages 6 and 7, respectively, of the Notice of Preparation document prepared by EDAW.

Please note the following:

Estimated electrical demand based on proposed September 2008 Land Uses:

102 MVA

Existing 230 kV and 69 kV routes within the area:

1. Overhead double circuit 230 kV line within the transmission line corridor through the western portion of the specific plan between Highway 50 and White Rock Road.

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- 2. Overhead single circuit 69kV line within the transmission line corridor southerly approximately 2,100 feet; turns west to Prairie City Road.
- 3. Overhead single circuit 69 kV line along the eastern property line of APN 072-0231-048 southerly to Prairie City Road, continues on the west side of Prairie City Road to White Rock Road.

3  
cont.

Future distribution substations and 69 kV routes within the area:

- 1. Minimum of three distribution substations.
- 2. New overhead 69 kV route along the existing Placerville Road from Highway 50 to White Rock Road.
- 3. Overhead 69kV route along White Rock Road from Placerville Road to Prairie City Road.
- 4. Additional overhead 69kV routes may be required; dependent upon locations of the three distribution substations.

4

Please feel free to contact me with any requests for further information or concerns that you might have.

Thank You,

Rachel V. Del Rio  
Land Agent – Real Estate Services  
SMUD  
6201 S Street, B304  
Sacramento, CA 95817  
916-732-5997  
[rdelrio@smud.org](mailto:rdelrio@smud.org)

cc: M. Ellis, SMUD Planning Dept.

SMUD-1-1

*The comment states that the Sacramento Municipal Utility District (SMUD) letter that was prepared and sent on May 11, 2009 to the City of Folsom remains valid, and that the text of the May 2009 letter is repeated in the current comment letter.*

A copy of SMUD's comment letter on the NOP for this project, which is dated January 23, 2009, is attached to the DEIR/DEIS in Appendix B, and the City/USACE considered the commenter's concerns during preparation of the DEIR/DEIS. The City/USACE did not receive a letter from SMUD dated May 11, 2009. Based on a review of the text contained in SMUD's January 23, 2009 NOP letter, the same text appears to be repeated in the comment letter submitted on the DEIR/DEIS dated July 13, 2009.

SMUD-1-2

*The comment states that based on September 2008 land uses (shown in the Specific Plan, provided in Appendix N of the DEIR/DEIS), the estimated electrical demand for the project is 102 MVA.*

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the discussion of Impact 3A.16-8 under the Proposed Project Alternative has been revised to correct the typographical error from 120 megavolt ampere (MVA) to 102 MVA.

SMUD-1-3

*The comment provides the location of SMUD's existing electrical transmission lines that are in the vicinity of the SPA.*

SMUD's existing electrical infrastructure in the vicinity of the SPA is described in Section 3A.16, "Utilities and Service Systems" (pages 3A.16-5 and 3A.16-6) of the DEIR/DEIS.

SMUD-1-4

*The comment identifies future distribution substations and electrical transmission lines that would be required for SMUD to serve the SPA.*

The locations of new substations and electrical transmission line routes that are required for SMUD to serve the SPA are described under Impact 3A.16-8, "Increased Demand for Electricity and Infrastructure," on page 3A.16-33 of the DEIR/DEIS.

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Municipal Services Agency  
Paul Hahn,  
Agency Administrator

Interim County Executive  
Steven C. Szalay

County of Sacramento

July 20, 2010

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

**SUBJECT: Request to Extend the Public Comment Period on the Draft Environmental Impact Report/Environmental Impact Statement for the Folsom South of U.S. Highway 50 Specific Plan Project**

Dear Ms. Furness De Pardo:

Thank you for providing the County of Sacramento ("County") the opportunity to review and comment on the Draft Environmental Impact Report/Environmental Impact Statement ("DEIR/EIS") for the Folsom South of U.S. Highway 50 Specific Plan Project ("Project") prepared by the City of Folsom ("City"). The Project proposes developing approximately 3,500 acres of Sacramento County's vacant grazing land south of U.S. Highway 50 and north of White Rock Road between Prairie City Road to the west and Placerville Road to the east.

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The County of Sacramento respectfully requests that the City extend the Project's public comment period for a reasonable amount of time to allow complete review of the document. As you are aware, the executive summary is 180 pages long and requires substantial study to digest. The main body of the DEIR/EIS is over 1,600 pages long not including the appendices. Due to the size and printing costs, the City was unable to provide any hard copies to County staff for review. Additionally, the project separates the analysis into two major sections "land" development and "water" supply resulting in two chapters for each CEQA topic. It will take substantial time and effort for the County to read the parallel chapters and combine the information to get an understanding of the whole of the action.

2

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In determining what a reasonable amount of time is for public review, recall that last week on July 12, 2010 at the Sacramento County Planning Commission Hearing for the Teichert Quarry Project, City staff testified that the public comment period for the Teichert project (which had been open for 22 months) needed to remain open due to the complexity of the project and alleged unresolved issues with transportation. This testimony sets a benchmark as to what the City believes is appropriate and should be considered when responding to this request.

4

Thank you for your time and consideration and please let us know as soon as possible the extension of time for public comment that the City will be providing.

Sincerely,

Paul J. Hahn, Administrator

cc: Joyce Horizumi, Michael Penrose, Robert Sherry



Sac Cnty-1-1

*The comment thanks the City for the opportunity to review the DEIR/DEIS, summarizes the project and length of the DEIR/DEIS, and requests additional time for public comment on the DEIR/DEIS.*

Under PRC Section 21091 and State CEQA Guidelines CCR Section 15105, after a DEIR is submitted to the State Clearinghouse, the public review period for the DEIR shall be not less than 45 days. This DEIR/DEIS was released for public review on June 28, 2010, with an initial public review period closing on August 16, 2010, providing a 49-day comment period, in compliance with CEQA. The comment period was subsequently extended to September 10, 2010. Thus, the public comment period for the DEIR/DEIS totaled 74 days and complied with (and exceeded) CEQA's requirements.

Sac Cnty-1-2

*The comment states that because of the size and printing costs, Sacramento County was not provided hard copies of the DEIR/DEIS.*

Electronic versions of the DEIR/DEIS were made available on CD to Sacramento County and other interested parties on June 28, 2010, the date of the commencement of the public comment period and notice of availability of the DEIR/DEIS. At the County's request, the City also provided a hard copy of the DEIR/DEIS to the County within a week of commencement of the public comment period.

Sac Cnty-1-3

*The comment notes that the DEIR/DEIS is divided into "land" and "water" sections and states that it will take the County a substantial amount of time to read the DEIR/DEIS and understand the document in its entirety.*

The DEIR/DEIS integrates an analysis of impacts at the approximately 3,500-acre SPA (designated as "land" sections 3.1 through 3.18), as well as off-site impacts from provision of water supply to the SPA (designated as "water" sections 3.1 through 3.17). Explanations regarding document organization are provided in the DEIR/DEIS in Chapter 1, "Introduction" (pages 1-1 through 1-3) and Section 3.0, "Affected Environment, Environmental Consequences, and Mitigation Measures" (page 3-2). The City provided a public review period in compliance with CEQA. See response to comment Sac Cnty-1-1.

Sac Cnty-1-4

*The comment compares the public comment period for this DEIR/DEIS with that of Sacramento County's Teichert Quarry project for determining a reasonable time for public review of the document.*

The City provided a public review period for the Folsom South of U.S. 50 Specific Plan project in compliance with CEQA. See response to comment Sac Cnty-1-1.



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**Main Office**

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Director of Communications

August 20, 2010

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

**Subject: Notice of Availability of the Draft Environmental Impact Report and Public Meeting/Hearing on the Folsom South of US 50 Specific Plan Project**

Dear Ms. de Pardo:

Sacramento Regional County Sanitation District (SRCS D) has received the Notice of Availability of the Draft Environmental Impact Report and Public Meeting/Hearing on the Folsom South of US 50 specific plan project and has the following comments:

The subject property is located outside the SRCS D Service Area. This area will need to be annexed into the SRCS D Service Area through LAFCo in order to receive sewer service. This process is to be initiated by the City of Folsom, not SRCS D.

Local sewer service for this specific plan area would be provided by the City of Folsom. Conveyance from these local trunk lines to the Sacramento Regional Wastewater Treatment Plant (SRWTP) is provided by SRCS D through large pipelines called interceptors. The SRCS D Interceptor Master Plan 2000 provides information regarding these interceptor lines. SRCS D is in the process of finalizing an Interceptor Sequencing Study that will aid SRCS D in funding and implementing regional conveyance projects and assist contributing agencies in coordinating collection system facilities.

SRCS D sewer systems are designed using predicted wastewater flows that are dependent on land use information provided by each land use authority. Sewer studies will need to be completed to fully assess the impacts of any zoning changes that have the potential to increase existing or future flow demands. Development of the subject property will require payment of sewer impact fees. SRCS D impact fees shall be paid prior to the issuance of building permits.

SRCS D is not a land-use authority. Projects identified within SRCS D planning documents are a direct result of growth projections and potential growth inducements that are considered by land-use authorities. Impacts associated with providing and expanding sanitary sewer conveyance and treatment must also be considered by the land-use authority and included within this environmental impact report.

T E C H N O L O G Y   I N   B A L A N C E   W I T H   N A T U R E

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Page 2-26 states that "The Wastewater Division discharges its wastewater into County systems; Sacramento Regional County Sanitation District (SRCS D) and County Sanitation District No. 1 (CSD-1) for conveyance and treatment at SRCS D regional facility." The Folsom wastewater division discharges directly into the SRCS D Interceptor system, not through CSD-1.

5

**Comments to Section 3A.16 – Utilities and Service Systems – Land**

Page 3A.16-1, Sacramento Regional County Sanitation District – Wastewater Collection

Please revise the following:

- **Paragraph 1** - "Sanitary-sewer service for approximately 3,313 acres of the SPA would be provided by SRCS D..." Sewer service will be provided by both the City of Folsom and SRCS D.
- **Paragraph 1** - "This district owns, operates, and is responsible for the public collection, trunk, and interceptor sewer systems throughout Sacramento County" SRCS D is responsible for interceptor sewers and for wastewater treatment in Sacramento County, not the public collection, trunk, and interceptor sewer systems.
- **Paragraph 5** – "The Proposed Project Alternative would connect to an existing 24-inch force main located within Iron Point Road north of U.S. 50 downstream of the existing Folsom East 3B Pump Station." The project area will ultimately connect to the Folsom East Interceptor via the Folsom South Pump Station (FSPS) and the 24" Folsom South Force Main (FSFM), not the 24-inch force main located within Iron Point Road. A portion of the FSFM has already been constructed and is located west of the Iron Point Lift Station, within the Broadstone Park Professional Center property. A Wastewater Infrastructure Plan (WWIP) for the Folsom Specific Plan Area (FSPA) was prepared by MacKay and Somp; however, a more detailed WWIP will be required to evaluate sewer service for the proposed project.

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Page 3A.16-2, Wastewater Treatment

- **Paragraph 1** - Please remove "... and there is currently 40 MGD of available capacity within the 181 MGD."

9

Page 3A.16-12, Table 3A.16-3

- The WWIP (dated September 2008) assumes all flows, including those tributary to the El Dorado Irrigation District (EID), are tributary to the FSPS. It appears that the DEIR/DEIS assumes that flows within the EID service area (189 acres) are being directed to the El Dorado Hills Wastewater Treatment Plant. It needs to be determined which agency will provide sewer service to the portion of the project area located within the EID service area. Coordination between SRCS D, the City of Folsom, and the FSPA owners will be required to determine sewer service for the proposed project.

10

Page 3A.16-14, Impact 3A.16-1, Increased Demand for On-Site Wastewater Collection and Conveyance Facilities and the Off-Site Force Main and Page 3A.16-15, Impact 3A.16-2, Increased Demand for SRCS D Off-site Wastewater Collection and Conveyance Facilities, NCP, PP, RIM, CD, RHD

11

- "Sewer flows from the SRCSD service area would be conveyed to the Folsom South Pump Station north of Easton Valley Parkway and approximately 1,500 feet west of Oak Avenue. From the Folsom South Pump Station, the project would construct an off-site force main to convey flows to an existing SRCSD 24-inch force main located within Iron Point Road, north of U.S. 50, and downstream of the existing Folsom East 3B Pump Station (see Impact 3A.16-3)." The project area will ultimately connect to the Folsom East Interceptor via the Folsom South Pump Station (FSPS) and the 24" Folsom South Force Main (FSFM), not the 24-inch force main located within Iron Point Road. A portion of the FSFM has already been constructed and is located west of the Iron Point Lift Station, within the Broadstone Park Professional Center property. A Wastewater Infrastructure Plan (WWIP) for the Folsom Specific Plan Area (FSPA) was prepared by MacKay and Soms; however, a more detailed WWIP will be required to evaluate sewer service for the proposed project.

11 cont.

**Comments to Section 3B.16 – Utilities and Service Systems – Water**

Page 3B.16-2, Sanitary Sewer Collection

- Paragraph 1 - SASD, and the Cities of Elk Grove, Folsom, Sacramento, and West Sacramento provide local sewer collection services, while SRCSD is responsible for conveyance from these local agencies to the regional treatment plant as well as wastewater treatment.
- Paragraph 2 - "... SRCSD is also proposing to upgrade the Mather Interceptor along Douglas Road and Sunrise Boulevard." The Mather Interceptor is identified as a potential project in SRCSD'S Master Plan 2000 (MP2000). This is not an existing facility, therefore no upgrades will occur.

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If you have any questions regarding these comments, please contact me at (916) 876-9994.

Sincerely,



Sarena Deeble  
SRCSD/SASD  
Policy and Planning

cc: Prabhakar Somavarapu  
Ruben Robles  
Michael Meyer  
SRCSD Development Services  
SASD Development Services



- SRCSD-1 *The comment states that the subject property is outside the SRCSD service area. The comment also states that the City of Folsom, not SRCSD, must initiate the annexation into the SRCSD service area through LAFCo.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- SRCSD-2 *The comment provides information on the conveyance and treatment facilities that would serve the project.*
- The comment restates text that is contained in Section 3A.16, “Utilities and Service Systems”; the comment is noted.
- SRCSD-3 *The comment states that sewer studies would be needed, and that impact fees would need to be paid to SRCSD before building permits were issued.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- SRCSD-4 *The comment states that SRCSD is not a land use authority, and that impacts associated with providing and expanding sanitary sewer conveyance and treatment must be considered by the land use authority and included in the DEIR/DEIS.*
- An evaluation of sanitary sewer conveyance needs and treatment capacity associated with development of the SPA is provided in Section 3A.16, “Utilities and Service Systems - Land” on pages 3A.16-15 through 3A.16-22 of the DEIR/DEIS. Physical impacts from expansion of off-site infrastructure necessary to serve the project are addressed in Section 3B.16, “Utilities and Service Systems - Water” of the DEIR/DEIS. Physical impacts of constructing the sanitary sewer conveyance facilities on the SPA are analyzed throughout each topic area of the DEIR/DEIS.
- SRCSD-5 *The comment provides a correction to the description of sanitary sewer conveyance on page 2-26 of the DEIR/DEIS; namely, the Folsom wastewater division discharges directly into the SRCSD interceptor system, not through SRCSD-1 as described.*
- As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page 2-26 of the DEIR/DES has been revised in response to this comment.
- SRCSD-6 through  
SRCSD-7 *The comments provide corrections to the descriptive text under ‘Wastewater Collection’ on page 3A.16-1 of the DEIR/DEIS.*
- As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page 3A.16-1 of the DEIR/DEIS has been revised in response to these comments.

- SRCSD-8 *The comment requests that paragraph 5 of DEIR/DEIS page 3A.16-1 be revised to indicate that while the applicants have prepared a wastewater infrastructure plan (WWIP), a more detailed WWIP will be required.*
- The City and the project applicants are aware that a more detailed WWIP is required. Prior to the preparation of improvement plans for the proposed backbone infrastructure, the project applicant(s) would prepare a Level 3 Sewer Study, which would further refine the project's WWIP, for review as required by SRCSD and the Sacramento Area Sewer District (SASD). The project's connection into the SRCSD interceptor system would occur at a main pump station near Alder Creek and Easton Valley Parkway; from there, it would then be pumped across U.S. 50 and connect into the existing SRCSD Interceptor System on the north side of the freeway. Thus, the only portion that SRCSD needs to further review is the section from the pump station to the existing SRCSD Interceptor System connection.
- SRCSD-9 *The comment requests that in paragraph 1 on DEIR/DEIS page 3A.16-2, the reference to an existing 40 million gallons per day (mgd) capacity be removed.*
- As shown in Chapter 5, "Errata" of this FEIR/FEIS, the first paragraph of page 3A.16-2 of the DEIS/DEIR has been revised as requested by the commenter.
- SRCSD-10 *The comment states that the 2008 Wastewater Infrastructure Plan assumes that wastewater from the entire project site would be conveyed to SRCSD facilities, although the DEIR/DEIS assumes that wastewater from the existing EID service area would be conveyed to EID facilities. The comment further states that coordination among the SRCSD, the City, and EID would be needed to determine which agency would provide sewer service to the project.*
- The City acknowledges that coordination among these agencies would be needed to determine the wastewater service plan for the project site. The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.
- SRCSD-11 *The comment suggests several changes to the DEIR/DEIR text to clarify the way in which the proposed system to serve the project would tie into SRCSD's existing facilities in the vicinity.*
- As shown in Chapter 5, "Errata" of this FEIR/FEIS, the pages 3A.16-14 and 3A.16-15 of the DEIS/DEIR have been revised as requested by the commenter.
- SRCSD-12 *The comment requests that additional text be added to Section 3B.16 of the DEIR/DEIS to clarify the roles and responsibilities of SASD and SRCSD.*
- As shown in Chapter 5, "Errata" of this FEIR/FEIS, the first paragraph of page 3B.16-2 of the DEIS/DEIR has been revised with the additional text to clarify the roles and responsibilities of SSAD and SRCSD.
- SRCSD-13 *The comment indicates that page 3B.16-2 of the DEIR/DEIS is inaccurate in its description of the Mather Interceptor as this facility is not yet constructed.*
- As shown in Chapter 5, "Errata" of this FEIR/FEIS, the second paragraph of page 3A.16-2 of the DEIS/DEIR has been revised to clarify this description.

From: Dave Pickett [mailto:d36lao@volcano.net]  
Sent: Wednesday, August 04, 2010 1:00 PM  
To: Gail Furness De Pardo  
Cc: 'ED SANTIN'; 'wes justyn'; 'De Wall, Jason'  
Subject: SOI

Hello Gail. Been a while.

At the first public meeting a few years back, I and asked for some kind of documents ACKNOWLEDGING the State SVRA/Prairie City recreation unit across the street from the proposed SOI and build out.

Has the City acknowledged this, and set into motion PROTECTIONS of the SVRA from possible future lawsuits about sound/soil disturbance/traffic etc?

Basically, build the project, and then like an airport, file complaints or suits..

THIS INFORMATION NEEDS WAIVERS IN PLACE TO PROTECT THE FACILITY. CC&R acknowledgements, Waiver Forms, etc.

Facility will have its 40th anniversary in 2012.

Thank you.

David Pickett  
David Pickett, Director  
Legislative Action Office  
AMA District 36 - Motorcycle Sports Committee

\*\*\* PLEASE NOTE NEW CONTACT INFO\*\*\*

Email: [D36LAO@volcano.net](mailto:D36LAO@volcano.net)  
Office: 209-295-1207  
FAX: 209-295-1207  
Cell: 916-705-1545





Pickett-1

*The comment references a previous request for documents relating to the State Vehicular Recreational Area (SVRA)/Prairie City recreation unit located southwest of the SPA. The comment asks if the City intends to protect the SVRA from possible future lawsuits related to noise/soil disturbance/traffic, etc. The comment states that the SVRA facility needs waivers to protect future operation of the facility.*

Analysis of noise in the DEIR/DEIS identified the SVRA as an existing noise-generating source in the vicinity of the SPA and acknowledged that occasional noise from vehicles using the SVRA might influence noise levels in the SPA (refer to the bottom of page 3A.11-5 of the DEIR/DEIS). The DEIR/DEIS further stated that noise emissions from recreational vehicles are governed by state regulations and noted that off-road vehicles were audible in the SPA during noise surveys (refer to page 3A.11-7 of the DEIR/DEIS). The analysis conducted for Impact 3A.11-7 (beginning on page 3A.11-50 of the DEIR/DEIS) determined that less-than-significant impacts would result because the worst-case simultaneous operation of off-road vehicles operating in the same location for an extended period of time on the SVRA boundary and emitting the maximum legal noise level would produce a noise level of approximately 40 decibels (dB) at the nearest residential receptor in the SPA, which would not exceed the City's noise standards and therefore would not cause a significant impact.

The comment does not provide any evidence to show inadequacy in the DEIR/DEIS analysis of noise. Because the impact would be less than significant, no further mitigation measures are required.

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August 25, 2009

Gail Furness De Pardo  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630

Dear Ms. De Pardo:

The Sacramento Local Agency Formation Commission (LAFCo) appreciates this opportunity to review and comment on the Draft EIS/EIR for the Folsom South of 50 Specific Plan project. In reviewing the document as a responsible agency under the California Environmental Quality Act, we make reference to our Notice of Preparation comment letter dated November 4, 2008, and LAFCo Resolution 1196 and the mitigation measures adopted in our approval of the City’s Sphere of Influence Amendment (SOIA) for the territory encompassed by the Specific Plan. We recognize that subsequent to LAFCo’s action on the SOIA, the voters of the City of Folsom adopted the majority of the LAFCo-adopted conditions and mitigation measures as City policy via Measure W.

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Our review of the EIS/EIR and the Specific Plan indicates that many of these measures have been satisfied in the planning and design of the Specific Plan, are reflected in the mitigation measures set forth in the EIS/EIR, or are in progress and acknowledged by the City to be necessary prior to LAFCo taking action on any subsequent annexation requests. We appreciate the City’s cooperation in implementing the previously adopted mitigation measures and conditions of approval for the SOIA.

This letter sets forth our understanding of the project’s compliance with the CEQA process documented in the City’s EIS/EIR, and the adequacy of that document to serve LAFCo as a responsible agency when considering future requests to annex all or portions of the project area. Our review does not constitute the discharge of our formal responsibility to monitor compliance with our adopted SOIA mitigation measures or the conditions of approval set forth in LAFCo Resolution 1196.

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Because of the complexity of the project and the large amount of underlying documentation, and the fact that many of the Specific Plan policies and EIS/EIR mitigation measures require prospective actions of the City or the project applicants that have not yet been completed, our failure to raise an issue within the CEQA process for this document over which we have jurisdiction does not indicate that a particular condition or measure has been satisfied, nor does it bar us from evaluating the project’s compliance with such conditions or mitigation measures during LAFCo’s application review and consideration process.

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Our detailed comments on the EIS/EIR follow:



**Project Description** (EIS/EIR Chapters 1, Statement of Purpose and Need, and 2, Alternatives) – These chapters properly set forth LAFCo’s role in the entitlement process, the history of project area entitlements previously considered and approved by LAFCo, the City’s stated commitment to implement LAFCo-adopted conditions and mitigation measures, and the identification of a Proposed Project Alternative that implements several of the adopted LAFCo mitigation measures. These measures include the set-aside of 30 percent of the project site in open space, identification of a water supply to serve the project, and the roadway and infrastructure networks. We request that the discussion of LAFCo entitlements necessary to approve the project be modified to include the following actions:

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- Amendment to the Sacramento Regional County Sanitation District Sphere of Influence and annexation of the project area into District boundaries;
- Detachment of the project area from the Sacramento Metropolitan Fire District; and,
- Any other detachments or change in service providers for other utilities and public services that may be required based on the plan for service and Master Services Element proposed by the City of Folsom.

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**Population and Housing** (EIS/EIR Chapter 3A.13, Population, Employment and Housing) – The EIS/EIR discusses regional housing requirements for both Sacramento County and the City of Folsom in the setting of this chapter, and concludes (within the setting discussion) that implementation of the project would allow the City to exceed its targeted housing goals, except for low income housing units. LAFCo is required to ensure that there will be no net loss of targeted housing resources on a countywide basis, both in incorporated and unincorporated areas. While it is unlikely that Sacramento County would have targeted the Specific Plan project area for the citing of a targeted housing type, prior to any request for annexation the City must be able to demonstrate that the net effect of the project for both the City and County will be neutral regarding both entities meeting their respective regional housing needs targets. As set forth in our NOP comment, prior to LAFCo considering any annexation request within the project area, the City must demonstrate compliance with the SACOG Regional Housing Needs Assessment and obtain compliance from the California Department of Housing and Community Development that the City is meeting its Regional Share Housing goals for all income levels through its adopted General Plan Housing Element.

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**Public Services**

**Parks and Recreation** (EIS/EIR Chapters 3A.12, Parks and Recreation – Land, 3B.12, Parks and Recreation – Water, and 3A.10, Land Use, 4.1, Cumulative Impacts) – The EIS/EIR evaluates whether implementation of the proposed project would meet City of Folsom park standards for mini, neighborhood, and community parks. The analysis concludes that, with the implementation of parks identified in the Specific Plan, adequate park resources within the Specific Plan area and citywide would be provided to meet City standards. While we do not disagree with this conclusion, we note that the City will also be required to demonstrate the adequacy of recreation resources for both the existing City and any area to be annexed prior to LAFCo consideration of any annexation request.

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Impact 3A.12-2 evaluates the potential indirect effects of the proposed project on regional recreation resources, but fails to evaluate any direct effects on existing neighboring regional recreation resources such as the Prairie City State Vehicle Recreation Area. Additionally, the impact concludes, without any factual support, that there would be no indirect effect on recreation resources outside of the City of Folsom because “revenues from use charges and admission fees of these off-site facilities would increase along with increased usage, thus supporting increased maintenance.” A similar conclusion with respect to regional recreation resources is set forth in Section 4.1, Cumulative Impacts, of the EIS/EIR. In addition to not evaluating whether the project, by itself or cumulatively, would contribute to the need to construct additional regional recreation resources, LAFCo cannot concur that fee revenues are, or would be, adequate to develop, upgrade, or maintain regional park resources.

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Consistent with our NOP comments, LAFCo requests the following:

- The evaluation of regional park resources be amended to evaluate the adequacy of regional park resources on a regional basis to serve existing and projected populations, and the project’s effect on the adequate provision of such resources; and
- The EIS/EIR provide evidence that supports the document’s environmental conclusion regarding the adequacy of fees or other sources of revenue to support the development of any new needed regional facilities, and/or the maintenance of existing facilities.

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**Law Enforcement/Fire Protection/Schools** (EIS/EIR Chapter 3A.14, Public Services – Land) – This chapter evaluates the potential effects to these three public services. For schools, according to the EIS/EIR, the Folsom Cordova Unified School District has initiated a number of different funding mechanisms to assure funding of all needed K-12 school facilities in the long term. Based on these long term funding mechanisms, the EIS/EIR concludes that impacts to school facilities would be less than significant. There are no apparent concurrency requirements in these funding mechanisms; school construction would necessarily lag behind the need for such facilities as fees were collected from new development and taxes were collected from constructed uses.

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For law enforcement and fire protection services, the EIS/EIR concludes that identification of needed new facilities, reservations for their citing in the Specific Plan, and the payment of the City’s Capital Improvement New Construction Fee would result in a less-than-significant impact to these services with implementation of the Specific Plan project. While not necessarily disagreeing with the conclusions of the EIS/EIR regarding the availability of facilities to house these public services, we note that LAFCo is statutorily required to evaluate whether the City and the FCUSD have the service capability and capacity to serve the project area, and also whether they can provide services to the project area without adversely affecting existing service levels elsewhere in their service areas, including personnel. Additionally, LAFCo must evaluate whether the deletion of territory now served by the Sacramento County Sheriff’s Department and the Sacramento Metropolitan Fire District would lead to the loss of tax revenues, thereby diminishing the ability of these two agencies to deliver adequate services within their remaining service areas. Though this information is not now presented in the EIS/EIR,

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the City will need to provide sufficient information to LAFCo to evaluate these questions prior to the Commission’s consideration of any annexation requested within the project area.

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**Wastewater Collection/Wastewater Treatment/Solid Waste/Electricity/Natural Gas/Telecommunications/Cable Television and Communications** (EIS/EIR Chapter 3A.16 and 3B.16, Utilities and Service Systems) – Impacts 3A.16-1 to 3A.16-3 evaluate the project’s potential impacts to wastewater collection and treatment facilities operated by the Sacramento Regional County Sanitation District (SRCSD). The document concludes that, with mitigation, all impacts could be reduced below a level of significance. We note that the timing of each mitigation measure (3A.16-1 and 3A.16-3) requires that proof of adequate transmission and treatment capacity be provided to the City prior to recordation of any final subdivision map. LAFCo is statutorily required to evaluate whether the SRCSD has the service capability and capacity to serve the project area, and also whether the District can provide services to the project area without adversely affecting existing service levels elsewhere in their service area. Though this information is not now presented in the EIS/EIR, the City will need to provide sufficient information to LAFCo to evaluate these questions prior to the Commission’s consideration of any annexation requested within the project area.

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Regarding potential affects to the wastewater collection and treatment facilities of the El Dorado Irrigation District (EID) (Impacts 3A.16-4 to 3A.16-5), the EIS/EIR concludes that neither transmission nor treatment facilities may have sufficient capacity to serve proposed development within the Specific Plan project area. The document identifies mitigation measures that require the following:

- For transmission facilities, mitigation measure 3A.16-4 requires that proof of adequate transmission facilities or evidence of adequate funding of such facilities be provided to the City of Folsom prior to the recordation of any final subdivision map;
- For the wastewater treatment plant, mitigation measure 3A.16-5 requires that, prior to issuance of a tentative subdivision map, a study be prepared identifying any needed improvements to the wastewater treatment plant, and that prior to final map or the issuance of building permits, that the plant have adequate capacity for the amount of development identified by the subdivision map.

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LAFCo is concerned that by allowing a surety in lieu of constructing adequate transmission facilities, mitigation measure 3A.16-4 would not ensure that adequate transmission facilities would be provided concurrent with increases in project generated wastewater. We request that the measure be amended to ensure that adequate facilities would be provided with need. For both EID wastewater collection and treatment, LAFCo is statutorily required to evaluate whether the EID has the service capability and capacity to serve the project area, and also whether the District can provide services to the project area without adversely affecting existing service levels elsewhere in their service area. Though this information is not now presented in the EIS/EIR, the City will need to provide sufficient information to LAFCo to evaluate these questions prior to the Commission’s consideration of any annexation requested within the project area.

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For solid waste, though the EIS/EIR evaluates the capacity of the Kiefer Landfill to accept solid waste from the project area, the document does not evaluate the capacity of the City of Folsom’s solid waste collection facilities and operations, and whether implementation of the project would require expansion of the City’s collection fleet and a concurrent expansion of corporation yard facilities to serve the expanded fleet. The document does not evaluate whether the City would need to construct any diversion or non-disposal facilities to handle the increased volume of solid waste from project implementation, and to meet state solid waste reduction requirements. We request that these evaluations be included in the EIS/EIR.

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For electricity, the EIS/EIR evaluates transmission facilities, but does not evaluate whether SMUD has planned for adequate generation capacity to serve the proposed project. The document in its evaluation of wasteful energy use does not evaluate the operational energy that would be used in pumping wastewater uphill to the EID system rather than designing a gravity flow system that would be served by SRCSD facilities. We request that these evaluations be included in the EIS/EIR.

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We have no comments regarding the other utilities evaluated in this chapter except to note that there are several other public services provided by the City, such as animal control, street lighting, library services, public transit, and other municipal services. As described above, LAFCo will be required to evaluate all utilities and services for adequacy prior to considering any annexation within the project area.

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**Water Supply/Treatment/Distribution** (EIS/EIR Chapter 2, Alternatives, and 3A.18, Water Supply – Land) – As described in the Specific Plan and the EIS/EIR, a major portion of the proposed project is to identify and secure a source of water to serve the project, and to design and construct those treatment and transmission facilities necessary to serve the Specific Plan project area. We have no comments regarding the EIS/EIR’s analysis of water supply and infrastructure issues. In compliance with our Resolution 1196, the City will be required to demonstrate that an adequate, assured supply of water is available to serve the project area prior to LAFCo’s consideration of annexation of all or a portion of the project area to the City of Folsom.

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**Agricultural Land** (EIS/EIR Chapter 3A.10, Land Use and 3B.10, Land Use) – The EIS/EIR correctly notes that no high value agricultural resources are located within the project area, and that no adverse effects to such resources would result. The EIS/EIR also evaluates the potential direct and indirect effects of obtaining a water supply, and constructing and operating water facilities to serve the project. We concur that pipeline and water treatment plant construction would be unlikely to convert important agricultural resources to non-agricultural use directly, and with the document’s conclusions regarding less-than-significant indirect effects to agriculture in the Natomas Mutual Water Company’s service area. We also note that implementation of several of the water treatment plant alternatives would occur on lands currently protected by Williamson Act contracts, but that such lands are currently in non-renewal.

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**Open Space** (Not evaluated in the EIS/EIR) – The proposed project would permanently reserve 30 percent of the project site in open space as required by LAFCo’s previously

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adopted Resolution 1196. Even with this reservation, up to 2,531 acres of existing open space would be converted to urban uses under the preferred project. We request that the EIS/EIR include an evaluation of any open space resources as defined by California Government Code §65560 that are located within or adjacent to the project area. Such resources should be depicted on a map. If the project would result in the loss of open space resources, the EIS/EIR needs to evaluate the trend of open space loss countywide, and what portion of the overall inventory and loss this project represents.

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**Environmental Justice** (EIS/EIR Chapter 3A.6, Environmental Justice, and 3B.6, Environmental Justice) – This chapter properly addresses the potential for environmental justice effects from implementation of the proposed Specific Plan project and its supporting infrastructure.

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**Biological Resources** (EIS/EIR Chapters 3A.3, Biological Resources – Land, and 3B.3, Biological Resources – Water) – Our comments for this issue area relate not to questions regarding the evaluation of potential impacts to biological resources or the environmental conclusions of the EIS/EIR, but rather to the evaluation and mitigation strategy employed in the EIS/EIR. LAFCo Resolution 1196 requires that the City evaluate biological resources as a whole within the Specific Plan area and develop a comprehensive, coordinated mitigation plan for avoiding or reducing identified effects, either through a multi-species mitigation strategy or through participation in the South Sacramento County Habitat Conservation Plan.

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As presented in the EIS/EIR, the evaluation appears to consist of the aggregation of a number of different biological reconnaissance studies for various properties within the project area, completed at different times, having differing study goals, and targeting different species and habitats. Mitigation measures identified in Chapter 3A.3 defer impact characterization (in cases such as oak trees and oak woodland) and mitigation definition to each individual project and phase prior to approval of a tentative subdivision map, rather than advancing a comprehensive approach to biological resource characterization and mitigation. Thus, each project would be responsible for mitigating its own effects, typically within each project site, and opportunities to provide meaningful, large-scale mitigation would be lost.

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Under the current impact evaluation and mitigation scheme, it will be difficult for the City to demonstrate compliance with the provisions of Resolution 1196. We therefore request that the City either revise the impact characterizations and mitigation strategy to comply with the requirements of our Resolution, or be prepared to present to LAFCo an alternative method to achieve compliance with the requirements of LAFCo’s Resolution 1196 and with the conditions of the Memorandum of Understanding (MOU) between Sacramento County and the City of Folsom, prior to the Commission’s consideration of any annexation in the project area.

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**Mitigation Deferral / Exemptions for Residential Projects from CEQA / Vesting Tentative Subdivision Maps / Development Agreements** – Many of the environmental conclusions and mitigation measures identify prospective actions required to fully characterize an impact and develop mitigation measures to the latter stages of the development process (e.g., tentative or final map) or to future environmental documents

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prepared for future development projects within the Specific Plan area. Because of this, LAFCo is concerned that there may be no triggering event to cause these anticipated actions (because residential projects would be exempt from future CEQA compliance if consistent with the Specific Plan, and non-residential projects consistent with zoning requirements may not require further discretionary approval). Additionally, for measures that require compliance with as yet undefined mitigation conditions at the time of final map, approval of a vesting tentative subdivision map may vest the project with mitigation requirements in existence at the time of map approval, thereby making it difficult to impose conditions developed at a later date. Though not limited to the following example, Mitigation Measure 3A.4-2a provides a good illustration of this concern:

44 cont.

Each increment of the project site requiring discretionary approval (e.g., proposed tentative subdivision map, conditional use permit) shall be subject to a project-specific environmental review and will require that GHG emissions from construction and operation of each phase of development be reduced by 30% from business-as-usual 2006 emissions...

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As set forth in the State CEQA Guidelines §15182, residential projects consistent with the Specific Plan would be exempt from CEQA, and thus, mitigation measure 3A.4-2a would never be triggered. Additionally, many uses within commercial and business-professional zones within the City are permitted by right, and thus would not trigger the need for discretionary approval or a tentative subdivision map. Because City approval would be limited to a ministerial building permit, the mitigation measure would not be triggered.

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To remedy these concerns, we request that all mitigation measures in the EIS/EIR be reviewed to determine their applicability to all classes of projects contributing to any specific impact, and that the timing and applicability of the measures be revised as necessary to ensure implementation of mitigation.

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We look forward to working with the City to develop an environmental document and project that complies with LAFCo Resolution 1196, our previously adopted mitigation measures applicable to the project area, and the terms and conditions of the MOU between Sacramento County and the City. Please contact me if you have any concerns or questions regarding our comments.

Very truly yours,

**SACRAMENTO LOCAL AGENCY FORMATION COMMISSION**

Peter Brundage,  
Executive Officer

cc: LAFCo Commissioners





LAFCo-1

*The comment states that the Sacramento LAFCo reviewed the document as a responsible agency under CEQA and references the NOP comment letter dated November 4, 2008. The comment also states that many measures incorporated within Measure W are reflected in the DEIR/DEIS.*

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

LAFCo-2

*The comment states that the comment letter does not constitute discharge of LAFCo's formal responsibility to monitor compliance with LAFCo's adopted Sphere of Influence Amendment mitigation measures or conditions of approval, set forth in LAFCo Resolution 1196.*

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

LAFCo-3

*The comment states that because of the complexity of the project, LAFCo's failure to raise an issue during the CEQA process for an issue over which LAFCo has jurisdiction does not indicate that a particular condition or measure has been satisfied, nor does it bar LAFCo from evaluating the project's compliance with such conditions or mitigation measures during LAFCo's application review and consideration process.*

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

LAFCo-4

*The comment states that Chapters 1 and 2 of the DEIR/DEIS correctly state LAFCo's role in the entitlement process. The comment also states that the Proposed Project Alternative incorporates several adopted LAFCo mitigation measures.*

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

LAFCo-5

*The comment requests that the discussion of LAFCo entitlements necessary to implement the project include three additional actions: annexation of the SPA into the SRCSD Sphere of Influence and District boundaries; detachment of the SPA from the Sacramento Metropolitan Fire District (SMFD); and any other change in service providers that may be required.*

The City and the project applicants have consulted with SRCSD, and SRCSD has determined that the SPA is already within its existing service district boundaries, with the exception of that portion of the SPA that is proposed to be served by EID (see Section

3A.16 “Utilities and Services Systems,” on page 3A.16-1 of the DEIR/DEIS.) The City is aware that upon annexation of the SPA, fire protection services within the SMFD service area would become the responsibility of the City of Folsom Fire Department (see Section 3A.14 “Public Services” on page 3A.14-1 of the DEIR/DEIS). The City would identify other changes in service providers as part of the required LAFCo approval process.

LAFCo-6

*The comment refers to the DEIR/DEIS discussion of regional housing requirements for both Sacramento County and the City of Folsom and the conclusion that project implementation would allow the City to exceed its targeted housing goals, except for low-income housing units. The comment then states that LAFCo is required to ensure that no-net-loss of targeted housing resources would occur on a Countywide basis, in incorporated and unincorporated areas. The comment further states that it would be unlikely for Sacramento County to target the SPA for siting of a targeted housing type, but the comment requests that, before any request for annexation, the City would demonstrate that the net effect of the project for both the City and County would be neutral regarding both entities meeting their respective Regional Housing Needs Assessment (RHNA) targets.*

The sphere-of-influence area was not counted in the most recent RHNA numbers because urban land uses had not been determined for this area. The County had no urban uses planned for the SPA. Fair-share housing need is determined based on existing and planned land uses, where urban use creates a need for a share and rural use creates very little or no need for a fair share of affordable housing. Therefore, the RHNA numbers did not include any housing need calculations for the SPA. In the next round of RHNA, after the SPA is annexed into the City of Folsom, the City will be allocated its fair share of affordable housing for the SACOG region that is appropriate for this area plus the existing City, as determined by SACOG. Until then, no fair share would need to be picked up from the County.

LAFCo-7

*The comment (continued from comment LAFCo-6) states that, before LAFCo would consider any annexation request within the SPA, the City would need to demonstrate compliance with SACOG RHNA and obtain compliance from the California Department of Housing and Community Development that the City was meeting its regional share housing goals for all income levels through its adopted General Plan Housing Element.*

The City intends to bring the annexation request to LAFCo during the second quarter of 2011, which will be concurrent with the next round of the SACOG RHNA process. The annexation into the City of Folsom would occur at the same time as SACOG is assessing land use in cities and counties and allocating the fair share of housing to each jurisdiction. This process would ensure that an equitable housing share was allocated to Sacramento County and the City of Folsom via the RHNA process.

LAFCo-8

*The comment states that, although the DEIR/DEIS indicates the adequacy of park resources, the City also would be required to show the adequacy of recreation resources for both the existing City and the area to be annexed before LAFCo’s consideration of an annexation request.*

Section 3A.12, “Parks and Recreation – Land,” and Section 3B.12, “Parks and Recreation – Water” of the DEIR/DEIS contain a discussion of both park and recreation facilities. Such recreation facilities include the Folsom Rotary Clubhouse, Folsom City Hall/Parks and Recreation Department, R.G. Smith Clubhouse, Folsom Library, and the Folsom Aquatic Center (see Exhibit 3A.12-1 on page 3A.12-5 of the DEIR/DEIS). Other recreation facilities include the Hinkle Creek Nature Area, Folsom City Zoo, Folsom

Sports Complex, and the Folsom Community Center/Seniors and Arts Center (see Table 3A.12-1 on page 3A.12-7 of the DEIR/DEIS). The City's parks and recreation resources would be sufficient to serve the City and the SPA. Additionally, as indicated on page 2-19 of the DEIR/DEIS, the SPA would include two community parks that would provide communitywide recreational facilities serving multiple neighborhoods.

LAFCo-9

*The comment notes that Impact 3A.12-2 does not evaluate the direct impact on existing nearby regional recreation resources, such as Prairie City State Vehicle Recreation Area (SVRA).*

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the Prairie City SVRA has been added to the discussion of regional recreational facilities on page 3A.12-16 of the DEIR/DEIS. The City notes that the regional facilities discussed on page 3A.12-16 was not intended to be an all-inclusive list. This change does not affect the intensity or severity of significance conclusions contained in the DEIR/DEIS, or require new mitigation measures. Indirect physical impacts of constructing the project in relation to the Prairie City SVRA are evaluated in DEIR/DEIS Sections 3A.2, "Air Quality" and 3A.11, "Noise."

LAFCo-10 through  
LAFCo-11

*The comments state that without any factual support, the impact analysis concludes no indirect effect would occur on recreation resources outside of the City of Folsom because "revenues from use charges and admission fees of these off-site facilities would increase along with increased usage, thus supporting increased maintenance." The comments further state that a similar conclusion in the cumulative impacts discussion also lacks factual support.*

A thorough analysis of land-use related direct and indirect project impacts on regional recreational resources is provided on pages 3A.12-16 through 3A.12-17 of the DEIR/DEIS.

The Proposed Project Alternative and the other four action alternatives would accommodate future demands for new housing and employment centers for between 15,000 to 25,000 new residents, but would not, as a function of the types of land uses and activities proposed for the SPA, directly or indirectly result in such substantial demands on recreational resources outside of the City of Folsom to the extent that significant impacts on those resources would occur. The development proposed within the SPA is expected to attract a similar mix of people and jobs as that currently existing in the rest of the City of Folsom. The SPA is expected to accommodate projected new population and job growth in the Folsom area (see Section 3A.13, "Population, Employment and Housing" of the DEIR/DEIS).

Nothing is unique about the expected demographic makeup of new residents in the SPA that would be expected to result in, or by virtue of the proposed land uses create any significant new demands on, existing regional recreational resources, such as Folsom Lake State Recreation Area, Prairie City SVRA, Folsom Powerhouse State Historic Park, and the American River Parkway, that could not be accommodated through the existing usage and admission fee structure currently being used to manage and maintain those resources. New residents of the SPA that might visit these resources would be expected to pay the same fees as other visitors from around the region.

Moreover, a land development project, such as the Folsom South of U.S. 50 Specific Plan project, would not create entirely "new" users of regional recreational resources, but

would theoretically accommodate a number of residents in the region already. Some of the residents that move to the SPA likely already would be residents somewhere else in Sacramento or El Dorado County or elsewhere in the same region, although others might be from out-of-region or out-of-state (or would “take the place” of in-state residents who would “vacate” their current residences to move to the new project). The out-of-state or out-of-region residents could constitute new regional recreational resource users in a regional context, but residents who merely moved from somewhere else in the region would not necessarily be adding new users to the regional recreational resources.

The comment provides no contrary evidence to support the idea that the population growth that would be accommodated by development within the SPA would result in a uniquely significant or extraordinary impact on the regional recreational resources outside the City, nor does the comment provide any evidence to explain the concern that the increased fees and other sources of revenue generated by more users than were assumed for the analysis would not be adequate to address those new users’ demands on the resources.

LAFCo-12

*The comment disagrees with the conclusion that fee revenues are, or would be, adequate to develop, upgrade, or maintain regional park resources.*

See response to comment LAFCo-10.

LAFCo-13

*The comment suggests that the evaluation of regional park resources should be revised to include an evaluation of adequacy of regional park resources needed to serve existing and projected populations in the region, and the project’s effects on those resources.*

The significance criteria used to evaluate the project’s impacts on recreation are based on Appendix G of the State CEQA Guidelines, namely:

The project would have a significant impact on recreation and parks if it would:

- ▶ include new recreational facilities, or require the construction or expansion of existing recreational facilities that might have a substantial adverse physical effect on the environment; or
- ▶ increase demand on existing neighborhood and community parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

Furthermore, evaluation of recreational resources was based on the policies of the Folsom General Plan and Folsom Parks and Recreation Master Plan, as discussed on page 3A.12-12 of the DEIR/DEIS. The City’s adopted park acreage standard of 5 acres per 1,000 residents was used to estimate demand. All development alternatives would meet or exceed the park acreage standard; therefore, the project would provide for adequate parkland to meet increased demand for recreational facilities. In addition to the 5 acres for every 1,000 residents of parkland planned for the SPA, all five action alternatives would include the development of bicycle trails, including Class I paved off-street bike paths, Class II bicycle trails, and 12-foot-wide multi-use trails.

The discussion on pages 3A.12-16–17 of the DEIR/DEIS acknowledges the increase in population from buildout of the SPA would result in an indirect impact to off-site facilities, such as the American River Parkway, Folsom Lake State Recreation Area/Folsom Powerhouse State Historic Park. The response to comment LAFCo-9 adds

the Prairie City SRVA to that list of regional facilities (which was not intended to be all inclusive). A comprehensive study of regional park resources and needs in the region is outside the scope of the DEIR/DEIS; thus, it is unnecessary to reach the conclusion that the project would result in increased demand on regional recreational resources. See response to comment LAFCo-10 for additional discussion of demand on regional recreational resources.

LAFCo-14 *The comment requests evidence to support the conclusion regarding the adequacy of fees or other sources of revenue to support the development of any new needed regional facilities and/or the maintenance of existing facilities.*

For the reasons set forth in responses to comments LAFCo-10 and LAFCo-11, the City and USACE believe that the supporting analysis provided in the DEIR/DEIS is adequate.

LAFCo-15 *The comment states that no apparent concurrency requirements exist to account for a lag between the need for additional school facilities and the funding and construction of these facilities.*

The impacts discussion related to public school facilities on page 3A.14-24 of the DEIR/DEIS notes that payment of school impact fees has been deemed full and adequate mitigation under CEQA by the California legislature. Under Measure W requirements, the project applicants are required to fund and construct sufficient school facilities to serve the project. The FPASP states on page 11-7 (Appendix N of the DEIR/DEIS) that the funding and timing of school construction would be determined by an agreement between the project applicants and the Folsom Cordova Unified School District (FCUSD), consummated before approval of the first tentative subdivision or parcel map. This agreement would avoid lag time between the need for additional facilities and their funding and construction.

LAFCo-16 through  
LAFCo-19

*The comments state that while LAFCo does not disagree with the conclusions presented in DEIR/DEIS Section 3A.14, LAFCo is statutorily required to evaluate whether the City and the FCUSD would have the service capability and capacity to serve the SPA, and whether they could provide services to the SPA without adversely affecting existing service levels elsewhere. The comments further state that LAFCo also would need to evaluate whether deletion of territory from the Sacramento County Sheriff's Department and Metropolitan Fire District would lead to loss of tax revenues, thereby diminishing the ability of those agencies to provide adequate services. The comments also state that this information is not presented in the DEIS/DEIR, and that the City would need to provide sufficient information to LAFCo to evaluate these questions before LAFCo consideration of any annexation request.*

The City would provide sufficient information to LAFCo as part of its annexation request, and the City anticipates that the Public Facilities Finance Plan for the SPA would provide much of the information required for action on an annexation request.

LAFCo-20 through  
LAFCo-21

*The comments summarize impacts and mitigation measures from Impacts 3A.16-1, 3A.16-2, and 3A.16-3 (beginning on page 3A.16-13 of the DEIR/DEIS). The comments note that LAFCo would be required to evaluate whether Sacramento Regional County Sanitation District (SRCSD) would have capacity to serve the SPA and whether service could be provided without adversely affecting service levels elsewhere. The comments*



*state that this information would need to be provided to LAFCo before consideration of annexation requests.*

In addition to those portions of the DEIR/DEIS referenced by the commenter, page 3A.16-1 states, “The wastewater flows generated by the Proposed Project Alternative, including the 189-acre portion of the SPA that would be served by EID, have been planned for in the SRCSD Master Plan 2000.” The City also notes that it would provide sufficient information to LAFCo as part of its annexation request, and the City anticipates that the Public Facilities Finance Plan for the SPA would provide much of the information required for action on an annexation request

LAFCo-22 through  
LAFCo-25

*The comments summarize text from Impacts 3A.16-4 and 3A.16-5 (beginning on page 3A.16-23 of the DEIR/DEIS). The comments note LAFCo’s concern that by allowing a surety in lieu of constructing facilities, Mitigation Measure 3A.16-4 would not ensure that facilities would be provided concurrent with need. The comments state that LAFCo would be required to evaluate adequacy of service, and the City would be required to provide this information before consideration of annexation requests.*

Mitigation Measure 3A.16-4 on page 3A.16-24 of the DEIR/DEIS would require: (1) proof of adequate EID off-site wastewater conveyance; and (2) implementation of off-site EID infrastructure or assurance of adequate financing for the infrastructure. The City would provide sufficient information to LAFCo as part of its annexation request, and the City anticipates that the Public Facilities Finance Plan for the SPA would provide much of the information required for action on an annexation request.

As shown in Chapter 5, “Errata” of the FEIR/FEIS, in Mitigation Measure 3A.16-4 on page 3A.16-24 of the DEIR/DEIS, a clarification that infrastructure must be installed prior to the issuance of occupancy permits has been added.

LAFCo-26 through  
LAFCo-28

*The comments state that the DEIR/DEIS does not evaluate the capacity of the City’s solid waste collection facilities and operations, including whether the project would require expansion of the City’s collection fleet and a concurrent expansion of corporation yard facilities to serve the expanded fleet and whether any diversion or non-disposal facilities would be needed to handle the increased volume of solid waste. The comments ask that these evaluations be included in the DEIR/DEIS.*

See Master Response 10 – Programmatic Nature of EIR/EIS Analysis. The requested analysis is not appropriate with the program-level data currently available for the project. The SPA buildout is expected over an approximately 15-year period through 2027, thus an evaluation about the specifics of solid waste collection and diversion activities would be speculative, based on this program-level data. The City collects a solid waste capital improvement fee, and future expansion of City waste collection facilities, potentially including expansion of corporation yard facilities, would be considered as needed.

LAFCo-29

*The comment states that the DEIR/DEIS does not evaluate whether SMUD has planned adequate generation capacity to serve the project.*

The discussion on page 3A.16-5 of the DEIR/DEIS states that SMUD has received approval from CPUC to build the first phase of the Cosumnes Power Plant, which provides the utility with power to ensure SMUD’s long-range plans meet the power needs of Sacramento County.

LAFCo-30

*The comment states that the DEIR/DEIS does not evaluate wasteful energy use from pumping wastewater uphill to EID system rather than using a gravity-flow system into SRCSD facilities.*

The discussion on page 3A.16-42 of the DEIR/DEIS states that “indirect impacts associated with consumption of energy (e.g., construction of additional power generation plants and impacts associated therewith such as increased consumption of water at the plants, loss of biological habitat or cultural resources as result of power plant construction, etc.) are uncertain and are too far removed in place and time from the project to allow for a meaningful evaluation of impacts.”

Similarly, a comparison of the relative energy consumption of a wastewater connection from the EID system to a hypothetical change in district boundaries permitting connection to the SRCSD (which likely also would include force main connections based on topographic and engineering constraints) would be too speculative for meaningful consideration.

LAFCo-31

*The comment requests that the evaluations described in comments LAFCo-29 and LAFCo-30 be included in the DEIR/DEIS.*

See responses to comments LAFCo-29 and LAFCo-30. The DEIR/DEIS includes information pertaining to SMUD’s generating capacity, and the evaluation requested in comment LAFCo-30 would be too speculative for meaningful consideration. Therefore, no changes to the DEIR/DEIS are necessary in response to this comment.

LAFCo-32

*The comment states that LAFCo would be required to evaluate all utilities and services provided by the City for adequacy before considering annexation requests, including animal control, street lighting, library services, public transit, and other municipal services.*

See responses to comments LAFCo-20 through LAFCo-31. The City would provide sufficient information to LAFCo as part of its annexation request, and the City anticipates that the Public Facilities Finance Plan for the SPA would provide much of the information required for action on an annexation request.

LAFCo-33

*The comment states that compliance with the LAFCo Resolution 1196 would require the City to demonstrate that an adequate, assured supply of water would be available to serve the SPA before LAFCo’s consideration of annexation proposal and that LAFCo has no comments regarding the DEIR/DEIS’s analysis of water supply and infrastructure issues.*

LAFCo’s approval authority over annexation of the SPA lands into the City is discussed on pages 1-12 and 1-15 of the DEIR/DEIS.

LAFCo-34

*The comment states that LAFCo concurs with the DEIR/DEIS’s description of agricultural land.*

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

*The comment also states that LAFCo concurs that pipeline and water treatment plant construction would be unlikely to convert important agricultural resources to non-agricultural use directly and concurs with the DEIR/DEIS's conclusions regarding less-than-significant indirect effects to agriculture in NCMWC's service area, as discussed in Sections 3A.10 and 3B.10, "Land Use and Agricultural Resources – Land" and "– Water" of the DEIR/DEIS.*

The comment expresses agreement with the analysis contained in the DEIR/DEIS; the comment is noted.

*The comment further states that implementation of several of the water treatment plant alternatives would occur on lands currently protected by Williamson Act contracts, but such lands are currently in non-renewal.*

The comment restates text that is discussed on page 3B.10-7 of the DEIR/DEIS; the comment is noted.

LAFCo-35 through  
LAFCo-36

*The comments request that the DEIR/DEIS evaluate open space resources as defined by California Government Code Section 65560, and if the project would result in the loss of open space resources, the comment suggests that the DEIR/DEIS should evaluate the trend of open space loss Countywide and determine what portion of the overall inventory and loss this would represent.*

Government Code Section 65560 deals with the establishment of open space elements of city general plans. Therefore, the commenter is suggesting that the DEIR/DEIS should analyze the project's consistency with the City of Folsom's open space element. See Master Response 8 – Land Use Incompatibility. Land use compatibility *per se* is not a required analysis topic under CEQA or NEPA (see Appendix G of the State CEQA Guidelines and DEIR/DEIS Chapter 3 for a list of thresholds that were used in the analysis of the Folsom South of U.S. 50 Specific Plan project under both CEQA and NEPA). However, CEQA does require an analysis for a project to "conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect" (State CEQA Guidelines, Appendix G, Land Use). NEPA contains a similar requirement that for any potential inconsistencies with such policies, the extent to which the agency would reconcile its proposed action with the plan or law should be included in the EIS (40 CFR Sections 1502.16(d) and 1506.2[d]). Any such potential conflict is addressed in the DEIR/DEIS as a separate impact in the relevant topic area (for example, see Section 3A.11, "Noise" for an evaluation of the project's potential to exceed City/County noise standards adopted as part of each respective general plan; see Section 3A.3 "Biological Resources" for an evaluation of the project's consistency with adopted tree preservation ordinances).

An analysis of "trends of open space loss" is not required under CEQA. However, cumulative impacts to biological resources, which does consider regional loss of habitat, are evaluated on pages 4-29 through 4-33. The City also notes that the project would preserve 30% of the SPA as open space, as required by Measure W and the LAFCo MOU.

LAFCo-37

*The comment states that the environmental justice “chapters,” Sections 3A.6 and 3B.6, properly address the potential for environmental justice impacts.*

The comment indicates agreement with analysis contained in Sections 3A.6 and 3B.6 of the DEIR/DEIS; the comment is noted.

LAFCo-38

*The comment states that LAFCo Resolution 1196 requires the City to evaluate biological resources as a whole within the SPA and develop a comprehensive, coordinated mitigation plan for avoiding or reducing identified effects, either through a multi-species mitigation strategy or through participation in the South Sacramento County Habitat Conservation Plan.*

The City believes that the mitigation proposed in the DEIR/DEIS is consistent with LAFCo Resolution 1196 because the proposed mitigation addresses direct and indirect impacts on habitat and biological and sensitive environmental resources in a manner that meets Federal and state requirements, which is the specific condition language of the LAFCo Resolution (condition number 9, page 4 of the LAFCo Resolution). The City also believes that the FPASP and the mitigation measures proposed in Section 3A.3 are consistent with the goals and policies of the City’s General Plan because they preserve valuable open space within the SPA that supports high priority habitat including vernal pools and other aquatic habitats, the riparian corridor of Alder Creek (although Alder Creek is not one of the creek corridors identified in the City’s General Plan for preservation), and blue oak woodlands; they provide measures to preserve habitat for special-status species on-site and provide compensatory mitigation consistent with state and Federal law and agency guidelines where unavoidable impacts would occur; and they preserve oak and heritage trees to the extent feasible and provide compensatory mitigation consistent with City guidelines where unavoidable loss of protected trees would occur. The on-site open space would preserve a large, interconnected network of natural habitats that could support a number of common and sensitive species and allow movement to and from adjacent natural habitats.

Because the proposed SSHCP is not an adopted plan, no opportunity for participation in the SSHCP exists at this time and no guarantee exists that the SSHCP would be adopted in time to provide a means for obtaining incidental take authorization and providing mitigation for species and habitat impacts for the project. See responses to comments ECOS-4, ECOS-5, and ECOS-6 for further discussion regarding consistency with the proposed SSHCP.

LAFCo-39

*The comment states that the DEIR/DEIS evaluates biological reconnaissance studies for various properties within the SPA, completed at different times, having differing study goals, and targeting different species and habitats.*

See Master Response 10 – Programmatic Nature of EIR/EIS Analysis. Compilation of multiple baseline biological investigations is a standard approach and is adequate for establishing baseline biological conditions for this program-level CEQA/NEPA analysis. CEQA requires an EIR to include a description of the physical environment at the time of the NOP and does not require that the baseline be established through one coordinated biological investigation. The SPA is a large and varied area, consisting of parcels owned by a number of different entities and individuals and containing a wide range of biological resources. Therefore, it was impossible to coordinate a single biological survey covering all habitats and all species over the entire site; the comment presents no evidence or reasoning to assume a single biological investigation conducted at one time would provide more valuable results than an aggregation of numerous protocol-level

investigations, focused on specific resources. Furthermore, AECOM biologists peer reviewed the biological resources technical reports and conducted reconnaissance-level biological investigations before preparing the DEIR/DEIS, to confirm that biological resources conditions reported from the various project applicant's biological consultants were accurate. The ultimate goal of all of the biological investigations was to provide an accurate characterization of the existing biological resources conditions in the SPA.

LAFCo-40 through  
LAFCo-43

*The comments state that Chapter 3A.3, "Biological Resources," contains mitigation measures that defer impact characterization (e.g., oak trees and oak woodland) to each individual project and phase before approval of a tentative subdivision map. The comments state that this does not allow for a meaningful, large-scale approach to mitigation. The comments suggest that the impact characterizations and mitigation strategy should be revised to be in compliance with LAFCo Resolution 1196.*

Several tree surveys were conducted in the SPA (see list of report sources on pages 3A.3-1 and 3A.3-2 of the DEIR/DEIS), but because the oak woodland area includes a large community of oak trees, the City of Folsom, as the CEQA lead agency and the agency responsible for enforcing its own municipal code, allowed the method of using aerial footage to measure canopies of communities of trees as well as individual trees to determine acreage of impact. As shown in Table 3A.3-5 on page 3A.3-76 of the DEIR/DEIS, impacts on oak woodland habitat and oak tree canopy have been determined and are not deferred. Table 3A.3-5 shows that implementation of the Proposed Project Alternative would result in the removal or disturbance of 243 acres of blue oak woodland habitat containing 81.6 acres of oak tree canopy, and another 8.4 acres of isolated native oak tree canopy not contiguous with the blue oak woodland habitat (see also Exhibit 3A.3-12 on page 3A.3-89 of the DEIR/DEIS). A detailed methodology for avoiding and minimizing impacts on oak woodlands and isolated oak trees is proposed under Mitigation Measure 3A.3-5 on page 3A.3-84 of the DEIR/DEIS. (See also edits to Mitigation Measure 3A.3-5 as shown in Chapter 5, "Errata" of this FEIR/FEIS.) The City believes the impact characterization and mitigation proposal presented in the DEIR/DEIS is consistent with LAFCo Resolution 1196. See also Master Response 9 - Deferred and/or Hortatory Mitigation.

LAFCo-44

*The comment expresses concern that a "triggering event" that would cause anticipated actions may not occur for some anticipated actions because many conclusions and mitigation measures identify prospective actions required to fully characterize an impact and develop mitigation measures.*

Mitigation measures presented in the DEIR/DEIS are designed to be implemented at the appropriate stage of the development process. See response to comment LAFCo-45.

LAFCo-45

*The comment states, "Additionally, for measures that require compliance with as yet undefined mitigation conditions at the time of final map, approval of a vesting tentative subdivision map may vest the project with mitigation requirements in existence at the time of map approval, thereby making it difficult to impose conditions developed at a later date. Though not limited to the following example, Mitigation Measure 3A.4-2a provides a good illustration of this concern."*

The City and USACE believe that the mitigation measures identified in the DEIR/DEIS are appropriate for the program-level nature of the analysis (see Chapter 1, "Introduction" pages 1-9 through 1-10 for a discussion of program vs. project-level analyses and CEQA compliance for subsequent project development phases). See also Master Response 10 –

Programmatic Nature of EIR/EIS Analysis. The City would ensure that any additional mitigation properly imposed on future entitlements, such as tentative maps, are imposed consistent with CEQA and the Subdivision Map Act. If appropriate at the time of approval of the entitlement, the City may impose a mitigation in the form of establishing a performance standard to be met by the land use-entitlement applicant. See also Master Response 9 - Deferred and/or Hortatory Mitigation.

LAFCo-46

*The comment states that State CEQA Guidelines CCR Section 15182 permits residential projects consistent with the Specific Plan to be exempt from further CEQA review, and thus mitigation measures such as DEIR/DEIS Mitigation Measure 3A.4-2a would not be triggered.*

State CEQA Guidelines CCR Section 15168(c) directs that mitigation measures developed in the program EIR shall be incorporated into later activities. Although projects consistent with the specific plan may be exempt from further CEQA review, pursuant to State CEQA Guidelines CCR Section 15182, such later activities would be required to adhere to the mitigation measures required by the program EIR. See Chapter 1, "Introduction" pages 1-9 through 1-10 for a discussion of CEQA compliance for subsequent project development phases, including State CEQA Guidelines CCR Section 15182. See also Master Response 10 – Programmatic Nature of EIR/EIS Analysis and Master Response 9 - Deferred and/or Hortatory Mitigation.

LAFCo-47

*The comment states that many commercial and business-professional uses are permitted by right and would not trigger compliance with mitigation measures.*

See response to comment LAFCo-46.

LAFCo-48

*The comment requests that all mitigation measures in the DEIR/DEIS be reviewed to determine their applicability to all classes of projects contributing to any specific impact and that the timing and applicability of the measures be revised as necessary to ensure implementation of mitigation.*

The commenter's request that the mitigation measures in the DEIR/DEIS be reviewed to determine their applicability to all classes of projects contributing to any specific impact is unclear. CEQA and NEPA require that an EIR/EIS disclose direct and indirect, temporary and short-term and long-term impacts of implementing a project (see DEIR/DEIS Section 3.0 and Sections 3A "Land" and 3B "Water"). An analysis of cumulative impacts is also required under both CEQA and NEPA, and CEQA requires an analysis of growth-inducing impacts, irreversible and irretrievable commitment of resources, the relationship between short-term use of the environment and the maintenance and enhancement of long-term productivity, and a discussion of any significant environmental impacts that cannot be avoided if the project is implemented (see DEIR/DEIS Chapter 4, "Other Statutory Requirements"). Therefore, the DEIR/DEIS is thorough and meets the requirements of both CEQA and NEPA. With regards to the commenter's request that the timing and applicability of proposed mitigation measures be reviewed to ensure implementation of mitigation, the timing and implementation of each mitigation measure recommended in the DEIR/DEIS is appropriately identified in the text immediately following each mitigation measure.

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# FRIENDS OF THE RIVER

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Gail Furness de Pardo  
City of Folsom Community Development Department  
50 Natoma St., Folsom, CA 95630

Re: Folsom draft Specific Plan & draft Environmental Impact Report (South of Hwy. 50)

Friends of the River has reviewed the draft Environmental Impact Report and Environmental Impact Statement (dEIR/EIS) associated with the City of Folsom plans to annex lands and develop a water supply for the undeveloped lands south of Highway 50. We have also reviewed comments submitted by the Environmental Council of Sacramento (ECOS)<sup>1</sup>. In particular, we wish to draw to your attention the water-supply section of ECOS's comments, comments that we incorporate here by reference.

1

First we commend the City of Folsom for identifying a water supply for all of its alternatives that does not divert any additional supplies from Lake Natoma and Folsom Reservoirs. This is consistent with both the spirit and substance of the Water Forum Agreement.

2

Instead, project developers have reached an agreement with the Natomas Central Mutual Water Company (NCMWC) to transfer a portion of the company's Sacramento River supply to the City of Folsom through the Freeport Water Authority's soon-to-be-completed pipeline to the Specific Plan area. However, as the dEIR/EIS has noted that in contrast to the physical water-delivery facilities, approvals for this transfer have "no similar reasonable certainty from a legal and regulatory standpoint, since additional

3

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<sup>1</sup> The City of Folsom, ECOS, and Friends of the River are all signatories to the Water Forum Agreement. This potential action by the City was contemplated at the time of the Agreement. "Nothing in the *Water Forum Agreement* provides support for an expanded water service area for the area south of Highway 50." City of Folsom purveyor specific agreement, Water Forum Agreement, 2000, p. 177.



actions by the Bureau of Reclamation and SCWA [Sacramento County Water Agency] would be necessary."

3 cont.

The observation in the dEIR/EIS is important. As noted in the ECOS letter, there are provisions in the Settlement Contract between NCMWC and Reclamation to permit the assignment of NCMWC to others with the permission of Reclamation.

"The parties anticipate that during the term of this Settlement Contract, a gradual change in purpose of use of water will occur with the place of water use shown in Exhibit B from predominantly agricultural purposes to a mixture of municipal land industrial, wildlife habitat and agricultural purposes, and the parties agree to work cooperatively to accommodate and facilitate such change. ...[T]he Contractor shall not deliver or furnish Project Water for municipal and industrial purposes outside those areas without the written consent of the Contracting Officer."

4

Since NCMWC is predominantly an agricultural water supplier, a transfer (assignment) of NCMWC settlement contract water to an urban water supplier that could serve the Exhibit B lands (much of the Natomas Basin) such as the City of Sacramento is more likely to be the type of transfer contemplated by Reclamation's Contracting Officer under the transfer provisions of the NCMWC contract, rather than a transfer to undeveloped land south of the City of Folsom. The former transfer does not add to the land served by Reclamation reservoirs. The latter transfer (absent a corresponding durable reduction in demand by both NCMWC and the City of Sacramento and others in the Natomas Basin) increases overall demand served by Reclamation reservoirs.

5

As noted in the ECOS letter, the collapse of the critical Sacramento River fisheries, recent state legislation focusing on Delta inflows and outflows, and Reclamation's Endangered Species Act responsibilities are likely to make the Contracting Officer reluctant to approve such a discretionary transfer.

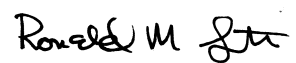
6

Since all of the dEIR/EIS alternatives rely on approval of Reclamation's Contracting Officer, this critical vulnerability requires greater discussion. Given the acknowledged uncertainty of the water supply identified for all of the Project development alternatives, the apparent expectation of a secure water supply may not (in the words of the ECOS comments) properly support "decision makers who attempt to rely on the document to approve project development, the size of the City of Folsom, or develop contingencies to prevent entitlements or other irrevocable commitments of public or private resources to lands that may not find a water supply."

7

FOR

Sincerely yours,

A handwritten signature in black ink that reads "Ronald M. Stork". The signature is written in a cursive style with a prominent loop at the end of the last name.

Ronald Stork  
Friends of the River  
*[rstork@friendsoftheriver.org](mailto:rstork@friendsoftheriver.org)*



FOR-1

*The comment states that Friends of the River (FOR) has revised and incorporates by reference the water supply comments that were submitted by ECOS.*

See responses to comments ECOS-96 through ECOS-131.

FOR-2

*The comment states that FOR commends the City for identifying water supply alternatives that would not divert any additional supplies from Lake Natoma and Folsom reservoirs, consistent with both the spirit and substance of the Water Forum Agreement (WFA).*

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

FOR-3

*The comment states that the project applicants have reached an agreement with the NCMWC to transfer a portion of its water supply to the City via the Freeport Regional Water Project (Freeport Project) to the Specific Plan Area (SPA); however, as noted in the DEIR/DEIS, the approvals required for the water assignment and use of the Freeport Project have no similar reasonable certainty from a legal and regulatory standpoint.*

The approvals cited by the commenter are contingent on the completion of the environmental review process for the project. As the process is not yet complete, it is possible that the approvals would not occur. Therefore, as discussed on page 3A.18-23 of the DEIR/DEIS, the City considered additional water supply options because CEQA requires the discussion of other possible water supplies where the primary water supply is not secure. As provided in the impact discussion, implementation of Mitigation Measure 3A.18-1 (on page 3A.18-14 of the DEIR/DEIS) would ensure that a reliable water supply was secured before any project-specific approvals.

FOR-4

*The comment states that because NCMWC is predominantly an agricultural water supplier, a transfer (water assignment) of NCMWC settlement contract water to an urban water supplier that could serve the Exhibit B lands (much of the Natomas Basin), such as the City of Sacramento, would be more likely the type of transfer contemplated by Reclamation's contracting officer under the transfer provisions of the NCMWC contract, rather than a transfer to undeveloped land south of the City of Folsom.*

The type of transfer suggested in the comment cannot be specifically inferred from NCMWC's settlement contract. From the City's perspective, the proposed water assignment would trigger terms of the CVPIA that would favor contractors in the area of origin. See responses to comments USBR-17, USBR-20, and USBR-95.

FOR-5

*The comment states that a transfer within NCMWC's Exhibit B lands would not add to the land area served by Reclamation reservoirs; however, the proposed water assignment (absent a corresponding durable reduction in demand by NCMWC and the City of Sacramento, and others in the Natomas Basin) would increase overall demand served by Reclamation reservoirs.*

The comment does not acknowledge the effects of the proposed water assignment as shown in Table 3B.9-3 on page 3B.9-29 and discussed on pages 2-80 through 2-81 of the DEIS/DEIR. With the assignment of up to 8,000 AFY of its water supply to the City, NCMWC's remaining contract water supplies would total 112,200 AFY, subject to dry year shortages of up to 25%. No additional contract supplies would be pursued by NCMWC to supplement the supplies assigned to the City. Additionally, based on the findings of Wagner and Bonsignore Report (2007), NCMWC would maintain sufficient surface water supplies to supply both 2004 and 2007 cropping patterns even with the assignment.

If the City of Sacramento proposed new development within NCMWC's service area, including the Natomas Joint Vision Area, separate environmental review would be required after the details regarding the development's water use were better known. Further, even if these projects were to develop in the future, no net increase in total water usage within NCMWC's service area beyond its total settlement contract amount of 120,200 AFY is expected. Rather, given current building code standards and water conservation requirements for new development, urban growth within the Natomas Basin would likely have a reduced water demand on a per acre basis when compared to current agricultural uses within NCMWC's service area. Additionally, the Natomas Joint Vision Memorandum of Understanding (MOU) signed by the City of Sacramento and Sacramento County encourages a 1:1 ratio of open space to development, thereby further limiting total urban water use. Additionally, new development and associated water use within the Natomas Joint Vision Area was considered as part of the cumulative analysis, as provided on pages 4-40 through 4-41 of the DEIR/DEIS.

FOR-6

*The comment states that the collapse of the critical Sacramento River fisheries, recent state legislation focusing on Delta inflows and outflows, and Reclamation's responsibilities for Endangered Species Act (ESA) compliance are likely to make Reclamation's contracting officer reluctant to approve a discretionary transfer of NCMWC settlement contract water.*

The comment does not account for the fact that the City proposes to divert existing CVP settlement contract supplies within the Freeport Project's existing capacity, which is considered in Reclamation's Operations Criteria and Plan (OCAP 2004 and 2008). Therefore, no net increase in diversion capacity would occur. Additionally, the comment does not consider the benefits of changing the Agricultural delivery schedule to an M&I schedule. This change would reduce deliveries in July and August, but would extend the deliveries into the months of September, October, and November, thereby contributing to minor additions of flow to the Sacramento River and to the stabilization of flows during the fall-run/late fall-run spawning period, consistent with the River Protection Act (RPA) and CVPIA Anadromous Fish Restoration Program guidelines.

Furthermore, Articles 3(e) and 7(a) of NCMWC's settlement contract (Contract No. 14-06-200-885A-R-1) anticipates that: (1) use of NCMWC's supplies might shift from agricultural to M&I; and (2) NCMWC might assign its water supply under that contract for M&I use outside of NCMWC's service area, subject to Reclamation's consent, which Reclamation may not unreasonably withhold.

FOR-7

*The comment states that there is an acknowledged uncertainty of the water supply identified for all of the Off-site Water Facility Alternatives, “the apparent expectation of a secure water supply” may not properly support (in the words of ECOS comments) “decision makers who attempt to rely on the document to approve project development, the size of the City of Folsom, or develop contingencies to prevent entitlements or other irrevocable commitments of public or private resources to lands that may not find a water supply.”*

The City believes that the DEIR/DEIS provides a robust evaluation of the project’s water supply needs and the sources of supplies considered by the City to support the decision-making process, consistent with the requirements of CEQA.

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September 3, 2010

Ms. Lisa Gibson  
U.S. Army Corps of Engineers, Sacramento District  
1325 J Street, Room 1480  
Sacramento, CA 95814

**Folsom South of U.S. Highway 50 Specific Plan Area Project – Draft Environmental Impact Report/Environmental Impact Statement (DEIR/DEIS)**

Dear Ms. Gibson:

The East Bay Municipal Utility District (EBMUD) has reviewed the draft environmental documentation prepared by the Corps for the above Project. EBMUD has the following comments on the DEIR/DEIS.

1. **We request that a statement be added to the DEIR/DEIS in its Subsection 2.6.1 [Components Common to All “Water” Alternatives] to the effect that the City of Folsom, the El Dorado Irrigation District, and other entities that may rely on water delivery for the proposed Project via the Freeport Project have reviewed and will comply with all applicable agreements related to the Freeport Project.** The DEIR/DEIS states that the City of Folsom (“City”) has identified use of elements of the Freeport Project, specifically the facilities owned and operated by the Freeport Regional Water Authority (FRWA), as established through a joint exercise of powers agreement between the Sacramento County Water Agency (SCWA) and EBMUD, to convey its designated water supply for the Project. To enable appropriate arrangements for its intended use of the FRWA facilities, the City entered into a MOU (see Appendix M3 to the DEIR/DEIS) with SCWA on or about December 15, 2009, which outlines prospective negotiations whereby the City may acquire from SCWA a portion of SCWA’s capacity in the FRWA facilities (and perhaps a portion of the Freeport Project facilities owned entirely by SCWA). During any additional discussions, in order to meet its obligations in the Freeport Project, EBMUD will refer to and enforce as necessary the various agreements associated with the Freeport Project to ensure (i) appropriate allocations of any future FRWA capital costs pursuant to the FRWA joint exercise of powers agreement, (ii) appropriate allocations of FRWA annual operations and maintenance costs, (iii) satisfaction of all obligations of FRWA and of all benefits to which its members are entitled, and (iv) satisfaction of all obligations of EBMUD and benefits to EBMUD related to the Freeport Project.





The agreements referred to above include but are not limited to the:

- a. *Settlement and General Release Agreement* between Santa Clara Valley Water District, FRWA, EBMUD, and SCWA, dated October 2003;
- b. *Settlement and General Release Agreement* between Contra Costa Water District, FRWA, EBMUD, and SCWA, dated January 30, 2004;
- c. *Financial Settlement Agreement for Mitigation of the Freeport Regional Water Project (FRWP)*, between FRWA, EBMUD, SCWA and the Sacramento Municipal Utility District, dated July 30, 2004;
- d. *Long Term Renewal Contract Between the United States and East Bay Municipal Utility District Providing for Project Water Service from the American River Division* [of the Central Valley Project], dated April 10, 2006
- e. *Second Amended Joint Exercise of Powers Agreement Concerning the Freeport Regional Water Authority (FRWA)*, between EBMUD and SCWA, dated November 20, 2006;
- f. *Agreement for Delivery of Water: the Freeport Authority Intake and Pipeline*, between FRWA, EBMUD and SCWA, dated December 11, 2006; and
- g. *Agreement for Provision of Operation and Maintenance Services: the Freeport Authority Intake and Pipeline*, between FRWA and SCWA, dated December 11, 2006;

3 cont.

2. **The DEIR/DEIS should include a statement in its Subsection 2.6.1 [Components Common to All “Water” Alternatives] and in other applicable sections of the DEIR/DEIS such as Section 4 to the effect that the City of Folsom, the El Dorado Irrigation District and other entities that may rely on water delivery for the proposed Project via the Freeport Project acknowledge that construction of any new facilities tying in to the FRWA and/or SCWA Freeport facilities for the purposes of water supply for the Project must accommodate EBMUD’s schedules for delivery of water via the Freeport Project, including water EBMUD is obligated to deliver for third parties, including obligations pursuant to the settlement agreement with the Contra Costa Water District as listed under comment 1 above.** The DEIR/DEIS states in 2.6.1 that the City’s planned connection point with Freeport Project facilities will be made near the point where FRWA facilities bifurcate to deliver water to SCWA and/or EBMUD or with SCWA’s facilities in the vicinity of the Vineyard Water Treatment Plant. Construction tie-ins in the vicinity of the bifurcation could impact EBMUD’s ability to deliver water via the Freeport Project, although EBMUD will discuss adjustment to its delivery schedules to

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Ms. Lisa Gibson  
US Army Corps of Engineers  
September 3, 2010  
Page 3

**EBMUD**

accommodate SCWA's and/or the City's construction activities as long as EBMUD can still meet its own supply needs and its obligations to deliver water to third parties.

5 cont.

EBMUD appreciates the opportunity to provide these comments and is available to discuss any questions or issues. Please contact Garth Hall at (510) 287-2061 or [ghall@ebmud.com](mailto:ghall@ebmud.com) if you have any questions.

Sincerely,



Michael T. Tognolini  
Manager, Water Supply Improvements Division

cc: Jim Abercrombie, General Manager, El Dorado Irrigation District  
Keith DeVore, Director, Sacramento County Water Agency  
Kenneth Payne, Chief of Environmental/Water Resources Development,  
City of Folsom  
Alexander Coate, EBMUD



- EBMUD-1 *The comment requests that a statement be added to the DEIR/DEIS, to the effect that the City of Folsom, the El Dorado Irrigation District, and other entities that might rely on water delivery for the project via the Freeport Regional Water Project (Freeport Project) have reviewed and would comply with all applicable agreements related to the Freeport Project.*
- As shown in Chapter 5, “Errata” of this FEIR/FEIS, the requested text has been added to third paragraph on page 2-82 of the DEIR/DEIS under the topic of “Integration with Freeport Project Facilities.”
- EBMUD-2 *The comment references the second and third paragraphs of page 2-83 of the DEIR/DEIS, which give an overview of the MOU between Sacramento County Water Agency (SCWA) and the City, provided in Appendix M3 of the DEIR/DEIS.*
- The commenter restates text that is contained in Chapter 2, “Alternatives,” of the DEIR/DEIS; the comment is noted.
- EBMUD-3 *The comment states that during any additional discussions related to the MOU, for EBMUD to meet its obligations in the Freeport Project, EBMUD will refer to and enforce as necessary the various agreements associated with the Freeport Project to ensure (1) appropriate allocations of any future Freeport Regional Water Authority (FRWA) capital costs (pursuant to the FRWA joint exercise of powers agreement), (2) appropriate allocations of FRWA annual operations and maintenance costs, (3) satisfaction of all obligations of FRWA and all benefits to which its members are entitled, and (4) satisfactions of all obligations for EBMUD and benefits to EBMUD related to the Freeport Project. The comment lists all of the major agreements that it references.*
- The project would not affect EBMUD’s benefits or obligations related to the Freeport Project. The project only would include provisions to purchase and use conveyance capacity on SCWA’s portion of the Freeport Project and, therefore, would not affect EBMUD’s portion whatsoever.
- EBMUD-4 *The comment requests that a statement be added to the DEIR/DEIS to acknowledge that the construction of any new facilities tying into the Freeport Project for the purpose of water supply for the project would accommodate EBMUD’s schedule for delivery of water via the Freeport Project, including water EBMUD is obligated to delivery to third parties, including obligations pursuant to the settlement agreement with Contra Costa Water District.*
- The Off-site Water Facility Alternatives would not involve constructing any new facilities that would affect or directly interact with EBMUD’s facilities. All new facilities would connect to SCWA-owned infrastructure. The City considers the statement requested by the commenter would be more appropriate to include in the updated MOU with SCWA and would work with SCWA to ensure its inclusion as negotiations with SCWA progressed.

EBMUD-5

*The comment states that construction of the preferred Off-site Water Facility Alternative tie-in with the Freeport Project could impact EBMUD's ability to delivery water via the Freeport Project, although EBMUD would discuss adjustment to its delivery schedules to accommodate SCWA's and/or the City's project-related construction activities, as long as EBMUD could still meet its own supply needs and its obligations to deliver water to third parties.*

The City appreciates EBMUD's willingness to be flexible in its facilitation of the City's connection to the Freeport Project. The City would strive to minimize any disruption to EBMUD's operations at Freeport during project construction, with the intention to sequence the City's ultimate connection to minimize, if not avoid, any disruption to EBMUD. At this time, the preferred Off-site Water Facility Alternative would not involve any connection to EBMUD's portions of the Freeport Project.

## Sphere of Influence

During the Visioning Process of acquiring a 3600-acre area south of Highway 50, issues of residential, business, schools, open space and transportation were discussed.

During this process, little has been mentioned of the old Southern Pacific Railroad Corridor running through the Sphere of Influence. The rail corridor was built in 1864 to provide freight and passenger service to and from Placerville.

Environmentally, the amount of daily vehicle trips will be a nightmare for traffic, as well as air and water quality. Let us think of revitalizing the rail corridor with transit oriented development in the S.O.I., utilizing energy efficient rail vehicles such as energy efficient frequent traveling trolley/streetcars to connect with the Palladio, Folsom Lake College and Folsom's Historic District. Our organization would recommend that additional rail lines are added to the single track on the east side of the SOI rather than installing the BRT lanes. BRT lanes as proposed would only be used by the busses, whereas tracks for trolleys/streetcar can be installed in a street without a lot of special traffic controls and could be driven upon 98% of the time. Few would prefer buses to trolley/streetcar system. Businesses and communities will build and thrive where there is a real and permanent transportation hub. The nice part about a bus route is their flexibility to be changed. The problem of a bus route is their flexibility to be changed, making it something that cannot be counted on for business and community viability designs.

Rail travel is making a comeback throughout our Nation. It is proven that revitalizing railroad lines increases property values.

Vehicle traffic on East Bidwell Street, Old Placerville Road, and Scott Road will only increase with development of the S.O.I.

The use of a trolley/streetcar system will not only help reduce vehicle emissions by reducing traffic on East Bidwell, but will also bring tourist dollars to the community. Visit the Embarcadero in San Francisco. Here lies a proven success. This same ultra light-rail scenario has also worked well in many other small, medium and larger cities in the USA, plus in Europe, and Latin America. Why are we thinking of an archaic out-of-place semi-fixed bus line now in the planning stages before the SOI is even built? Pound for pound, there is no system more efficient in transportation than steel wheels on steel rail.

The existing rail line property, right-of-way, grading, and base is owned, in place and available. Expanding this existing public trolley/streetcar rail system will be less expensive and provide dual use if it was incorporated into the street and extended into the new Folsom dense business and housing area of the SOI. This would be an environmental crime not to use what is existing and with visionary planning; what we could have to make this rail system a viable people moving link to Folsom to the north of Hwy 50 without tying up traffic. The trolleys/streetcars will become a magnet for tourists and residents alike to make the businesses, schools, and other services on both sides of Hwy 50 connected and thriving.

Let's take advantage of the rail corridor and put it to use as it was originally intended.....transportation.

Bill Anderson

Folsom, El Dorado & Sacramento Historical Railroad Association.

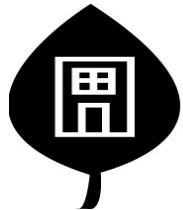
HRA-1

*The comment suggests that the project should incorporate active rail transportation through the creation of a “rail corridor” by reactivating the out-of-service Southern Pacific rail line in the eastern portion of the project site, rather than incorporating the proposed BRT line. The comment states that the existing rail line is “owned, in place and is available.”*

The City notes that this comment does not pertain to the environmental analysis contained in the DEIR/DEIS and therefore the City has no obligation to respond to this comment (State CEQA Guidelines, CCR Section 15088[c]). Nevertheless, responses to specific comments are provided as follows. The commenter suggests a revitalized or improved rail corridor, stating that such development would reduce dependence on cars and buses. The comment also states that the existing railroad lines are owned and available. The City of Folsom does not own the railroad line that traverses the eastern portion of the project site, nor is the line currently available for use. Railroad lines are governed by and under the control of various state and Federal agencies, and any proposal by the City to expand or operate the rail corridor would require substantial planning, funding, and coordination with other jurisdictional agencies such as the Southern Pacific Railroad (which has the rights to operate the rail line). Therefore, the City has very little authority or control over expanded use or redevelopment of right-of-ways for railroad lines. The project already incorporates transit-oriented development; thus, the City does not believe that the comment’s suggestion is practical or feasible.



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ECOS  
ENVIRONMENTAL  
COUNCIL  
OF SACRAMENTO

September 8, 2010

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

Lisa Gibson  
U.S. Corps of Engineers  
Sacramento Regulatory Branch  
1325 J Street, Room 1480  
Sacramento, CA 95814-2922

Dear Ms. Furness de Pardo and Ms. Gibson:

Thank you for the opportunity to comment on the Draft Environmental Impact Report / Draft Environmental Impact Statement for the Folsom South of U.S. 50 Specific Plan Project. The Environmental Council of Sacramento (ECOS) is a coalition of environmental and civic organizations with a combined membership of more than 12,000 citizens throughout the Sacramento Region. Our mission is to achieve regional and community sustainability and a healthy environment for existing and future residents.

Following are the specific areas of the Draft Environmental Document of concern to ECOS for which we have prepared written comments.

**Biological Resources**

The DEIR states that the impact on the California Pond Turtle will be less than significant because the proposed Project “would not directly fill the occupied or suitable ponds in the western-central portion of the site or the perennial portions of Alder Creek and its tributaries, and upland habitats suitable for nesting would be retained in proximity to aquatic habitat.” However, if it isolates the ponds and disconnects them from access to other water resources, particularly Alder Creek, genetic inflow from other individuals traveling to/from other water resources would be stymied. Over time, the reduced genetic variability resulting from a smaller gene pool caused by this isolation has the potential to reduce the capacity of the isolated individuals to adapt to environmental changes. With the specter of global warming it can be assumed that these isolated individuals will have upcoming challenges. This weakness would only rise to a potential impact.

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The second weakness relates to the American badger. These animals tend to have large ranges that tend to overlap at the margins with those of other badgers as noted in the following report:

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They have large home ranges that vary according to geography, season (Ahlborn 2005), and distribution of food sources (USFS 2008). Male home ranges are typically larger than female ranges and much larger during the summer breeding season (Messick and Hornocker 1981, Minta 1993). Generally, the home range of the badger is 395 to 2,100 acres (137-850 ha) (Sargeant and Warner 1972, Lindzey 1978, Messick and Hornocker 1981). However, larger home ranges in California have recently been documented in California. In a 2005 study, mean home range across all seasons for females (n=5) was estimated at 1.94 km<sup>2</sup> (480 acres) while mean home range across all seasons for males (n=4) was estimated at 11.23 km<sup>2</sup> (2,775 acres) (Quinn 2008). Badgers are generally solitary aside from temporary family groups, transient mating bonds, and overlapping home ranges (Davis 1942, Messick and Hornocker 1981, Minta 1993). In Idaho, population densities have ranged from two to six badgers per km<sup>2</sup> (e.g., Messick and Hornocker 1981). Population densities in California appear to be much lower. Badger density in the Fort Ord Public Lands was estimated to be at minimum 1 badger per 4 km<sup>2</sup> or 988 acres (Quinn et al. 2006). Excerpted from the Yolo Conservation Plan, April 20, 2009

This DEIR deals with the American badger as follows:

2 cont.

American badger is a wide-ranging species that uses grassland and oak woodland habitats. American badger has been documented adjacent to the SPA by Matus (1981, cited in GenCorp 2007e), and nearly the entire SPA provides suitable habitat. It is unknown if the species currently occurs in the SPA. Although implementation of the Proposed Project Alternative would result in loss of habitat for American badger, oak woodland and grassland habitat would be preserved in the open space areas and abundant grassland habitat is present to the south of the SPA. The loss of habitat from the SPA would not be likely to cause loss of individuals because there would still be adequate suitable foraging and denning habitat in the area to support the local population. Therefore, **direct** and **indirect** impacts to American badger are considered **less than significant**.

The flaw with the argument is the claim that there would be no loss of individuals because they could simply move to other nearby areas. Given the territorial nature of these animals, and their large home ranges, this would only be possible if another badger did not hold nearby areas within its own home range. This would be a potential impact because it is not even clear that any badger are active in the Project area.

The shared concern with both the pond turtle and the badger, as well as the other listed species under consideration in this DEIR, is the restriction of movement and destruction of critical habitat brought on by ever expanding urban development. Species movement and habitat requirements have been squeezed and compressed through many years of low density sprawl development. New projects must operate in this more difficult landscape where resources are already strained and many different entities are making local land use decisions. For Folsom to take a purely local view of its new development flies in the face of this reality. It is easy enough to say that their will be habitat available for badgers outside of the Project area, and that Folsom

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has no control over those habitats because they are part of the county. This tact of clearly discerning discretionary control and oversight has the very real potential to lead to greatly reduced benefits for the biological resources in the Project area.

3 cont.

An excellent example of this problem can be found in the determination that the Project is not in conflict with any local HCP's. It is easy to say that the Project area is not covered by the proposed SSHCP, and that the offsite improvements would be under the proposed SSHCP, and that if it were to be approved, Folsom would have the voluntary option to participate in that Plan. This is a technical and legal explication of why there is no conflict, meeting the letter of the requirement. It, however, totally ignores the effort and benefit of the proposed SSHCP. One of the significant benefits of the SSHCP as proposed is that it will endeavor to create large landscape sized preserves that are connected to more of the same with viable wildlife corridors. It is the beginning of what should be a more regional effort to preserve ecosystems. Rather than merely determining that a technical and legal conflict does not exist with the SSHCP because Folsom is not a participant, an examination of how the proposed Project could positively interact with the proposed SSHCP could yield substantial benefits to wildlife with no additional costs to the developers planning to build out the Project area. Mitigation will be required for the development that will occur in the Project area. With the appropriate consultation with the SSHCP implementers, it would be possible to site mitigation acquisitions to take advantage of the proposed preserves as well as wildlife corridors, thereby limiting edge effects and increasing the geographic reach of wildlife corridors. This is clearly a missed opportunity. The FEIR should address what benefits would accrue to the biological resources at question in the Project area if the mitigation for development in the project area is orchestrated with other proposed HCP's preserve acquisitions in mind.

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The badger is again a good example of how critical this more regionalized approach is. The DEIR claims that the impacts are less than significant because the animal can use other nearby resource areas. But, these resource areas are not protected and they could easily be developed in the future. So, the problem is just pushed ahead down the road where another proposal will have to conclude that the impact is now significant and unavoidable because all access to other usable resource areas has now been cutoff or is so fragmented that it is essentially useless. This is the inevitable outcome of an approach where development is carefully planned and open space preservation is handled only as a required byproduct and nuisance required by government agencies so that permits for development will be issued. The development in the Folsom Project, given all of the other large development projects planned in the region, must be balanced by a regional open space preservation effort that intelligently addresses the impacts on our local wildlife.

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This regional perspective becomes increasingly important when the effects of global warming are factored into the equation. Rising temperatures will likely result in the geographic displacement of many listed species, as well as wildlife in general. This movement will be to east to take advantage of the cooling effects of altitude and to the north to take advantage of the cooler conditions in northern latitudes. It is absolutely critical that intact sustainable wildlife corridors are maintained to allow for this likely migration. The Sierra Club has undertaken a national campaign to create resilient habitats, places "where plants, animals, and people are

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able to survive and thrive on a warmer planet.” The second approach presented by this campaign to attain this is: “Protect adequate space. The best defense against climate change is to protect large wild places and surrounding buffer areas which are connected to other protected core areas. This connected wildlands network will allow imperiled species to move to more hospitable habitats as the climate changes, thereby increasing the chances of survival.” How is this Project planning to ensure that there is a connected wildlands network available to perform this function when the Project only seems to plan on a narrow stream corridor and when the largest nearby open space area (the oak woodland to the south of White Rock Road) is ignored by saying they have no jurisdiction over it? How will Folsom work to participate in a regional effort to create resilient habitats? And given the significance of the oak woodland to the south of White Rock Road, and the growth inducing nature of the Project, how will Folsom ensure that the habitat values in that area are protected and maintained?

10 cont.

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**Climate Change**

This section focuses primarily on the DEIR’s inadequate discussion of recommendations for mitigation measures and project design features to minimize significant greenhouse gas (“GHG”) emissions and global climate change impacts under the California Environmental Quality Act (“CEQA”). Among its flaws, the DEIR claims that Project GHG impacts are significant but relies on a threshold of significance that is not supported by substantial evidence and that was determined by the Attorney General as being unable to “withstand legal scrutiny.”<sup>1</sup> The DEIR also relies on uncertain and vague greenhouse gas mitigation measures that do not conform to CEQA’s standards of adequacy. In addition, a Mitigation Monitoring and Reporting Plan (MM&RP) is not provided to ensure that measures that are specified are installed and verified.

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**The DEIR’s Analysis of Impacts from the Project’s Greenhouse Gas Emissions is Inadequate**

**A. The DEIR’s Significance Threshold Does Not Withstand Scrutiny**

The methodology for determining the significance of the Project’s GHG impacts is flawed in that it is assumed that the Project by being 30% below “business as usual” is an adequate solution (DEIR 3a.4-26). The DEIR’s use of 30% below “business as usual” as a threshold is fundamentally flawed because it: 1) is not supported by substantial evidence; 2) disregards multiple expert analyses finding that far more stringent GHG thresholds are required to be effective at reducing emissions and meeting California’s emission reduction objectives; 3) allows the Project applicant to meet the threshold largely through compliance with foreseeable regulation, thereby avoiding any duty to adopt feasible measures within the Project applicant’s control; 4) does not take into account that buildings constructed during the 19 year build out will have an average service life of 50 years and will affect the State’s ghg emission’s inventory for up to 69 years; and 5) fails to account for California’s longer term emission reduction targets.

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<sup>1</sup> Letter from California Attorney General to San Joaquin Valley Air Pollution Control District (Nov. 4, 2009).

The DEIR’s efficiency metric mitigation methodology is based on the unsubstantiated assumption that new development that is 30% below “business as usual” is defensible by meeting California’s near-term emissions reduction. *Communities for a Better Env’t v. City of Richmond*, 184 Cal. App. 4th 70, 83 (2010) (EIR inadequate as a matter of law where conclusions are “not adequately supported by facts and analysis contained in the EIR”). The “business as usual” concept is imported from the Scoping Plan for the Global Warming Solutions Act (“AB 32”), which outlines a general strategy for California to meet AB 32’s target of reducing GHG emissions to 1990 levels by 2020.

The Scoping Plan notes in passing that reaching this statewide goal “means cutting approximately 30 percent from business-as-usual emissions levels projected for 2020.” Scoping Plan at ES-1. The Scoping Plan provides no further detail or analysis on the relative expected reductions from existing and new land use development to meet AB 32’s overall emission reduction objectives.

To counter the 30% better than “business as usual” argument and taking into account the: (1) 19 year build out period and (2) average service life of a building to be 50 years, (a) the Scoping Plan also says; “Getting to the 2020 goal is not the end of the State’s effort. According to climate scientists, California ... will have to cut emissions by 80 percent from today’s levels ... by 2050” (page ES-2). And (b) BAAQMD encourages lead agencies to prepare similar projections for 2050 (the Executive Order S-03-05 benchmark year). As we approach the 2020 timeframe, BAAQMD will reevaluate this significance threshold to better represent progress toward 2050 goals. The Lead Agency should use the projected build-out emissions profile of the general or area plan as a benchmark to ensure that adoption of the plan would not preclude attainment of 2050 goals.<sup>2</sup>

In direct contravention of CEQA, the DEIR simply presumes that because the Scoping Plan states that California’s overall emissions must be reduced to 30% below “business as usual” to meet the state’s target of reducing GHG emissions to 1990 levels by 2020, new development need only reduce emissions to 30% below “business as usual” to fully mitigate its impacts under CEQA. (DEIR 3A.4-26); Pub. Res. Code § 21082.2(c) (“argument, speculation, unsubstantiated opinion or narrative, [and] evidence which is clearly inaccurate or erroneous” does not constitute substantial evidence). To the contrary, as opportunities for reducing emissions from the built environment present greater challenges, there is no legitimate basis upon which to simply presume that expectations for minimizing emissions from new development, through energy efficiency, renewables, increased density, mixed-use and siting close to transit, should be equal to that of existing development, where emissions reduction opportunities are more constrained.<sup>3</sup>

Thus, in explaining why the 30% below “business as usual” threshold used in the DEIR “will not withstand legal scrutiny,” the Attorney General cited the lack of evidence to directly apply a 30% economy-wide “business as usual” target to new development under CEQA, stating that “it

<sup>2</sup> BAAQMD CEQA Air Quality Guidelines, June 2010, p 9-4

<sup>3</sup> See CAL. AIR POLLUTION CONTROL OFFICERS ASS’N [hereinafter CAPCOA], CEQA AND CLIMATE CHANGE 33 (2008) (“greater reductions can be achieved at lower cost from new projects than can be achieved from existing sources”).

seems new development must be more GHG-efficient than this average, given that past and current sources of emissions, which are substantially less efficient than this average, will continue to exist and emit.”<sup>4</sup>

28 cont.

In presuming that the Project need only reduce emissions to 30% below “business as usual,” the DEIR disregards expert analyses of the emissions reduction expectations from new development under the Scoping Plan. Rather than rely on the unsupported premise that a 30% below “business as usual” reduction applies to new land use development, the Bay Area Air Quality Management District (“BAAQMD”) conducted an extensive analysis of the “gap” between state actions to reduce emissions identified in the Scoping Plan and the need for local government to further reduce emissions from land use driven sectors.<sup>5</sup> After a series of calculations, BAAQMD arrived at a threshold for new development of approximately 1,100 tons.<sup>6</sup> In glaring contrast, using the 30% below “business as usual” standard set forth in the DEIR, the Project and its various alternatives would still result in well over 200,000 tons of GHG pollution per year (given 291,000 tons/yr unmitigated baseline; DEIR 3A.4-17)—orders of magnitude greater than the threshold calculated by BAAQMD.

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Unlike the “business as usual” approach used in the DEIR, the BAAQMD significance threshold is supported by the Attorney General and has been adopted by other jurisdictions, including Santa Barbara County.<sup>7</sup>

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The DEIR also improperly dismisses analyses of potential approaches to determining significance of GHG emissions by the California Air Pollution Control Officers Association (“CAPCOA”), which determined that reducing emissions 28-33% below “business as usual” emissions had “low” GHG emission reduction effectiveness.<sup>8</sup>

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Indeed, CAPCOA determined that even where emissions from new development are reduced by 50% below “business as usual,” “it would not be possible to reach the 2050 emissions target with this approach even if existing emissions were 100 percent controlled.”<sup>9</sup> Looked at from the

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<sup>4</sup> Letter from California Attorney General to SJVACD re: Final Draft Staff Report on Greenhouse Gas Emissions Under CEQA at 1, 3 (Nov. 4, 2009).

<sup>5</sup> BAAQMD, CEQA AIR QUALITY GUIDELINES (May 2010); BAAQMD, THRESHOLDS REPORT (May 2010); BAAQMD, UPDATED CEQA GUIDELINES ADOPTED (June, 2010).

<sup>6</sup> BAAQMD, CEQA AIR QUALITY GUIDELINES at 2-2. The Response to Comments significantly misrepresents the BAAQMD thresholds by only stating that the BAAQMD analysis “determined that the land use/housing sector will not need to achieve a 29 percent reduction” and omitting any discussion of the thresholds adopted by BAAQMD. RTC-051-9; Guidelines § 15088(c) (response to comments must reflect “good faith, reasoned analysis.”).

<sup>7</sup> Letter from California Attorney General to BAAQMD (2009); SANTA BARBARA COUNTY INTERIM PROCEDURES FOR EVALUATING GHGS UNDER CEQA (2010); SANTA BARBARA COUNTY, SUPPORT FOR USE OF BAAQMD THRESHOLDS (2010).

<sup>8</sup> CAPCOA at 56.

<sup>9</sup> *Id.* at 33-34.

standpoint of net emissions, the over 200,000 tons of emissions resulting from the Project is over four times greater than the 50,000 tons of emissions threshold CAPCOA also determined had “low” GHG emissions reduction effectiveness and “low” consistency with state emissions reduction targets.<sup>10</sup> Because the “determination of whether a project may have a significant effect on the environment calls for careful judgment . . . based to the extent possible on scientific and factual data,” the DEIR’s reliance on unsupported assumptions in lieu of expert analyses indicating that the 30% below “business as usual” threshold does not adequately address the Project’s environmental effects violates CEQA. Guidelines § 15064(b); see also *Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004) (“[I]n preparing an EIR, the agency must consider and resolve every fair argument that can be made about the possible significant environmental effects of a project, irrespective of whether an established threshold of significance has been met with respect to any given effect.”).

33 cont.

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CAPCOA’s determination that the 30% below “business as usual” threshold has a “low” emissions reduction effectiveness is hardly surprising given that compliance with the threshold could largely be achieved merely through compliance with existing and anticipated regulatory requirements. Indeed, the Attorney General also determined that because the “business as usual” approach “would award emission reduction ‘points’ for undertaking mitigation measures that are already required by local or state law,” it results in “significant lost opportunities” to require meaningful mitigation.<sup>11</sup> For example, here, the DEIR takes credit for significant reductions through the presumed effectiveness of future statewide measures such as the renewable energy standard, improved fuel economy standard, and low carbon fuels standard. The DEIR’s heavy reliance on state regulatory action to address Project emissions functions to largely relieve the Project applicant of any independent obligation to adopt needed additional measures to further reduce Project emissions. This outcome flies in the face of the findings in the Scoping Plan, which recognize that local governments “are essential partners” in achieving California’s emissions reduction goals, further highlighting the lack of legitimacy of the DEIR’s significance criteria. Scoping Plan at 26; see also *Californians for Alternatives to Toxics v. Dept. of Food & Agric.*, 136 Cal. App. 4th 1, 17 (2005) (compliance with existing environmental laws or regulations is not sufficient to support a finding that a project will not have significant environmental impacts).

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The DEIR’s determination that reducing Project GHG impacts to 30% better than “business as usual” also fails because projects with high net emissions cannot legitimately benefit from the presumption that impacts become less than significant through compliance with an efficiency-based threshold. Absent a programmatic analysis through a climate action plan or similar document, the notion that any quantity of emissions from a project is less than significant provided the project meets certain performance criteria is not supportable. Depending on community needs, a large project resulting in significant GHG emissions, though efficient on a per capita basis, may undermine community-wide emission reduction objectives.

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<sup>10</sup> *Id.* at 57.

<sup>11</sup> Letter from California Attorney General to SJVAPCD at 1.



Were a large project consistent with a qualified climate action plan as described under new Guideline § 15183.5, it could tier off this document and determine its GHG impacts are less than significant. However, because GHG emissions must be significantly reduced from existing levels to reduce the risk of severe climate impacts, there is no scientific basis to conclude that large new sources of emissions, when viewed in isolation without the support of a programmatic document, are not cumulatively considerable. Thus, in finding that the “business as usual” threshold does not withstand legal scrutiny, the Attorney General determined that:

It appears that any project employing certain, as of yet unidentified, mitigation measures would be considered to not be significant, regardless of the project’s total GHG emissions, which could be very large. For instance, under the Air District’s proposal, it would appear that even a new development on the scale of a small city would be considered to not have a significant GHG impact and would not have to undertake further mitigation, provided it employs the specified energy efficiency and transportation measures. This would be true even if the new development emitted hundreds of thousands of tons of GHG each year, and even though other feasible measures might exist to reduce those impacts. The Staff Report has not supplied scientific or quantitative support for the conclusion that such a large-emitting project, even if it earned 30 “points,” would not have a significant effect on the environment.<sup>12</sup>

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Moreover, SCAQMD stated in its latest proposal that a project cannot use an efficiency-based metric if its net emissions exceed 25,000 tons. Here, the over 291,000 tons of emissions resulting from the Project exceed this amount by a factor of 11. Accordingly, absent a programmatic analysis, there is no legitimate basis upon which to conclude that being 30% better than business as usual will meet community wide efforts.

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Given the extended duration of Project buildout (19 years) and average service life of buildings (approximately 50 years), the DEIR’s significance criteria also improperly disregards California’s longer range emissions reduction commitments. Through AB 32 and Executive Order S-3-05, California is committed to reducing GHG emissions to 1990 levels by 2020 and to 80 percent below 1990 levels by 2050. Health & Safety Code § 38550; Exec. Order S-3-05. This long-term target was not developed by the State in a vacuum, but was arrived at through review of scientific evidence, an overwhelming amount that indicated that the target is appropriate, and not speculative.

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This emissions reduction trajectory is consistent with the underlying environmental objective of stabilizing atmospheric concentrations of GHGs at a level that will substantially reduce the risk of dangerous climate change.<sup>13</sup> Because the Project anticipates build out over a number of

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<sup>12</sup> Letter from California Attorney General to SJVACD re: Final Draft Staff Report on Greenhouse Gas Emissions Under CEQA at 1, 3 (Nov. 4, 2009).

<sup>13</sup> The emissions reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds to the extent they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance,

years, and because the service lives of the buildings is so long, the DEIR’s exclusive and myopic focus on interim 2020 emissions reduction objectives fails to account for scientific evidence on needed additional emissions reductions beyond the 2020 timeframe. Guidelines § 15064(b); Scoping Plan at 118 (calling for additional emissions reductions of approximately 5% per year between 2020 and 2030).

44 cont.

In lieu of an unsupported approach to determining significance, the DEIR could have applied a zero- or 900-ton threshold, which CAPCOA determined had “high” effectiveness at reducing GHG emissions and “high” consistency with California’s short and longer term emissions reduction targets.<sup>14</sup> Like the County of Santa Barbara, the DEIR could also import the thresholds adopted by BAAQMD, which the Attorney General concluded were defensible, unlike those used in the DEIR. By claiming that the Project need only reduce its GHG pollution to approximately 200,000 tons, the DEIR misleads decision makers and the public on the significance of Project impacts and improperly limits its obligation to consider meaningful mitigation and alternatives to reduce Project emissions.

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**B. The DEIR Fails to Adequately Mitigate Project Impacts**

The overarching purpose of the EIR process is to identify ways that a project’s significant environmental impacts can be avoided or minimized. Pub. Res. Code §§ 21002, 21002.1. Among the findings the lead agency must make in conjunction with Project approval is that the mitigation measures and project design features incorporated into the DEIR will in fact “mitigate or avoid the [Project’s] significant effects on the environment.” *Id.* § 21081; *see also* CEQA Guidelines § 15091(a)(1). In particular, measures included in a DEIR must meet two independent criteria: effectiveness in reducing the identified impact and enforceability. Pub. Res. Code §§ 21002.1(b), 21081.6; *see also Gray v. County of Madera*, 167 Cal. App. 4th 1099 (2008); *Lincoln Place Tenants Ass’n v. City of Los Angeles* 155 Cal. App. 4th 425, 445 (2007).

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The Florin Vineyard Gap Community Plan in Sacramento County included a climate action plan that claimed 42% CO2 mitigation, yet the plan was unmeasurable and unenforceable. Attachment A was provided to the County as an example of what a measurable and enforceable climate action plan might look like.

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Measurable (although not enforceable as written) mitigation measures are also provided in BAAQMD CEQA Air Quality Guidelines, June 2010, starting on page 4-13

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but only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. (*See, e.g., Protect the Historic Amador Waterways*, 116 Cal.App.4th at 1109.)

<sup>14</sup> CAL. NATURAL RES. AGENCY, FINAL STATEMENT OF REASONS FOR REGULATORY ACTION, AMENDMENTS TO THE STATE CEQA GUIDELINES ADDRESSING ANALYSIS AND MITIGATION OF GREENHOUSE GAS EMISSIONS PURSUANT TO SB 97 at 30 (2009) (noting that “[a] lead agency could potentially use CAPCOA’s suggestions in developing its own thresholds” provided threshold is supported by substantial evidence); *see also Communities for a Better Env’t*, 184 Cal. App. 4th at 92 (EIR using a net-zero significance threshold).

The DEIR’s conclusion is that the baseline efficiency for the project is 7.8 MT/yr-SP (DEIR 3A.4-17) and that projects that are constructed by 2020 must achieve an efficiency metric of 4.4 MT/yr-SP and that projects completed by 2030 must achieve an efficiency metric of 3.7 MT/yr-SP (DEIR 3A.4-11). Although the efficiency metric is fundamentally flawed per previous discussion, the DEIR also states that the metric will be achieved through an as yet unknown combination of State regulation and project design (DEIR 3A.4-26). Many of the mitigation measures and project design features outlined in the DEIR may not be effective at avoiding significant GHG emissions because they are dependent upon the successful implementation of uncertain regulatory schemes. Pub. Res. Code § 21081.6 (“A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.”). Despite these significant uncertainties, the DEIR fails to include a mitigation monitoring and reporting program (MM&RP) to ensure that impacts are fully mitigated if the DEIR’s assumptions prove to be unrealized.

The narrative incorrectly states that the Green Building Code (CalGreen) will improve energy efficiency (DEIR 3A.4-25). The baseline for CalGreen is to simply meet Title 24 requirements. Tier 1 and Tier 2, which are voluntary, will beat Title 24 by 15% and 30% respectively. Although not stated, Title 24 is updated every 3 years and generally efficiency is improved with each release.

Given that under the worst of circumstances all projects tiered under this DEIR will have to reduce GHG emissions by 45% (4.36/7.8) or 55% (3.68/7.8) and under the best of circumstances each project will have to mitigate 100% of emissions, it would seem reasonable that a list of mandatory measures should be included in DEIR, not simply a listing of potential measures (DEIR 3A.4-27). For example, all construction will be:

- CalGreen Tier 2 energy efficient;
- Solar pv will be provided at 1:10 homes;
- Solar thermal will be provided at 1:2 homes;
- Trees will be provided at 2 per home;
- NEV’s will be provided at 1:20 homes;
- Water efficiency will beat CalGreen’s minimum by 40%.
- Purple pipe recycled water system will be provided for Park and School irrigation and to other properties
- See Attachment A, etc.
- Measurable (although not enforceable as written) mitigation measures are also provided in BAAQMD CEQA Air Quality Guidelines, June 2010, starting on page 4-13

**1. Successful Implementation of Measures in the Scoping Plan Is Speculative and Cannot Be Relied Upon To Mitigate Project Impacts**

The majority of the measures to mitigate Project impacts hinge upon anticipated statewide regulatory action that has yet to be realized, including California’s “Clean Car Standards” bill, Assembly Bill No. 1493, also known as the “Pavley rule” and the low carbon fuel standard.

Although there is considerable uncertainty as to whether some or all of these measures will be fully realized, the DEIR both fails to acknowledge this uncertainty and to set forth an alternative

means to mitigate Project impacts should these statewide measures fail to be fully implemented. | 57 cont.  
Accordingly, the DEIR cannot legitimately conclude that Project will comply with flawed |  
efficiency metric. | 58

**a. Assembly Bill 32 and the Scoping Plan**

The DEIR relies heavily on the background regulatory scheme of AB 32, as well as its |  
corresponding Scoping Plan adopted by ARB in December 2008, which includes a range of | 59  
GHG emission reductions strategies that California will use to implement AB 32. However, the  
DEIR fails to mention Proposition 23, a recently qualified ballot initiative for the upcoming  
November 2011 election that would suspend AB 32 until California’s unemployment rate drops  
to or below 5.5 percent for a full year.<sup>15</sup> California has only experienced an unemployment rate  
of or below 5.5 percent three times in the past three decades.<sup>16</sup> Especially given the current  
economic recession, if Proposition 23 passes, California’s implementation of AB 32 and the  
GHG reduction strategies outlined in the Scoping Plan will halt for an indefinite, but probably  
lengthy period. | 60

A recent field poll shows that among voters who had some awareness of Proposition 23,  
opinions about the Proposition were almost evenly divided: 44 percent of those surveyed were  
in favor of Proposition 23, while 45 percent were against it.<sup>17</sup> |

Indeed, it is quite possible that Proposition 23 will pass and implementation of AB 32 will grind  
to a halt. Consequently, the DEIR’s references to AB 32-related measures to avoid GHG | 61  
emissions, such as the low carbon fuel standard, cap-and-trade programs, clean car standards,  
expansion of California’s RPS, and improved energy efficiency standards, could be moot.  
Therefore, to the extent that the DEIR’s mitigation measures and project design features are  
contingent upon implementation of AB 32 and the Scoping Plan, it is inappropriate to rely on | 62  
these measures to claim Project threshold will be met.

**b. The Pavley Rule**

The DEIR’s Mobile Source Emissions calculations rely upon California’s regulations under |  
Assembly Bill No. 1493, the “Clean Car Standards” bill, also known as the Pavley rule (DEIR | 63  
Appendix C). The goal of the Pavley rule is to reduce emissions from passenger vehicles by  
30% by 2016. Since 2004, thirteen states and the District of Columbia have adopted California’s  
standards. On June 30, 2009, the U.S. Environmental Protection Agency (“EPA”) granted  
California’s request for a waiver of preemption under the Clean Air Act, which allows California  
and any other states adopting California’s standards to proceed with implementing such  
emissions standards.<sup>18</sup> Additionally, on December 15, 2009, EPA issued an Endangerment and

<sup>15</sup> Prop. 23, pending approval by voters, Gen. Elec. (Nov. 2010).

<sup>16</sup> Lindsay Riddell, *PG&E, Cleantechs Fight Prop. 23*, SAN FRANCISCO BUS. TIMES, July 9, 2010,  
available at <http://sanfrancisco.bizjournals.com/sanfrancisco/stories/2010/07/12/story5.html>.

<sup>17</sup> FIELD RESEARCH CORP., THE FIELD POLL, RELEASE # 2342 at 4 (July 9, 2010).

<sup>18</sup> Notice of Decision Granting a Waiver of Clean Air Act Preemption for California’s 2009 and Subsequent  
Model Year Greenhouse Gas Emission Standards for New Motor Vehicles, 74 Fed. Reg. 32,744 (July 8,  
2009).

Cause or Contribute Finding under section 202(a) of the Clean Air Act (“Endangerment Finding”), which formally declares that GHGs endanger public health and welfare and therefore compels EPA to regulate mobile source emissions.<sup>19</sup> Consequently, on May 7, 2010, the EPA and the National Highway Traffic Safety Administration (“NHTSA”) issued a joint rulemaking that set national mobile source emissions standards equivalent to the Pavley rule.<sup>20</sup>

63 cont.

Yet, at least seventeen petitions challenging the Endangerment Finding have been filed in the U.S. District Court for the District of Columbia by Texas, Virginia, and multiple extractive industries trade groups, among others.<sup>21</sup> Challenges to the endangerment finding have been consolidated into *Coalition for Responsible Regulation, Inc. v. EPA* (D.D.C., Dec. 23, 2009, No. 09-1322). In addition, at least two petitions have been filed in the U.S. Court of Appeals for the District of Columbia Circuit challenging the EPA’s decision to regulate mobile source emissions on a level equivalent with the Pavley rule. See *Coal. for Responsible Regulation v. EPA* (D.C. Cir., May 7, 2010, No. 10-1092); *Southeastern Legal Foundation v. EPA* (D.C. Cir., May 11, 2010, No. 10- 1094). On top of all of the lawsuits against the EPA, there are at least three outstanding lawsuits challenging the Pavley rule, itself or other states’ adoptions of the Pavley rule. See *Green Mountain Chrysler-Plymouth-Dodge v. Crombie* (2nd Cir, No. 07-4342); *Central Valley Chrysler-Jeep v. Goldstene* (9th Cir., Oct. 30, 2008, No. 08-17378); *Zangara Dodge, Inc. v. Curry* (D.N.M., Dec. 27, 2007, No. 07-01305). The DEIR fails to mention any of these legal challenges.

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Considering the above ongoing challenges, all of which draw into question the legal adequacy of the Pavley Rule, it is certainly inappropriate for the DEIR to rely upon the Pavley Rule regulations in its Mobile Source Emissions calculations. Indeed, it is quite possible that the Pavley Rule will be invalidated. Accordingly, the DEIR cannot conclude that the Project will have no significant environmental impacts based partially on an overoptimistic assumption that the Pavley rule will be in effect to reduce passenger vehicle emissions.

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<sup>19</sup> 40 C.F.R. ch. I.

<sup>20</sup> Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards, 75 Fed. Reg. 25,324 (May 7, 2010) (to be codified at 40 C.F.R. pts. 85, 86, 600; 49 C.F.R. pts. 531, 533, 536 et al.).

<sup>21</sup> *Coal. for Responsible Regulation, et al. v. EPA* (D.D.C., Dec. 23, 2009, No. 09-1322); *Nat’l Mining Ass’n v. EPA* (D.D.C., Feb. 12, 2010, No. 10-1024); *Peabody Energy Co. v. EPA* (D.D.C., Feb. 12, 2010, No. 10-1025); *Am. Farm Bureau Fed. v. EPA* (D.D.C., Feb. 12, 2010, No. 10-1026); *Chamber of Commerce of the v. EPA, et al.* (D.D.C., Feb. 12, 2010, 10-1030); *Se. Legal Found., et al. v. EPA* (D.D.C., Feb. 12, 2010, No. 10-1035); *Commonwealth of Virginia v. EPA* (D.D.C., Feb. 16, 2010, No. 10-1036); *Gerdau Ameristeel Corp. v. EPA* (D.D.C., Feb. 16, 2010, No. 10-1037); *American Iron & Steel Inst. v. EPA* (D.D.C., Feb. 16, 2010, No. 10-1038); *State of Alabama v. EPA* (D.D.C., Feb. 16, 2010, No. 10-1039); *Ohio Coal Ass’n v. EPA* (D.D.C., Feb. 16, 2010, No. 10-1040); *State of Texas, et al. v. EPA* (D.D.C., Feb. 16, 2010, No. 10-1041); *Util. Air Regulatory Group v. EPA* (D.D.C., Feb. 16, 2010, No. 10-1042); *Nat’l Ass’n of Mfrs., et al. v. EPA* (D.D.C., Feb. 16, 2010, No. 10-1044); *Competitive Enter. Inst., et al. v. EPA* (D.D.C., Feb. 16, 2010, No. 10-1045); *Portland Cement Ass’n v. EPA* (D.D.C., Feb. 16, 2010, No. 10- 1046); *Alliance for Natural Climate Change Sci., et al. v. EPA* (D.D.C., Feb. 12, 2010, No. 10-1049).

**c. The Low Carbon Fuel Standard**

In concluding that the Project as designed and mitigated will meet flawed threshold, the DEIR relies upon the implementation of the low carbon fuel standard, which aims to reduce the carbon intensity of California’s transportation fuels by 10% by 2020. (DEIR 3A.4-6).

Yet, the legality of the low carbon fuel standard is currently being challenged in *National Petrochemical and Refiners Association v. Goldstene* (E.D.Cal. June 16, 2010). Indeed, a federal court recently denied California’s motion to dismiss the lawsuit, indicating that the court is willing to entertain challengers’ claims. If challengers are successful, the court will find that California does not have authority to regulate fuels.

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Thus, it is possible that the low carbon fuel standard will not be in operation during the life of the Project. The absence of the low carbon fuel standard would significantly increase Project impacts. As the DEIR itself acknowledges, “On-road transportation emissions composed 41.1% of Folsom’s GHG emissions” (DEIR 3A.4-3). Additionally, “ ...construction activities associated with development of the project and off-site elements would result in increased generation of GHG emissions..” (DEIR 3A.4-13). Consequently, the agency should not conclude that the Project will have no significant environmental impacts based partially on an assumption that the low carbon fuel standard will be in effect.

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**C. The DEIR Skirts its Obligation to Adopt Effective Mitigation for Project Greenhouse Gas Impacts**

The DEIR’s improper threshold of significance coupled with uncertain and vague mitigation measures amounts to an improper end-run around CEQA’s requirement to adopt all feasible mitigation and alternatives. As a result, the DEIR fails to adopt meaningful measures that would reduce Project impacts, including increased density, increased use of on-site renewable energy, and an alternate location closer to transit.

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Attachment A provides an example of what might be used as a measurable and enforceable plan.

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Measurable (although not enforceable as written) mitigation measures are also provided in BAAQMD CEQA Air Quality Guidelines, June 2010, starting on page 4-13

Once all feasible on-site measures have been utilized, off-site measures to be adopted include energy efficient retrofits of existing structures and SCAQMD’s adopted protocols for replacement of inefficient boilers.<sup>22</sup>

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<sup>22</sup> SCAQMD, BOILER PROTOCOL (2010).

**D. The DEIR Fails to Outline a Process for Implementing Effective Measurement and Verification of Mitigation for Project Greenhouse Gas Impacts**

The BAAQMD CEQA Air Quality Guidelines, page D-15 indicates that on-site operational mitigation is difficult beyond 30%. Include in the narrative that off-site mitigation must comply with CARB Cap and Trade regulations and perhaps future SMAQMD Indirect Source Rule guidelines.

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For off-site operational mitigation, require the vintage of the CO2 emissions reduction to be newer than or equal to the actual time of the emission; front loading of emissions reductions is acceptable, back loading is not acceptable. For example, if a project emits 1,000 tons per year for 50 years, then it is:

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- ok to purchase 50,000 tons of emissions in year 1 and
- ok to purchase 1,000 tons per year for 50 years;
- NOT ok to purchase 50,000 tons of offsets in year 50 (equivalent to a financial “balloon” payment).

Mitigation Measure 3A.4-2a: Provide an MM&RP. “Implementation of mitigation measures means that they are made conditions of project approval and included in a Mitigation Monitoring and Reporting Plan (MM&RP)”<sup>23</sup>. See Florin-Vineyard Gap checklist for sample of what could be used to develop MM&RP.

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**Land Use**

**Impact 3.A 10-2 Project implementation could conflict with the SACOG Sacramento Region Preferred Blueprint Scenario.**

The summary (page ES-112)) shows that the No Project, No Corp Permit and Resource Impact Minimization (NP, NCP, RIM) alternatives are inconsistent with the SACOG Preferred Blueprint Scenario, while the Preferred Project, Compact Development and Reduced Hillside Development (PP, CD, RHD) are shown to be consistent. No mitigation is proposed in either scenario, despite significant and unavoidable impacts. ECOS believes that none of project alternatives are fully compatible with SACOG Preferred Blueprint Scenario and that additional mitigation is required.

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The DEIR/DEIS offers a thorough discussion of the SACOG Blueprint planning process (3A.10-7), and the Preferred Blueprint Scenario which seeks to reduce the impact of new growth through more compact development. The Preferred Scenario envisions approximately 12,000 housing units and an additional 7,500 jobs in the SPA. None of the alternatives reach this level of housing, although the anticipated number of jobs exceeds the Blueprint in certain scenarios. The NP, NCP, and RIM are found inconsistent using the following reasoning:

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Based on Blueprint principles, development under the No USACE Permit Alternative could potentially result in future conversion of agricultural land and less protection of

23 BAAQMD CEQA Air Quality Guidelines, June 2010, p 4-3.

natural resources over the long term in the greater Sacramento region because more land would be required for expansion of the overall regional urban areas. [3A.10-37]

79 cont.

While using the lower number of housing units to find the NP, NCP, and RIM alternatives inconsistent, the PP, CD, and RHD are found consistent using different criteria. The development in PP, CD, and RHD does include many of the smart growth principles espoused in the Blueprint, however held to the same criteria as the other alternatives, it too would be inconsistent as there are less units than anticipated by the Preferred Blueprint Scenario.. (see table below)

Alternative	Units	Less units
SACOG 12000		
NP 0		12000
NCP 6373		5627
RIM 7965		4035
PP 10210		1790
CD 9026		2974
RHD 11553		447

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Although the PP CD, and RHD contain more housing units than the other alternatives, they still fall short of the 12,000 unit standard in the SACOG Blueprint. The DEIR/DEIS must use consistent criteria and reasoning in evaluating consistency with the Sacramento Blueprint. If the alternatives to the preferred project are inconsistent with the Blueprint, then there must be a defensible explanation of why the Preferred Project, which also falls short of the Blueprint targets is not also inconsistent. Although the Blueprint is advisory in nature, it is an applicable plan under CEQA as it a policy of a regional agency “adopted for the purpose of avoiding or mitigating an environmental effect” (CEQA guidelines, appendix G, IX.B), that of further unconstrained regional development.

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In order to assure that SPA project does adequately address the concerns of the Blueprint, the specific plan needs to contain measures to ensure that the actual yield of dwelling units reaches the number of units expected in the Preferred Scenario. Since the specific plan limits the total number of units in the SPA to below the Bueprint targets, additional mitigation should be undertaken to minimize further regional expansion due to insufficient density in the plan area. Medium and high density multi-family residential zones make up only 3.3% of the total area in the plan (see table below) and it is critical that these areas are built up with adequate density to meet the overall unit counts and to support both businesses and transit service in the town center. Multi-Family Low density and Single Family High Density zones also need to be built out at adequate densities to support the range of uses envisioned in the plan.

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*Mitigation should be included in the DEIR/DIES to guarantee development in the SPA meets the kind of density envisioned in the Blueprint. ECOS proposes a specific plan amendment to ensure that the multifamily density meets the target density through the establishment of a floor in the following zones (See Attachment B).*

- Single Family High Density (SFHD)- 5.25 DU/Acre
- Multi-Family Low Density (MLD) – 9 DU/Acre
- Multi-Family Medium Density (MMD) - 17 DU/Acre
- Multi-Family High Density (MHD) – 25.5 DU/Acre

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**Housing**

<p>The City of Folsom <i>total</i> housing needs, as projected by the SACOG Regional Housing Needs Plan, could be met under all alternatives, including the No Project or No USACE Permit alternatives. Under none of these alternatives however, does the City of Folsom meet the need for low income housing. How does the City plan to address this?</p>	<p style="border-left: 1px solid black; padding-left: 5px;">88</p> <p style="border-left: 1px solid black; padding-left: 5px;">89</p>
<p>The City of Folsom cannot meet the needs for very low or low income housing with current built and planned projects and the number of potential housing units within the existing City limits. And on the other hand, it has (or will have) an oversupply of moderate and above-moderate units with current built and planned projects and the number of potential housing units within the existing City limits. The City should address this imbalance.</p>	<p style="border-left: 1px solid black; padding-left: 5px;">90</p> <p style="border-left: 1px solid black; padding-left: 5px;">91</p>
<p>In general the more centralized and denser development alternatives are better for housing and reducing related impacts on the infrastructure, land, water and air.</p>	<p style="border-left: 1px solid black; padding-left: 5px;">92</p>
<p>More commercial development, included in all of the alternatives (except No Project), tends to attract low-wage workers. Low wage workers need to have work nearby in order to reduce greenhouse gas emissions. More affordable housing should be included in the plan to address this.</p>	<p style="border-left: 1px solid black; padding-left: 5px;">93</p> <p style="border-left: 1px solid black; padding-left: 5px;">94</p> <p style="border-left: 1px solid black; padding-left: 5px;">95</p>

**Water Supply**

**Introduction**

<p>The preferred plan of the City of Folsom to serve the areas south of Highway 50 is to seek an assignment of 8,000 acre-feet annually of Natomas Central Mutual Water Company (NCMWC) United States Bureau of Reclamation (USBR) settlement-contract water and have the Sacramento County/EBMUD Freeport Project divert and deliver it to Folsom’s contemplated pipelines, which will then deliver it to the City’s proposed treatment facilities for delivery to yet-to-appear south of Highway 50 customers.</p>	<p style="border-left: 1px solid black; padding-left: 5px;">96</p>
<p>The DEIR/DEIS also identifies potential alternative supply options as Central Sacramento County subbasin groundwater extractions, long-term purchase and transfer from senior Sacramento Valley water-right holders, and water conservation within the City of Folsom.</p>	<p style="border-left: 1px solid black; padding-left: 5px;">97</p>

**Water Forum Agreement**

<p>Consistent with its commitments in the Water Forum Agreement of 2000, the City of Folsom is not proposing to supply areas south of Highway 50 with diversions from Folsom or Lake Natoma Reservoirs.</p>	<p style="border-left: 1px solid black; padding-left: 5px;">97</p>
<p>The Water Forum Agreement did not include water service to the City of Folsom sphere of influence (SOI) expansion area south of Highway 50. This was explicitly recognized in the City</p>	<p style="border-left: 1px solid black; padding-left: 5px;">97</p>

of Folsom purveyor specific agreement.<sup>24</sup> Water Forum signatories are free to support or oppose water-supply facilities that serve this area, as well as to support or oppose land-use decisions to urbanize this area<sup>25</sup>.

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**Key elements of the preferred alternative (NCMWC transfer)**

*USBR consent*

NCMWC has executed an agreement with the project partners to transfer 8,000 acre-feet of its “Project Water.” This is summer-delivery water that would not have been consistently available in the absence of the United States Bureau of Reclamation’s (USBR) Central Valley Project, (CVP). NCMWC proposes to seek approval from the USBR to change this delivery schedule to an M&I (year-round urban) schedule. (dEIR/dEIS 3A.1812) The Company intends to assign this water to the City of Folsom consistent with §3(e) of its 2005 USBR renewal contract<sup>26</sup>. (DEIR/DEIS 3A.1812)

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This USBR water is settlement-contract water made available to NCMWC in order to settle water-rights disputes between the USBR and the Company that arose around the construction of Shasta Dam and the operation the CVP. NCMWC’s water-rights licenses and permit, the basis for its original dispute with the USBR, have a “place of use” confined to the Company’s operations in the Natomas Basin. §3(a) of the settlement contract confines the use of this water to a mapped area, Exhibit B of the contract, much of the Natomas Basin, which the DEIR/DEIS describes as corresponding to the water-right place of use. (DEIR/DEIS table 3A. 181.)

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<sup>24</sup> “Nothing in the *Water Forum Agreement* provides support for an expanded water service area for the area south of Highway 50.” City of Folsom purveyor specific agreement, p. 177, Water Forum Agreement, City County Office of Metropolitan Water Planning, January 2000.

<sup>25</sup> “In Sacramento County only, signatories retain the ability to support or oppose water facilities that would serve new development outside of the Urban Services Boundary that was defined in the Sacramento County General Plan, December 1993. All parties also retain the right to support or oppose sizing of water distribution facilities that would allow service to new development outside of the Urban Services Boundary.” p. 152, Water Forum Agreement, *Supra*.

<sup>26</sup> See Appendix G B NCMWC B Bureau of Reclamation Contract No. 1406200885A, dEIR/dEIS.

The City of Folsom is a CVP contractor, and the USBR has a consolidated place of use under the state’s water rights system for much of the lands served by the CVP (including the City of Folsom). Thus, the assignment of NCMWC settlement-contract water to the City of Folsom may not require review by the State Water Resources Control Board. However, the assignment will require consent from the USBR contracting officer (Settlement contract §3(e) 7(e)). This section also requires that “consent will not be unreasonably withheld and a decision will be rendered in a timely manner.”<sup>27</sup> The DEIS/DEIR recognizes that (presumably with the construction of the Freeport Project and the contemplated construction of Folsom’s works) as a physical matter, deliveries from NCMWC are “reasonably certain.” However, “there is no similar reasonable certainty from a legal and regulatory standpoint, since additional actions by the Bureau of Reclamation and SCWA would be necessary.” (DEIR/DEIS 3A. 1814).

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<sup>27</sup> “For long-term actions that will occur in a period longer than one year, the decision will be rendered with 90 days after receipt of a complete written proposal. For a proposal to be deemed complete by the Contracting Officer, it must comply with all provisions required by State and Federal law, including information sufficient to enable the Contracting Officer to comply with the National Environmental Policy Act, the Endangered Species Act, and applicable rules or regulations then in effect;...” (Settlement Contract, *supra*, §3(e). A similar but less detailed provision can be found in §7(a)).

The basis for NCMWC’s proposed assignment is a determination that these waters are surplus to the Company’s expected demand, because of lack of need<sup>28</sup> because of (1) demand-reducing recirculation systems,<sup>29</sup> (2) changing cropping patterns,<sup>30</sup> (3) less land in production,<sup>31</sup> or (4) the related reduction in the lands served by the NCMWC because the lands are urbanized<sup>32</sup> and water service is provided by others, primarily the City of Sacramento.<sup>33</sup> In effect, in the absence of an assignment to the City of Folsom, these waters are not being and will not be diverted by NCMWC and are being used for USBR project purposes, including environmental purposes. With the assignment, they will be used consumptively (other than return flows to the Regional Treatment Plant) to supply the City of Folsom.

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In the absence of a showing that there will be no adverse impacts on other CVP water users, USBR may have little incentive to consent to the assignment.

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<sup>28</sup> dEIR/dEIS, Appendix M2, Wanger and Bonsignore Report, ES2,3, summarized at p. 27.

<sup>29</sup> *Id.* at p. E1

<sup>30</sup> *Id.* at p. E1 and Table 6.

<sup>31</sup> *Id.* at p. 9 and Table 6.

<sup>32</sup> *Id.* at p. 9, by implication in the title of section 2.3.1 Historical Land Use c Cropping Patterns, Urbanization. The Settlement contract acknowledges urbanization will change the purpose of use of deliveries in Exhibit B lands but does not expressly contemplate reduction in NCMWD demand from urbanization. “The parties anticipate that during the term of this Settlement Contract, a gradual change in purpose of use of water will occur with the place of water use shown in Exhibit B from predominantly agricultural purposes to a mixture of municipal and industrial, wildlife habitat and agricultural purposes, and the parties agree to work cooperatively to accommodate and facilitate such change. ...[T]he Contractor shall not deliver or furnish Project Water for municipal and industrial purposes outside those areas without the written consent of the Contracting Officer.” Settlement Contract, *supra*, §7a.

<sup>33</sup> Not clearly discussed in the dEIR/dEIS is the observation that urbanization of the NCMWC service area will continue to reduce the lands served by NCMWC Sacramento River diversions in favor of the City of Sacramento deliveries to urbanizing areas in the NCMWC. The City is primarily a surface water supplier, relying on American River, Sacramento River, and some groundwater supplies. Future service to the NCMWC “Blueprint” urban areas in the Natomas Basin is expected to be a subject of the City of Sacramento’s upcoming Water Supply Master Plan. The City of Sacramento has a contract with USBR to supply it with non-CVP water from the USBR’s Folsom Reservoir.

This is particularly true if there are changes to the USBR’s water rights either directly or indirectly restricting deliveries to its contractors as a result of the State Water Resources Control Board’s recent delta outflow recommendations.<sup>34</sup> It is foreseeable that USBR will not give its consent to assignments that increase operational problems for the CVP. On a project history or legal basis, the USBR may conclude that the 40-year NCMWC settlement contract is tied to the underlying water rights of NCMWC and is thus tied to the Exhibit B lands in the basin.<sup>35</sup> It may also conclude that on a policy basis that consent to transfer land-based settlement contracts to lands outside the lands of the settlement contracts will not be consented to unless it results in less CVP or system consumptive demand. The City of Folsom’s preferred project will result in an overall increase in system demand.

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In summary, the DEIR/DEIS does not discuss adverse impacts to other CVP water contractors, other water rights holders, or environmental impacts to the Sacramento and American River systems from increased system diversions or different points of diversions associated with transfer of water once used or potentially used for agricultural uses in the Natomas Basin to urban uses in an expanded City of Folsom and increased diversions by the City of Sacramento to resupply urbanizing formerly agricultural Natomas Basin lands. The DEIR/DEIS does acknowledge that a USBR assignment is uncertain, but does not provide the reviewer with a discussion of the nature and legal underpinnings of the uncertainty. Since all of the project alternatives rely on this supply, the lack of discussion is an important deficiency and does a disservice to decision makers who attempt to rely on the document to approve project development, the size of the City of Folsom, or develop contingencies to prevent entitlements or other irrevocable commitments of public or private resources to lands that may not find a water supply.

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<sup>34</sup> Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem, prepared pursuant to the Sacramento-San Joaquin Delta Reform Act of 2009. State Water Resources Control Board. Approved August 2010. Section 9 of the Settlement Contract establishes mediation procedures for the parties to modify their contract in the event that the State Water Resources Control Board or the courts issue “a final decision or order modifying the terms and conditions of the water rights of either party...in order to impose Bay-Delta water quality obligations...” The Settlement Contract does not specify the outcome of the mediation. (§9(c))

<sup>35</sup> It should be noted that the existing contract remains in effect until March 31, 2045, and can be renewed “under terms and conditions mutually agreeable to the parties...” and can be renewed “for successive periods not to exceed 40 years each.” Settlement Contract, *supra*, §2(a). However, “[i]n the event this Settlement Contract terminates, the rights of the parties to thereafter divert and use water shall exist as if this Settlement Contract had not been entered into...” Settlement Contract, *supra*, §9(d). Currently NCMWC does not have the water rights to deliver water out of the Exhibit B area outside of the Natomas Basin and the dEIR/dEIS does not discuss the legal basis in state and federal law for deliveries of assigned water from a terminated settlement contract based on water rights that do not include the lands that the assigned water is being delivered to.

*Sacramento County Water Agency*

While Sacramento County has executed an MOU with the City of Folsom for space in its portion of the Freeport project, a contract has not yet been signed. The DEIR/DEIS does recognize that this is an uncertainty. (DEIR/DEIS 3A. 1814) | 113

The County is also a conjunctive-use water-service supplier, and, acting as the groundwater authority<sup>36</sup>, is potentially the referee over the currently unallocated Sacramento County central groundwater subbasin. The Freeport project is the potential surface-water supply source for conjunctive use in this subbasin, and the City of Folsom’s entry into the pipeline space represents a diminution in the County’s ability to manage this groundwater subbasin with surface-water augmentation. It also reduces the supply available for other unnamed users or uses of Sacramento County’s portion of the Freeport project. | 114  
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These issues are not discussed in the DEIR/DEIS. Since they may have an effect on the viability of the Project water supply and the County’s permission to use the pipeline has been identified as a project uncertainty, a thorough discussion and analysis of this uncertainty is warranted. See the following comment section, *Groundwater from the Central Sacramento Groundwater Basin*, for additional comment discussion. | 117

**Optional Water Supplies**

Optional water-supply options were described in addition to the NCMWC assignment to respond to the guidance of the California courts for California Environmental Quality Act (CEQA) documents (DEIR/DEIS 3A.18-23). These contingencies are described as backup water sources in case the water source developed for all of the project alternatives becomes unavailable. The DEIR/DEIS developed three additional contingency options: groundwater, Sacramento water-rights transfers, and conservation. Some of these discussions contain important information, insights, or lack of insights. Given the uncertainties of the water-supply alternative developed for the DEIR/DEIS alternatives, some or all of these alternatives should have been developed and described in greater depth. | 118  
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*Groundwater from the Central Sacramento Groundwater Basin*

The Water Forum Agreement assumed the Central Sacramento groundwater subbasin’s long-term sustainable yield was of 273,000 acre-feet per year and estimated expected extractions and surface-water imports that may augment groundwater-basin supplies. The dEIR/dEIS concludes that the project’s demand of up to 5,600 acre feet yearly (AFY) “would be within the safe yield range of the basin” since the Central Sacramento County Groundwater Management Plan of 2006 estimates normal 2030 demand at 235,060 AFY and a dry-year demand of 261,784 AFY – “a high level of certainty.” (DEIR/DEIS 3A. 18-24). | 120

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<sup>36</sup> See Water Forum Agreement, *supra*, Groundwater Management Element.

“However, the DEIR/DEIS also concludes that under cumulative conditions and beyond 2030, other sources of demand are identified in the Sacramento County General Plan Update EIR in unincorporated portions of the County. These additional sources of demand combined with the Folsom SPA could lead to exceedances of the groundwater basin’s safe yield and lead to a further lowering of the regional aquifer. This would be a **significant** and **unavoidable**, cumulative impact ...” (DEIR/DEIS 3A. 18-32)

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The DEIR/DEIS does not note that there has been no allocation of subbasin among existing and potential pumpers including incorporated cities other than the City of Folsom. Without an allocation of groundwater subbasin yield among the various pumpers and a mechanism to control pumping so that pumpers not exceed their potential allocations neither the City nor the County can provide assurances that the safe yield of the subbasin will not be exceeded. Neither does the DEIR/DEIS note the recent decision by the Sacramento Groundwater Authority to adopt sustainability groundwater-extraction goals for the Sacramento County North Area subbasin that are notably lower than the Water Forum “safe yield” determination in the North Sacramento groundwater subbasin.<sup>37</sup> There is, of course, thus no discussion of whether the experience in the adjacent subbasin may be repeated in the Central subbasin.

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In summary, if this option is to be a viable option, the DEIR/DEIS should discuss the implications of its cumulative condition conclusion, the implications of an additional straw into a potentially over-allocated aquifer, the reliability of the subbasin yield estimates, and the necessary mechanisms to make this a long-term viable option, as well as the feasibility of such necessary mechanisms.

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*Other Senior Sacramento River Water Right Holders*

The DEIR/DEIS identifies acquisition of “up to 8,000 AFY from one or more water rights holders on the Sacramento River to meet dry-year conditions.” It is proposed that such water might become available from substituting local groundwater for surface water or by water-conservation actions that might make surface water available. (DEIR/DEIS 3A.18-37)

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The DEIR/DEIS does not note that groundwater exports by downslope Sacramento River senior water-right holders are controversial with upslope groundwater users, who may experience more significant groundwater-level declines (and even areal availability) from groundwater exports than their downslope brethren. This could be a significant impediment to some groundwater export scenarios.

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<sup>37</sup> Water Forum Recommendation on Sustainable Yield for the North Area: 131,000 AFY. Water Forum Agreement *Supra*, p. 97. Sustainability goals for the Sacramento Groundwater Authority Water Accounting Framework, Phase III Effort adopted June 10, 2010, 93,000 to 108,000 AFY.

*City of Folsom water conservation efforts*

Another option discussed by the DEIR/DEIS is water conservation in the City of Folsom. It does seem plausible that conserved water from an aggressive water-conservation and reclamation program within the City or regionally could reduce consumption enough so that the area south of Highway 50 could be served by saved water. There are, of course, competing beneficiaries of City and regional water-conservation efforts, some of which will be occurring as a result of state mandates. The DEIR/DEIS does not provide much information on the institutional, political, cultural, financial, and legal constraints of such a program to assess the viability of such an effort.

**Growth Inducement Impacts**

The Environmental document correctly identifies a significant growth inducing impact on page 4-74 of the DEIR/DEIS:

Implementing the Proposed Project or the other four action alternatives would result in large-scale urban development adjacent to undeveloped grazing lands south of the SPA and could potentially place pressure on these lands to convert to urban uses. As explained above, the land south of the SPA is located in a rural unincorporated portion of Sacramento County beyond the USB and UPA, and it is not expected this area would receive urban levels of public infrastructure and services to support urban development. Further, because it would require Sacramento County to amend its general plan, land use designations, and zoning, such a land use conversion to urban development is not assured.

The DEIR/DEIS simply concludes that despite the creation of a 4-lane White Rock Road with urban and commercial uses on the northerly side, that the area immediately south would “not receive urban levels of public infrastructure services to support urban development” because it is “in the rural unincorporated portion of Sacramento County beyond the USB and the UPA.” Putting it another way: Adopted plans don’t show it as urban, so therefore the project won’t induce growth there.

That matches exactly the circumstances of the Folsom South SOI Expansion Area when it was first proposed. It is well past the time that facile and expedient rationalization of the growth inducing impacts of development should be accepted without appropriate, feasible, implementable and necessary mitigation measures included as part of the plans authorizing new development.

Folsom City has suggested in public hearing testimony that their Specific Plan provides for significant open space within the proposed development area. That is all well and good, but their plan is a response to natural resources within the proposed development area, not beyond, and is entirely irrelevant to growth inducement.



A 4-lane White Rock Road with urban density development on its north side WILL induce growth south of White Rock, based on 40 years of experience that similar development at the fringe of the urban area (for example, Elk Grove Blvd west of Highway 50 and Del Paso Blvd in Natomas) has ultimately led to unassailable pressures for development beyond.

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It is therefore essential that the EIR/EIS include a mitigation measure for the project's growth inducing impacts that requires the Specific Plan to include a financing program sufficient to acquire development rights for a one-mile wide buffer of land on the south side of White Rock Road

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**SUMMARY**

In closing, ECOS does appreciate the opportunity to comment on the Draft Environmental Impact Report / Draft Environmental Impact Statement for the Folsom South of U.S. 50 Specific Plan Project. The above comments address numerous deficiencies that we have identified concerning this document which need to be adequately addressed. If you would like to meet with ECOS representatives responsible for these comments, please contact Ron Maertz at [RonMaertz@sbcglobal.net](mailto:RonMaertz@sbcglobal.net).

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Respectfully Submitted,



Alex Kelter, President  
Environmental Council of Sacramento

cc: USBR, Michael Finnegan  
LAFCO, Commissioners

## ATTACHMENT A

## Florin-Vineyard Gap Community Plan

27 April 2010

## Appendix A Climate Action Mitigation Plan Supplement

Note to County: Although designed to be replicable for other projects and programs, this EXAMPLE climate action mitigation plan supplement (CAMPS) was designed for use with the Draft Environmental Impact Report Climate Change Plan for the Florin-Vineyard Gap Community Plan (see DEIR; Volume 3, Appendix C). The Community Plan consists of approximately 26 projects, 3,700 acres, 13,000 living units, 5 million square feet of commercial/ industrial space and has an estimated base case ghg emissions rate of 350,000 tonnes per year at full build out. (7% of County emissions)

In reviewing the DEIR Climate Change Plan (CCP) for the above project, it became apparent that any CEQA CCP must achieve the following objectives:

- permit holders must be able to easily understand and implement CCP
- CEQA lead agencies must be able to easily verify compliance with CCP
- enforcement and regulatory agencies must be able to quantify emissions savings from CCP

Although not necessary, additional desirable attributes of a CAP would include:

- a simple plan would allow AQMD's (or local jurisdictions) to specify a low significance threshold (perhaps 1,100 t/yr, similar to BAAQMD proposal) and
- a standardized template would provide a level-playing-field for all future CEQA CCP's and could assist in making the SB375 Sustainable Communities Strategy more consistent between State regions

The CCP submitted in the DEIR partially meets the first objective. The attached CAMPS is intended to be a supplement to the DEIR CCP and meets all 5 objectives. The attached CAMPS is coordinated with SB375 requirements and is simple for permit holders and CEQA lead agencies because all questions can be answered with a Yes, No or Not Applicable.

The County should not accept a CCP that does not meet at least the first 3 objectives. The only other efforts that I'm aware of that try to quantify the value of greenhouse gas emissions under CEQA are:

- City of Davis staff report, April 2009
- CAPCOA RFP, June 2009

Both of these efforts are in the formative stages of development, as was the DEIR CCP and as is this CAMPS.

The County should not require a CCP that drives up capital costs by more than 4 or 5%; therefore less than 100% mitigation is probable in 2010. Efforts should be ramped up gradually over the years until 100% mitigation is achieved (e.g. 60% in 2010, 64% in 2011, ..., 100% in 2020). This cost containment feature could help improve buy-in from diverse pool of stakeholders.

Simplicity to users comes at a price; to make this process simple for permit holders and CEQA lead agencies, some significant work should be put into a CAMPS template either by the County, AQMD, MPO, or perhaps OPR, Energy Commission, Air Resources Board, Integrated Waste Management Board, and/or Department of Water Resources. Some efforts would include:

1. Although this CAMPS is measurable, the actual ghg emissions are not measurable without more information. A units column is required to truly quantify ghg savings (an Excel measurable version of this is available- w/o correlated data)
2. Determine the benchmark "triggers" that would allow permit holder to answer Yes to a question, although with stakeholder modifications attached table could be used without benefit of ghg measurability
3. If a simple Yes/No process is desired, then the measures identified should be roughly equal in ghg emissions savings
  - a. Several measures are tiered so that "Yes" may be answered many times for high value measures
  - b. Some high value measures are double counted- e.g. Yes'es can be achieved for mixed use occupancy AND proximity to amenities
  - c. A point system could be used instead of Yes/No/NA (similar to the 1980's Title 24 Residential prescriptive compliance method or LEED)

4. Carbon reducing measures shown are examples; stakeholder input is required to develop an acceptable template  
Additional Features To Promote Market Penetration: In addition to conventional carbon reducing measures, this CAMPS includes features that should be considered for inclusion no matter what type of final process is settled upon for CEQA CAP's

1. Market Transformation: This CAMPS attempts to reward permit holders that implement measures that are not commonplace today, but may be in the future- e.g. restaurants that agree to not use Styrofoam food containers for at least a 6 month pilot period, PG&E offers maintenance for solar thermal systems, project chooses to exceed State RPS requirements. Similar to LEED, as market transforms, CAMPS measures should be updated.
2. Behavioral Changes Over Time: This CAMPS attempts to "sprinkle" some measures over an entire project to assist market transformation- e.g. relative even spacing of Neighborhood Electric Vehicles and raised bed gardens, solar photovoltaic throughout sub-divisions
3. Reward Local Jurisdictions: This CAMPS attempts to reward local jurisdictions that: (1) implement market transforming processes, policies or ordinances or (2) attempt to meet various State goals; e.g. implementing a RECO ordinance, Big and Tall ordinance, bi-level street lighting, offer carbon neutral water and solid waste services
  - a. This is intended to meet the spirit of... "providing regulatory relief under CEQA" as identified in SB375. In effect permit holders receive credit at no cost to their project for processes, policies, and ordinances that are implemented by their local jurisdictions.
4. Guidelines: For measures that County or State would like to see implemented, but do not want to codify at this time; e.g. 2 trees per lot, improved commercial recycling, web accessible parcel/ neighborhood level ghg emissions
5. Mandatory: Some measures are identified as "Mandatory". These items are generally cost effective, but not required by State Code. Mandatory features could be specific to local jurisdictions that require them.

REQUIREMENT: Each of the 26 projects in this Community Plan must achieve at least 50% Yes ratio to meet carbon dioxide mitigation requirements.

Permit holders are to:

1. Fill out attached table and include in EIR with backup calculations.
2. Some measures are required and are indicated as Mandatory.
3. If a measure is not applicable to a project, indicate NA.
4. How many questions were answered with a Yes? \_\_\_\_
5. How many questions were answered with a No? \_\_\_\_
6. What percentage of questions were answered with a Yes where percentage = [Yes/(Yes+No)] \_\_\_\_
7. Did the project pass? [Y/N] \_\_\_\_

The outcome of some measures will not be fully known until construction is complete. If Yes ratio falls below percentage above, then fee of \$ xx per percent (times base case ghg emissions for full build-out of project) shall be paid to County (or SMAQMD?) as an in lieu fee for off-site climate change mitigation projects.

Notes to County:

1. Fee should be based on NYMEX(?) value of CO2 at time of permit AND as approved by ARB Cap and Trade program.
2. **EXAMPLE responses and explanatory notes are shown in red and italicized.**
3. An Excel, operational version of this table is available.

Measure	Benchmark For Suburban		Actual For This Project		Benchmark Met?	
	Res	Comm	Res	Comm	Res	Comm

LAND USE (Stationary Source)							
Percent of project acreage that utilizes "brownfield", underused properties beneficially							
>=10% Y/N		Y/N	15%	NA	Yes	NA	
>=20% Y/N		Y/N	15%	NA	No	NA	
>=30% Y/N		Y/N	15%	NA	No	NA	
>=40% Y/N		Y/N	15%	NA	No	NA	
Percent of project acreage that is considered infill							
>=10% Y/N		Y/N	25%	NA	Yes	NA	
>=20% Y/N		Y/N	25%	NA	Yes	NA	
>=30% Y/N		Y/N	25%	NA	No	NA	
>=40% Y/N		Y/N	25%	NA	No	NA	
Percent of project (in acres) that is mixed use							
>= 10%	Y/N	Y/N					
>= 25%	Y/N	Y/N					
>= 50%	Y/N	Y/N					
>= 75%	Y/N	Y/N					
Density of Project							
>= 6 DU/acre	100%	NA	100%	NA	Yes	NA	
>= 9 DU/acre	60%	NA	58%	NA	No	NA	
>= 12 DU/acre	25%	NA	23%	NA	No	NA	
>= 15 DU/acre	10%	NA	12%	NA	Yes	NA	
Employees (FTE) per Acre							
>= 5 ?	NA	100%					
>= 10 ?	NA	60%					
>= 50 ?	NA	30%					
>= 100 ?	NA	10%					
Number of intersections per square mile (should be high)	12-16 6-12						
Number of dead-ends (e.g. cul-de-sacs) per square mile (should be low)	1 1		0	0	Yes	Yes	
Percent of estimated burdened construction funds spent to build new roads vs. bicycle lanes, ped/bike amenities, NEV amenities, charging stations, transit capital improvements, transit operating costs, car sharing program start-up costs (modified metric from SB375 to suit new development)	40% 40%		<i>Note: Per metric, maximum of 60% spent on road construction; minimum of 40% spent on alternative modes; to include car share program start-up and placement of NEV's evenly through residential subdivision</i>				
All living units and commercial spaces front on a continuous pedestrian network	Mandatory	Mandatory					
Percent of living units within ½ mile riding distance of a bicycle lane							
Class I	50%	NA	30%	NA	No	NA	
Class II	80%	NA	100%	NA	Yes	NA	

Class III	100%	NA	100%	NA	Yes	NA
Percent of living units within ½ mile walking distance of at least x amenities (as defined by LEED for Neighborhood Development)			<i>Note: More amenities should be required for urban design</i>			
>= 1 amenity	40%	NA				
>= 3 amenities	25%	NA				
>= 5 amenities	10%	NA				
ALTERNATE for suburban projects: Number of auto, bike or ped connections per acre between adjacent projects that have complementary, yet different zoning	0.3	0.3	<i>Note: This metric does not require parcel level calculation and is appropriate only for suburban design</i>			
Percent of living units within ½ mile of class B Park, community garden, publicly accessible open space, (or separated Class I bike path with minimum easement of 30 foot width)	80%	NA				
Jobs to Housing Ratio: Jobs (real or zoned) within ½ mile walking distance of residential project (SB375 metric)						
Total 1:10		NA				
Percent of jobs able to afford rent/ mortgage (max 40% wage, for FTE, 1 earner)	60%	NA				
Jobs to Housing Ratio: Living units (real or zoned) within ½ mile walking distance of commercial project (SB375 metric)						
Total NA		10:01				
Percent of jobs able to afford rent/ mortgage (max 40% wage, for FTE, 1 earner)	NA	60%				
Percent of living units within ½ mile of a transit stop with a minimum transit frequency service level of x stops/week (SB375 metric) per RT calcs (service level met within 5 years of permit)	<i>Note: This benchmark is under land use because supportable transit frequency is heavily dependent on living unit density</i>					
Level of Service B	25%	NA	12% per RT	NA	No	NA
Level of Service C	40%	NA	15% per RT	NA	No	NA
Level of Service D	70%	NA	20% per RT	NA	No	NA
Percent of commercial spaces within ½ mile of a transit stop with a minimum service level of x stops/week (SB375 metric)	<i>Note: This benchmark is under land use because supportable transit frequency is heavily dependent on employment density</i>					
Level of Service B	NA	80%				
Level of Service C	NA	100%				

Level of Service D	NA	100%						
Number of trees planted per living unit (including apartments)	2.0	NA						
Number of trees planted per square foot of commercial space	NA	0.01						
Percent estimated tree canopy coverage after 15 years (include roads)	20%	20%						
CC&R's do not restrict solar, clothes drying lines, chickens allowed per following guidelines(?)	100%	NA						
Percent of living units that require residential vehicle parking permit	<i>Note: County action required for this one- not likely sellable in suburbs unless there is a chance for homeowners to receive credit- e.g. \$20/yr fee for standard car; \$20/yr credit for plug-in hybrid; \$30/yr credit for NEV... need funding source though or charge high fees for standard cars (i.e. feebate)</i>							
Permit required for cars, no/low fee for first car							100%	NA
Increased fees for 2 <sup>nd</sup> and subsequent vehicles							25%	NA
Reduced fees for NEV's, plug-in hybrids, alt fuel vehicles							25%	NA
<b>TRANSPORTATION (Mobile Source)</b>								
Percent of commercial space that includes end-of-trip bicycle amenities (shower, lockers)	NA	25%						
Percent of commercial space that meets LEED ND requirements for bicycle parking	NA	Mandatory						
Percent of road-miles that are NEV capable (<= 35 mph)	100%	50%						
Impermeable surfaces that have reflectivity greater than State requirements	<i>Note: State action required for this one to identify benchmark</i>							
Roads							75%	75%
Sidewalks							100%	100%
Parking Lots							75%	75%
Percent of transit stops that are covered, have benches, have at least 2 sides protected from wind, solar powered lighting and electronic schedule update board w/ GPS on buses to improve board schedule accuracy (in lieu fees ok in high-vandal areas?)								
Level of Service B	100%	100%						
Level of Service C	50%	50%						
Level of Service D	25%	25%						
Percent of apartment houses that								
Decouple room rent from car space rent	100%	NA						

Offer car share programs to their tenants and have a minimum of 1 car per x units	100%	NA				
Tenants agree to not have a second car for at least 6 months (one car ok)	50%	NA				
Percent of businesses (> 50 employees) that have transportation system management plans						
>=50% transit subsidy	NA	100%				
Parking cash out/ charge employees for parking	NA	100%				
Provide results from bi-annual survey to SACOG(?)	NA	100%				
Percent of homes provided with neighborhood electric vehicle (NEV), relatively evenly spaced at 1 per 10 living units	10%	NA				
Percent of homes provided with car share vehicle						
AND at least 4 other homes within ¼ mile agree to share	10%	NA				
AND half agree to NOT have second car for at least 6 month pilot	100%	NA				
Percent of fuel stations that offer B-5 bio-diesel and E-85	NA	100%				
AND B-20 bio-diesel	NA	50%				
Percent of homes provided with electric lawn mower	100%	NA				
Percent of construction vehicles that meet SMAQMD preferred emissions rate (should be high, but may be difficult to enforce over long period of construction?)	80%	80%				
<b>GOODS MOVEMENT (Mobile Source)</b>						
Percent of homes provided with raised bed garden, minimum of 200 square feet, relatively evenly spaced at 1 per 10 living units	10%	NA				
Apartment houses that offer (100% compliance required):						
Community gardens of at least 50 SF to x% of tenants	10%	NA				
Community gardens of at least 50 SF to x% of tenants	20%	NA				
Fenced, gated, water, tool shed, \$500/yr annual budget provided by owner	100%	NA				
Apartment houses that do NOT offer on site gardens (100% compliance on and off-site required):						

Fee to City ok if new garden is within ½ mile and SF portion earmarked for tenants	100% NA					
Four times fee to City ok if new garden is > 1 mile away; no earmark for tenants	100% NA					
Percent of markets > 5,000 SF that have agreed to provide 25% of fruits and vegetables from farm sources within 100 mile radius						
6 month pilot	NA	50%				
Permanent NA		25%				
Percent of markets > 5,000 SF that have agreed to provide 10% of canned goods from processing plants within 100 mile radius						
6 month pilot	NA	50%				
Permanent NA		25%				
Percent of shops > 5,000 SF that have agreed to provide 10% of goods from manufacturing plants within 100 mile radius						
6 month pilot	NA	50%				
Permanent NA		25%				
Project includes manufacturing plant that projects that >=50% of raw materials to produce product will be sourced from < 300 miles						
Per x tons/yr of mat'l used	NA	100				
Per x tons/yr of mat'l used	NA	200				
Project includes manufacturing plant that projects that >=50% of products will be sold to vendors within 300 miles						
Per x tons/yr of product	NA	100				
Per x tons/yr of product	NA	200				
<b>FACILITY ENERGY (Stationary Source)</b>						
Percent of living units and commercial that exceed Title 24 (to include on-site solar)			<i>Note: County and CEC action required for this one to beat Title 24 by 15%</i>			
>= 15%	Mandatory	Mandatory	100%	100%	Yes	Yes
>= 25%	50%	50%				
>= 35%	25%	25%				
Carbon Neutral (Off-Site)	10%	10%				
Net Zero Energy (On-Site)	5%	5%				
Living units are built in a jurisdiction that has a Big and Tall ordinance similar to Marin County's except sized for [1,500] SF	100% NA		<i>Note: County action required for this one. This is an "environmental justice" concept which requires larger homes to be more efficient</i>			
Living units are built in a jurisdiction that has a Residential Energy Conservation Ordinance that meets State requirements	100% NA		<i>Note: State and County action required for this one</i>			



Living units are built in a jurisdiction that has a Commercial Energy Conservation Ordinance that meets State requirements	100%	NA	<i>Note: State and County action required for this one</i>			
Percent of electric operating power provided to project over the next 30 years that is above and beyond State Renewable Portfolio Standard (RPS) requirements (to include on-site solar electric, but not energy efficiency)			<i>Note: Need to work with SMUD, this is not an existing program. This would be similar to a long-term Greenergy program</i>			
10% Mandator		y	Mandatory	<i>Note: County action required for this one to beat State RPS</i>		
20% 60%			60%			
40% 30%			30%			
Carbon Neutral (Off-Site)	5%		5%			
Natural gas fired cogeneration, minimum thermal/electric efficiency of 55% serves at least 10% of project electrical needs (solar pv ok)	1 each		1 each			
x% of annual fuel use is renewable	25%		25%			
x% of annual fuel use is renewable	50%		50%			
x% of annual fuel use is renewable	75%		75%			
Percent of living units equipped with solar domestic hot water that provides minimum of 60% annual needs (* PG&E approval of system design)	100%		NA			
PG&E monitors Smart meter and has method to notify customer if solar system appears to need maintenance	100%		NA	<i>Note: Similar line items could be developed for SMUD and solar pv systems</i>		
* PG&E offers monthly fee for service for maintenance	100%		NA			
Percent of living units that are pre-plumbed for solar photovoltaic	100%		NA			
Percent of living units equipped with solar electric that provides minimum of 25% annual needs, relatively evenly spaced, facing street	10%		NA			
Percent of traffic intersections that utilize LED signal lighting	100%		100%	<i>Note: County action required for this one</i>		
Percent of street lighting that uses dual-level LED lighting with occupancy sensor control	50%		50%	<i>Note: County action required for this one; consider maintenance feedback and 911 feed-forward</i>		
Percent of fire stations, police stations, restaurants and fitness centers equipped with solar domestic hot water that provides minimum of 60% annual needs	NA		100%	<i>Note: County action required for this one to require solar for fire, police</i>		

Percent of businesses (by square foot) equipped with solar electric that provides minimum of 10% annual needs	NA	10%				
For living units that are provided with such (e.g. apartments), percent and number of refrigerators, washing machines, dishwashers, TV's that are Energy Star "Silver" compliant	100%	NA	<i>Note: Energy Star "Silver" may not yet be available. Coordinate with Federal EPA</i>			
Percent of homes that are pre-wired for plug-in hybrids and NEV's	100%	NA				
Percent of living units with access to natural gas in back yard for future BBQ and electric outlets for electric grounds maintenance equipment	100%	NA				
Percent of living units that have heating and cooling systems and electric dryers controlled remotely by utility for demand response through use of Smart meters	100%	NA				
<b>WATER (Stationary Source)</b>						
Percent of living units and commercial that use no more than x% of business as usual potable water						
<= 80%	Mandatory	Mandatory	<i>Per CalGreen effective 7/1/11</i>			
<= 60%	50%	50%				
<= 40%	25%	25%				
<= 25%	10%	10%				
Water purveyor offers voluntary carbon neutral water services			<i>Note: Need to work with water purveyors to develop program</i>			
Purveyor offers service	Y/N	Y/N	<i>Note: Surcharge approximately 2%, therefore enrollment requirements are HIGH</i>			
Percent enrolled	25%	15%				
Percent of living units and commercial meeting State approved drought resistant landscaping standards	100%	100%	<i>Note: State action required for this one to identify planting benchmark</i>			
Percent of living units utilizing recycled water for irrigation	80%	NA				
Percent of living units utilizing gray water for irrigation	20%	NA	<i>Note: County action may be required to allow gray water use</i>			
Percent of businesses (by acres) utilizing recycled water for irrigation	NA	80%				
Percent of roof space that has a "living" roof	NA	25%				
Percent of project acreage that utilizes low-impact storm water management (to include retention basins?)	>= 80%	>= 80%				

Percent of project acreage that utilizes high-impact conventional storm sumps (to include detention basins?)	<= 20%	<= 20%				
Local water purveyor has adopted a water resources loading order; if City operated, resolution has been passed similar to the attached	Y/N	NA				
<b>WASTE (Stationary Source)</b>						
Project achieves exemplary construction and demolition recycling under City and County ordinance	100%	100%	<i>Note: County (and City) action required to identify "exemplary"</i>			
Solid waste provider offers carbon neutral solid waste services			<i>Note: Need to work with solid waste providers to develop program</i>			
Provider offers service	Y/N	Y/N	<i>Note: Surcharge approximately 25%, therefore enrollment requirements are LOW</i>			
Percent enrolled in any program	10%	3%				
Percent of emissions sequestered due to local, "ARB additional", tree planting program	25%	25%				
Percent of restaurants (>1,000 SF) that have agreed to not use Styrofoam food containers for period shown			<i>Note: Some jurisdictions ban Styrofoam</i>			
6 month pilot	NA	50%				
Permanent NA		25%				
Percent of shops (>1,000 SF) that have agreed to not use disposable plastic or paper bags for specified term			<i>Note: Some jurisdictions ban or impose fees on disposable bags</i>			
6 month pilot	NA	50%				
Permanent NA		25%				
Percent of shops (>1,000 SF) that sell fountain drinks or coffee to go, that offer deep discount to those that use their own cup						
6 month pilot	NA	50%				
Permanent NA		25%				
Percent of apartment houses provided with first class recycling facilities	100%	NA	<i>Note: County (and City) action required to identify "first class"</i>			
Percent of commercial space (>1,000 SF) provided with first class recycling facilities	NA	50%	<i>Note: County (and City) action required to identify "first class"</i>			
Percent of living units signed up to NOT receive junk mail from the post office	50%	NA				
Percent of annual green waste delivered to local distribution site (<10 miles) for residential and business use	25%	NA	<i>Note: This could go under GOODS MOVEMENT and is similar to program in Berkeley, CA</i>			
Green waste is used to provide power and nutrients to grow fruits and vegetables in a greenhouse	NA	1	ea			
Percent of homes provided with mulching/composting/ worm bins	25%	NA	<i>Note: This could go under GOODS MOVEMENT</i>			

AWARENESS						
Percent of utility accounts provided with Smart electric, gas and water meters and have one-site web accessible usage and comparison data by parcel and also neighborhood aggregated data	100%	100%	<i>Derived from Curtis Park Energy Stars program</i>			
Website to include neighborhood scale data regarding solid waste, updated once per year	100%	100%	0%	0%	No	No
Website to include neighborhood scale data regarding transportation, updated once per year	100%	100%	0%	0%	No	No
Website to include innovative neighborhood scale data (e.g. Goods Movement) regarding greenhouse gas emission data for other sectors, updated once per year	100%	100%	0%	0%	No	No
Website to include neighborhood scale data regarding greenhouse gas emissions, updated once per year	100%	100%	0%	0%	No	No
Percent of shops (>1,000 SF) that agree to provide educational materials (central location in mall ok) for a period shown on products that have high global warming potential (e.g. computer dusters, Styrofoam, virgin copy paper, incandescent bulbs, disposable batteries, bottled water, etc.)						
6 month pilot	NA	50%				
Permanent NA		25%				
Number of businesses that provide bid preferences to vendors that operate per requirements of City of Sacramento sustainability preference program and achieve at least 20 points	NA	10%	<i>Note: Coordinate with City of Sacramento program</i>			
Percent of living units sold that are provided with a welcome basket that includes educational materials and a selection of "green" items as noted to right, (valued at say \$1,000)  <i>Higher cost items would have line item entry- e.g. NEV, raised bed garden, electric mower, solar pv, etc.</i>	100%	<i>Note: Items that might be included in welcome basket are-several compact fluorescent (and LED?) light bulbs, reusable coffee mug, reusable drink mug, canvas shopping bag, rechargeable batteries and charger, BBQ chimney charcoal starter or natural gas BBQ, clothes line, fruit and vegetable seeds, 90 day free car share program gift certificate, 90 day free bus pass gift certificate and 2 years subsidized at 50% bus pass gift certificate, occupancy sensor controlled plug strip</i>				

**Zoned and Expected Densities in the Specific Plan Area under the Preferred Alternative**

Land Use	Gross Area (Acres)	% of Site	Minimum (DU/Acre)	Maximum (DU/Acre)	Target DU	% of Allocated units	Projected Population	DU at Min	DU at Max	target DU as % of max	Proposed Floor (%)	Proposed Floor (DU/Acre))
<b>SF</b>	557.8	15.9	1	4	1,687.00	16.5	4,926.00	557.80	2,231.20	75.6%		
<b>SFHD</b>	532.5	15.2	4	7	2,933.00	28.7	8,564.00	2,130.00	3,727.50	78.7%	75%	5.25
<b>MLD</b>	266.7	7.6	7	12	2,434.00	23.8	4,722.00	1,866.90	3,200.40	76.1%	75%	9
<b>MHD</b>	67	1.9	12	20	1,224.00	12	2,375.00	804.00	1,340.00	91.3%	85%	17
<b>MHD</b>	49.9	1.4	20	30	1,251.00	12.3	2,427.00	998.00	1,497.00	83.6%	85%	25.5
<b>MU</b>	59.1	1.7	9	30	681.00	1.7	1,321.00	531.90	1,773.00	38.4%		

Source: Folsom Plan Area Specific Plan, June 2010 public review draft. P. 4-11

Note: No density floor is proposed for the Mixed Use (MU) Zone due to its special characteristics or to the Single Family (SF) Zone

ECOS-1

*The comment states concern that the project could result in isolated western pond turtle habitat if occupied ponds become disconnected from water resources, particularly Alder Creek. The comment further states that if these pond turtles were to become isolated, the result would be a decrease in genetic variability, which would make these individuals less able to adapt to environmental changes, such as global climate change.*

The project would include from 1,050 acres up to 1,506 acres of open space, depending on which alternative is approved, and would be designed to preserve wetlands and other waters of the U.S. present in the SPA, including most of Alder Creek. Applying the thresholds of significance to the analysis (summarized on page 3.A3-27 of the DEIR/DEIS), loss of some western pond turtle habitat and/or individuals would not constitute a significant impact determination because suitable western pond turtle habitat would be preserved on much of the project site, including the pond where western pond turtles were documented, and because the potential loss of a few western pond turtle individuals would not be expected to substantially reduce the population in the area. Furthermore, the open space design would provide connectivity along stream corridors between preserved habitats in the SPA and other natural habitats off-site, so western pond turtles would not become isolated.

ECOS-2

*The comment cites an excerpt from the Yolo Conservation Plan of April 20, 2009, describing the variable home range and territorial nature of male and female American badgers and the solitary behavior of badgers outside the breeding season. The comment further states that impacts to American badger could be more significant than what is concluded in the DEIR/DEIS. The comment states that, because the American badger is territorial and the home range is large, and because it is possible that the adjacent habitat is already occupied by another badger, it is erroneous to conclude that individual badgers in the SPA could simply move to a nearby area and, therefore, a less-than-significant impact would occur.*

A reduction in the amount of habitat in the vicinity could result in territorial conflicts amongst individuals; however, these conflicts would not be expected to lead to a substantial decline in the number of American badgers in the regional population. Therefore, the potential impact would still be considered less than significant under the CEQA thresholds of significance (see page 3.A3-27 of the DEIR/DEIS). As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text on page 3A.3-61 of the DEIR/DEIS has been revised to explicitly state that loss of habitat from the SPA would not substantially reduce local population numbers.

Badger home ranges are highly variable, as the comment notes, and the minimum home range necessary to support an individual badger has not been established. As the comment also notes, there is overlap in badger home ranges so the maximum or even mean home range of an individual badger is not indicative of the amount of exclusive territory a badger must have in order to survive and reproduce. The comment provides no evidence to refute the ultimate conclusion in the DEIR/DEIS that the loss of habitat from the SPA would be less than significant because it would not substantially reduce the local population size. While the document cited in the comment quotes one study that found badger density to be a minimum of one badger per 988 acres in the Fort Ord Public Lands, that document does not identify a minimum area required per badger and badger

density is generally correlated with prey availability and varies both seasonally and geographically.

ECOS-3

*The comment states concern for a loss of species movement and destruction of critical habitat in the region caused by many years of low-density sprawl development. The comment further states that the City is not adequately addressing this issue by limiting its analysis to only those areas over which the City has discretionary control and oversight.*

No designated critical habitat exists in the SPA, and the open space design would provide movement corridors between habitat preserve areas within the SPA and natural habitat areas off site. The City is limited by law to the exercise of its authority only within the boundaries that fall within its jurisdictional limits; therefore, it would be pointless to attempt, and furthermore CEQA and NEPA do not require, that this EIR/EIS engage in a speculative analysis of the potential impacts of every development project in the region on potential loss of movement of every known wildlife species and potential destruction of critical habitat. The City/USACE believe that the cumulative impact analysis contained in Chapter 4, "Other Statutory Requirements" appropriately determines whether the overall long-term impacts of the related projects (identified on pages 4-7 through 4-16) would be cumulatively significant and second, appropriately determines whether the Folsom South of U.S. 50 Specific Plan project itself would cause a "cumulatively considerable" (and thus significant) *incremental* contribution to any such cumulatively significant impacts (see pages 4-1 through 4-33 of the DEIR/DEIS).

ECOS-4

*The comment states that an example of the issue stated in comment ECOS-3 can be found in the determination that the project would not be in conflict with any local habitat conservation plans (HCPs). The comment further states that to dismiss the South Sacramento Habitat Conservation Plan (SSHCP) because it technically does not cover the SPA ignores the effort and benefit of the SSHCP, which is that it endeavors to create large preserves that are connected by viable wildlife corridors.*

As stated under Impact 3A.3-7 beginning on page 3A.3-03 of the DEIR/DEIS, the project would not result in conflicts with the goals of any adopted habitat conservation plan, pursuant to CEQA requirements. At this time, the SSHCP is only proposed, it is not adopted. The commenter states that the analysis of this issue in the DEIR/DEIS meets the CEQA requirement to consider adopted plans. The project would preserve open space (from 1,050 to 1,506 acres), including wildlife corridors, under each project alternative design. The main wildlife corridor in the SPA that provides the most cover for wildlife migration would be preserved along Alder Creek and would connect the on-site habitat preserve areas with natural habitats to the south of the SPA. Ensuring that the conservation lands in the project site would complement the conservation lands outlined in the currently proposed SSHCP, as suggested by the commenter, would be difficult until the HCP is finalized and adopted, as the HCP may change and it is unknown to what degree. Nevertheless, the City believes that the habitat preservation and wildlife corridor elements that would be part of the proposed open space design would be likely to complement the conservation goals set forth by the SSHCP, when it is finally adopted.

ECOS-5

*The comment states that rather than determining that a technical and legal conflict does not exist with the SSHCP because the City is not a participant, an examination of how the project could positively interact with the proposed SSHCP could result in substantial benefits to wildlife within the SPA and surrounding region.*

See responses to comments ECOS-4 and USFWS-44 through USFWS-46. The intention of the City of Folsom is not to dismiss the effort and benefit of the proposed SSHCP;

however, the DEIR/DEIS responds to compliance with an HCP according to the parameters set forth by CEQA, which expressly states the threshold as a conflict with the provisions of an adopted HCP. The City believes, and the commenter himself states, that the analysis contained in the DEIR/DEIS on this issue meets the CEQA requirements. Therefore, no further analysis of this issue is required. It is impossible know the exact provisions of the SSHCP until it is finalized and adopted; the conservation strategy outlined in the draft HCP could be very different from the final adopted version; and a final plan might never be adopted. Until conservation commitments for the SSHCP are secured and the locations of SSHCP habitat preserves are established, a project design for habitat conservation areas to compliment SSHCP preserves is not possible. Finally, the current draft information available on the SSHCP website does not identify any conservation planning areas adjacent to the SPA.

ECOS-6

*The comment states that by consulting with SSHCP implementers, proposed preserves and wildlife corridors within the SPA could be designed to connect with those outlined in the SSHCP, thereby limiting edge effects and increasing geographic reach of wildlife corridors. The comment further states that the FEIR/FEIS should address what benefits would accrue to the biological resources in the SPA if mitigation was orchestrated with other proposed HCP preserve acquisitions taken into consideration.*

As stated on page 3A.3-33 of the DEIR/DEIS, the open space design would provide a large habitat patch that would maintain stream networks and wetland complexes, provide corridors for habitat connectivity both on and off the SPA, and minimize the perimeter-to-area ratio (i.e., edge effects). The Proposed Project Alternative would include 1,053 acres of open space that would provide habitat preservation, including complete avoidance of approximately 700 acres of oak woodland and wetland habitats. Because the SSHCP has not been adopted, it would be difficult to confidently design mitigation orchestrated with other proposed acquisitions, and the level of regional planning the comment suggests is not required under CEQA or NEPA. The open space design elements of the project alternatives would result in less-than-significant impacts on wildlife movement and native and migratory wildlife corridors.

ECOS-7

*The comment states the issue of the badger, referenced in comment ECOS-2, provides a good example for why a regional approach to conservation is critical. The comment further states that by making a less-than-significant impact determination, the badger would become limited to an area that would not be protected and could be developed in the future, thereby pushing the problem down the road to another development proposal that would have to conclude that the impact was significant and unavoidable because all access to other usable resource areas was cutoff or was so fragmented that it was useless.*

Project impacts on American badger would be less than significant because project design would preserve 30% of the existing SPA as open space and provide connectivity to other suitable habitat areas. It should be noted that 700 acres of the proposed 1,053 acres of open space would be placed into a preserve and would be protected under a conservation easement in perpetuity. Therefore, the project would not substantially reduce local population numbers and would not cut off access to all other usable resource areas (see also response to comment ECOS-2). The land immediately south of the SPA is unincorporated county land that is zoned Ag-80 under the County General Plan. It is also outside of the County's Urban Services Boundary and is, therefore, unlikely to be developed into urbanized land uses within the foreseeable future. Furthermore, the regional planning approach suggested by the commenter related to impacts on American



badger is not required under CEQA or NEPA, and would exceed the City's jurisdictional authority.

ECOS-8

*The comment states that the scenario referenced in comment ECOS-7 would be the inevitable outcome of an approach where open space preservation occurred as a byproduct of obtaining the required permits for development. The comment suggests that the development in the project, given all of the other large development projects planned in the region, should be balanced by a regional open space preservation effort that intelligently addresses the impacts on local wildlife.*

The mitigation measures identified in the DEIR/DEIS are designed to feasibly mitigate the project's environmental impacts consistent with CEQA and NEPA guidelines and regulations, not to obtain permits. Obtaining permits or approvals from the agencies charged with protecting biological resources is included in the mitigation measures, where applicable, because certain terms and conditions that would be enforceable and measurable generally have to be met as a condition of obtaining these permits and approvals. For example, in order to obtain a CWA Section 404 permit, applicants must develop a plan demonstrating how they have avoided and minimized losses to waters of the U.S., and how they would compensate for any unavoidable loss of waters of the U.S. on a no-net-loss basis, and in order to obtain a lake and streambed alteration agreement, applicants must develop a plan demonstrating how they would compensate for any loss of associated habitat on a no-net-loss basis. The project would retain 30% of the SPA as open space to preserve habitat (as required by Measure W). This project would also provide multiple movement corridors connecting habitats that would be preserved on-site to other valuable off-site habitats. For example, the Alder Creek corridor would be preserved within the SPA and is also proposed for preservation on the adjacent Glenborough at Easton project; similarly, the corridor for the tributary to Carson Creek is proposed for preservation on both projects. A regional open space preservation effort, as suggested by the commenter, goes beyond the scope of this project because preservation must be evaluated on a project-specific basis and would require the cooperation and approval of numerous local, state, and Federal agencies in order to be implemented. Therefore, the commenter's suggestion is not considered to be feasible mitigation.

ECOS-9

*The comment states that a regional approach to addressing loss and fragmentation of habitat becomes more important when the effects of global climate change are considered. The comment suggests that permanent sustainable wildlife corridors should be maintained to address local species migration because of changes of climate.*

Any attempt to predict how climate change will affect biological resources on the SPA and how species in the SPA will respond is too speculative for meaningful consideration at this time. The project would include preservation of the Alder Creek corridor as open space, which would provide a migration corridor across the SPA. The Alder Creek corridor would be 100 feet wide at its narrowest point in the northwest corner of the SPA, but would be much wider throughout most of the SPA. Alder Creek would provide preferable cover and access for wildlife movement across the landscape and connect the habitat that would be preserved with habitat off site to the south and west of the SPA. The Alder Creek corridor is also planned for preservation within the Glenborough development west of the SPA, thus this would serve as a movement corridor between Lake Natoma and undeveloped areas adjacent to the SPA into the future. However, intensive urban development already exists to the north and east of the SPA, and industrial development exists to the west of the SPA; thus, the value of migration corridors across the SPA are already limited by existing conditions. No known

established migration routes or major movement corridors are located in the SPA. Alder Creek likely would be the corridor of choice for local species migration because of the cover provided. The project also would include corridors along drainages on the site to connect the eastern portion of the SPA to oak woodland habitat in the larger preserve area and to the Alder Creek corridor. Lands east and north of the SPA are already developed; however, project design would retain an open space corridor along the eastern edge of the SPA that would provide migration potential northward to Folsom Lake and eastward from there, in addition to the connection via Lake Natoma.

ECOS-10

*The comment cites The Sierra Club's recommendation for creating habitats that are resilient to global climate change, which includes creating a "connected wildlands network that will allow imperiled species to move to more hospitable habitats as the climate changes." The comment asks how the project would ensure a connected wildlands network when the project only seems to plan on a narrow stream corridor and when the largest nearby open space area (oak woodland south of White Rock Road) is ignored by saying the City would have no jurisdiction over it.*

Because the SPA is already surrounded by development on three sides, to the opportunities for connection to other wildland habitats are limited. All project alternative designs, with the exception of the Reduced Hillside Development Alternative, have wildlife corridors built into the design to connect oak woodland, riparian, freshwater marsh, drainages and other habitats that would be preserved on-site and would provide multiple corridors connecting to the open space habitat south of the SPA. Therefore, the project design would not ignore the habitat to the south. Furthermore, any habitat south of the SPA (south of White Rock Road) falls within the jurisdiction of Sacramento County; therefore the City of Folsom has no control over what land use planning or preservation decisions may or may not be implemented on that land. See response to comment ECOS-9.

ECOS-11

*The comment asks how the City of Folsom would work to participate in a regional effort to create resilient habitats. Resilient habitats are defined by the Sierra Club as places "where plants, animals, and people are able to survive and thrive on a warmer planet."*

No current regional plan exists in which the City can participate. Furthermore, the City and USACE believe that the impact analysis contained in Section 3A.3, "Biological Resources" fully meets the requirements set forth in both NEPA and CEQA, and no further analysis is required. The City and USACE note that the project would provide over 1,000 acres of habitat preserve and other open space that would connect with other natural habitats where available. See responses to comments ECOS-9 and ECOS-10.

ECOS-12

*The comment asks how the City would ensure that the habitat values in the area (i.e., the oak woodland to the south of White Rock Road) are protected and maintained given the growth inducing nature of the project.*

The oak woodland located south of White Rock Road is outside of the SPA. No oak woodland habitat exists immediately south of the SPA, and the nearest stand of oak trees to the south is over 0.5 mile from the SPA's southern boundary. The nearest contiguous expanse of oak woodland habitat is over 2 miles to the south within unincorporated Sacramento County. Therefore, the project would not affect oak woodland habitat to the south of the SPA.

As discussed on page 4-74 of the DEIR/DEIS, it would be speculative to try to predict exactly where new services resulting from growth-inducing effects of the project would

be located, but the most logical assumption is that they would be located where the existing general plans currently anticipate them. The Sacramento County General Plan diagram designates the lands south of the SPA in unincorporated Sacramento County as a combination of 80-acre general agriculture lands and resource conservation areas. The general plans have already undergone environmental review and any new individual projects requiring discretionary approvals would be required to undergo their own environmental review.

ECOS-13 *The comment states that the DEIR/DEIS inadequately discusses recommendations for mitigation measures and project design features to minimize significant GHG emissions and global climate change impacts under the California Environmental Quality Act.*

See Master Response 3 – GHG Mitigation Measures.

ECOS-14 *The comment states that although the DEIR/DEIS claims that project-related GHG impacts are significant, the analysis relies on a threshold of significance that is not supported by substantial evidence and that was determined by the Attorney General to be unable to “withstand legal scrutiny,” based on a letter from the California Attorney General to the San Joaquin Valley Air Pollution Control District (dated November 4, 2009).*

See Master Response 1 – GHG Thresholds of Significance.

ECOS-15 *The comment suggests that the DEIR/DEIS provides uncertain and vague GHG mitigation measures that do not conform to State CEQA Guidelines.*

See Master Response 3 – GHG Mitigation Measures.

ECOS-16 *The comment states that the DEIR/DEIS lacks a mitigation monitoring and reporting plan to ensure that the mitigation measures specified would be installed and verified.*

There is no requirement that a mitigation monitoring and reporting plan be circulated with the DEIR/DEIS. The City will prepare such a plan as required by CEQA, consistent with PRC Section 21081.6, prior to certification of the EIR and adoption of the project. Under NEPA, the ROD must identify all practicable mitigation measures that have been adopted and must also adopt and summarize a monitoring and enforcement program where applicable (40 CFR Section 1505.2[c]). In *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332 (1989) the Supreme Court confirmed that NEPA does not require agencies to circulate a mitigation and monitoring plan in the EIS.

ECOS-17 *The comment states that the methodology for determining the significance of the project’s GHG impacts is flawed because it is assumed that by being 30% below “business as usual,” the project would be an adequate solution (see page 3A.4-26 of the DEIR/DEIS). The comment further states that the DEIR/DEIS’s use of 30% below “business as usual” as a threshold is fundamentally flawed because it is not supported by substantial evidence.*

See Master Response 1 – GHG Thresholds of Significance.

- ECOS-18 *The comments states that the DEIR/DEIS's use of 30% below "business as usual" as a threshold is fundamentally flawed because it disregards "multiple expert analyses" finding that far more stringent GHG thresholds are required to be effective at reducing emissions and meeting California's emission reduction objectives.*
- This comment does not specify which expert analyses of land-use-related GHG thresholds are referred to, and thus, it cannot be addressed. See also Master Response 1 – GHG Thresholds of Significance.
- ECOS-19 *The comments states that the DEIR/DEIS's use of 30% below "business as usual" as a threshold is fundamentally flawed because it allows the project applicants to meet the threshold largely through compliance with foreseeable regulations, thereby avoiding any duty to adopt feasible measures within the project applicants' control.*
- See Master Response 1 – GHG Thresholds of Significance.
- ECOS-20 *The comments states that the DEIR/DEIS's use of 30% below "business as usual" as a threshold is fundamentally flawed because it does not take into account that buildings constructed during the 19-year buildout would have an average service life of 50 years and would affect the State's GHS emissions inventory for up to 69 years.*
- As shown in Chapter 5, "Errata" of the FEIR/FEIS, Table 3A.4-1 of the DEIR/DEIS has been revised to include a calculation of cumulative emissions, although this will not affect the determination that the cumulative impact of the project on GHG emissions would be significant and unavoidable.
- Cumulative GHG emissions would be calculated in accordance with SMAQMD guidance (i.e., amortization of construction emissions, plus operational emissions for 40 years of operation assumed for new residential developments, per pages 6–8 of the SMAQMD 2009 CEQA Guidelines).
- ECOS-21 *The comments states that the DEIR/DEIS's use of 30% below "business as usual" as a threshold is fundamentally flawed because it fails to account for California's longer term emission reduction targets.*
- See Master Response 1 – GHG Thresholds of Significance.
- ECOS-22 *The comment states that the DEIR/DEIS' efficiency metric mitigation methodology is based on the unsubstantiated assumption that new development that is 30% below "business as usual" would be defensible by meeting California's near-term emissions reduction requirement.*
- See Master Response 1 – GHG Thresholds of Significance.
- ECOS-23 *The comment states that the "business as usual" concept is imported from the Scoping Plan for the Global Warming Solutions Act (Assembly Bill 32), which outlines a general strategy for California to meet the law's target of reducing GHG emissions to 1990 levels by 2020.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.

ECOS-24

*The comment states that the Scoping Plan notes in passing that reaching this statewide goal means cutting approximately 30 % from business-as-usual emissions levels projected for 2020, and provides no further detail or analysis on the relative expected reductions from existing and new land use development to meet AB 32’s overall emission reduction objectives.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. Existing land use reductions are not the subject of the DEIR/DEIS. See also Master Response 1 – GHG Thresholds of Significance.

ECOS-25

*The comment states, “To counter the 30% better than ‘business as usual’ argument and taking into account the: (1) 19 year build out period and (2) average service life of a building to be 50 years, (a) the Scoping Plan also says; ‘Getting to the 2020 goal is not the end of the State’s effort. According to climate scientists, California ... will have to cut emissions by 80 percent from today’s levels ... by 2050,’ and (b) the Bay Area Air Quality Management District (BAAQMD) encourages lead agencies to prepare similar projections for 2050 (the Executive Order S-03-05 benchmark year). As we approach the 2020 timeframe, BAAQMD will reevaluate this significance threshold to better represent progress toward 2050 goals. The Lead Agency should use the projected build-out emissions profile of the general or area plan as a benchmark to ensure that adoption of the plan would not preclude attainment of 2050 goals.”*

The comment does not clearly state which plans are being referenced (i.e., the FPASP or the City of Folsom General Plan). The comment seems to suggest comparing the project’s buildout emissions (unspecified whether the emissions are pre- or post-mitigation) with the City’s General Plan to determine whether the 2050 goals would be hindered by its development. This approach would only make sense if the City had already adopted an AB 32-compliant Climate Action Plan or General Plan, which is not the case, as noted on page 3A.4-9 of the DEIR/DEIS. See also Master Response 1 – GHG Thresholds of Significance.

ECOS-26

*The comment states that in direct contravention of CEQA, the discussion on page 3A.4-26 of the DEIR/DEIS simply presumes that because the Scoping Plan states that California’s overall emissions must be reduced to 30% below “business as usual” to meet the state’s target of reducing GHG emissions to 1990 levels by 2020, new development need only reduce emissions to 30% below “business as usual” to fully mitigate its impacts under CEQA.*

As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page 3A.4-26 of the DEIR/DEIS have been revised to reflect that GHG thresholds of significance would be met for each increment of new development within the project site.

ECOS-27

*The comment states that as opportunities for reducing emissions from the built environment would present greater challenges, no legitimate basis exists on which to simply presume that expectations for minimizing emissions from new development, through energy efficiency, renewables, increased density, mixed-use, and siting close to transit should be equal to that of existing development, where emissions reduction opportunities are more constrained.*

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

additional information needed or particular insufficiencies in the DEIR/DEIS. GHG significance thresholds for existing development are not the subject of the DEIR/DEIS. The DEIR/DEIS does not contain a statement about GHG performance standard that suggests minimizing emissions from new development is equal to minimizing emissions from existing development.

ECOS-28

*The comment states that, in explaining why the 30% below “business as usual” threshold used in the DEIR/DEIS “will not withstand legal scrutiny,” the Attorney General cited the lack of evidence to directly apply a 30% economy-wide “business as usual” target to new development under CEQA, stating that, “It seems new development must be more GHG-efficient than this average, given that past and current sources of emissions, which are substantially less efficient than this average, will continue to exist and emit.”*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. GHG significance thresholds for existing development are not the subject of the DEIR/DEIS. See also Master Response 1 – GHG Thresholds of Significance.

ECOS-29

*The comment states that the DEIR/DEIS disregards expert analyses of the emissions reduction expectations from new development under the Scoping Plan. “Rather than rely on the unsupported premise that a 30% below “business as usual” reduction applies to new land use development, BAAQMD conducted an extensive analysis of the “gap” between state actions to reduce emissions identified in the Scoping Plan and the need for local government to further reduce emissions from land use driven sectors.”*

BAAQMD also derived GHG performance-based standards as significance thresholds for project- and plan-level development, which were both less conservative than the one used in the DEIR/DEIS (pages 3A.4-11 and -12). See also Master Response 1 – GHG Thresholds of Significance.

ECOS-30

*The comment states that after a series of calculations, BAAQMD arrived at a threshold for new development of approximately 1,100 tons. “In glaring contrast, using the 30% below ‘business as usual’ standard set forth in the DEIR/DEIS, the Project and its various alternatives would still result in well over 200,000 tons of GHG pollution per year (given 291,000 tons/yr unmitigated baseline; DEIR 3A.4-17)—orders of magnitude greater than the threshold calculated by BAAQMD.”*

See Master Response 1 – GHG Thresholds of Significance.

ECOS-31

*The comment states that, unlike the “business as usual” approach used in the DEIR/DEIS, the BAAQMD significance threshold is supported by the Attorney General and has been adopted by other jurisdictions, including Santa Barbara County.*

A GHG performance standard similar to but more restrictive than the one developed by the BAAQMD was used in the DEIR/DEIS. See Master Response 1 – GHG Thresholds of Significance.

ECOS-32

*The comment states that the DEIR/DEIS improperly dismisses analyses of potential approaches to determining significance of GHG emissions by the California Air Pollution Control Officers Association (CAPCOA), which determined that reducing emissions 28-33% below “business as usual” emissions would have “low” GHG emission reduction effectiveness.*

The DEIR/DEIS does not dismiss other potential approaches to determine GHG significance and makes no claim that one approach is superior to another. See Master Response 1 – GHG Thresholds of Significance.

ECOS-33

*The comment states, “CAPCOA determined that even where emissions from new development are reduced by 50% below ‘business as usual’, ‘it would not be possible to reach the 2050 emissions target with this approach even if existing emissions were 100 percent controlled’. Looked at from the standpoint of net emissions, the over 200,000 tons of emissions resulting from the Project is over four times greater than the 50,000 tons of emissions threshold CAPCOA also determined had ‘low’ GHG emissions reduction effectiveness and ‘low’ consistency with state emissions reduction targets.”*

The above-referenced CAPCOA document also suggests that “the 50% reduction from BAU [business as usual] by 2020 by project” threshold cited by the commenter also has low economic, technical, and logistical feasibility; low cost- effectiveness; and moderate to high uncertainty. See Master Response 1 – GHG Thresholds of Significance.

ECOS-34

*The comment states that because the “determination of whether a project may have a significant effect on the environment calls for careful judgment...based to the extent possible on scientific and factual data,” the DEIR/DEIS’s reliance on unsupported assumptions in lieu of expert analyses indicating that the 30% below “business as usual” threshold does not adequately address the project’s environmental effects violates Section 15064(b) of the State CEQA Guidelines. The comment further suggests consideration of a statement from Protect the Historic Amador Waterways v. Amador Water Agency, 116 Cal. App. 4th 1099, 1109 (2004).*

The DEIR/DEIS does not rely on unsupported assumptions. Furthermore, the CAPCOA document referred to by the commenter (ECOS-33) discusses, but does not develop, numerical performance standards for GHG significance thresholds. See Master Response 1 – GHG Thresholds of Significance.

ECOS-35

*The comment states, “CAPCOA’s determination that the 30% below ‘business as usual’ threshold has a ‘low’ emissions reduction effectiveness is hardly surprising given that compliance with the threshold could largely be achieved merely through compliance with existing and anticipated regulatory requirements.” The comment also quotes from a letter from the California Attorney General to the San Joaquin Valley Air Pollution Control District, stating, “Indeed, the Attorney General also determined that because the ‘business as usual’ approach would award emission reduction ‘points’ for undertaking mitigation measures that are already required by local or state law,” which the comment goes on to say “would result in ‘significant lost opportunities’ to require meaningful mitigation.”*

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

ECOS-36 *The comment suggests that the project would inappropriately take credit for significant emission reductions through the presumed effectiveness of future statewide measures such as the renewable energy standard, improved fuel economy standard, and low carbon fuel standard. The comment further states that the heavy reliance in the DEIR/DEIS on state regulatory action to address project emissions functions to largely relieve the project applicant[s] of any independent obligation to adopt needed additional measures to further reduce project emissions.*

See Master Response 3 – GHG Mitigation Measures. Furthermore, the DEIR/DEIS includes mitigation for GHG impacts (see Mitigation Measures 3A.2-2 on page 3A.2-43, and Mitigation Measures 3A.4-2a and 3A.4-2b on pages 3A.4-26 through 3A.4-30 of the DEIR/DEIS) and does not rely solely on foreseeable future regulations to mitigate GHG emissions, although it notes that future regulations and technological improvements will enable easier achievement of the performance standard threshold of significance (see page 3A.4-30 of the DEIR).

ECOS-37 *The comment states that the outcome [carried over from comment ECOS-36] flies in the face of the findings in the Scoping Plan, which recognize that local governments “are essential partners” in achieving California’s emissions reduction goals, further highlighting the lack of legitimacy of the DEIR/DEIS’s significance criteria.*

See Master Response 3 – GHG Mitigation Measures.

ECOS-38 *The comment states that the DEIR/DEIS’s determination that reducing project GHG impacts to 30% better than “business as usual” fails because projects with high net emissions cannot legitimately benefit from the presumption that impacts become less than significant through compliance with an efficiency-based threshold.*

The DEIR/DEIS makes no presumption that the project’s GHG impacts become less than significant through compliance with an efficiency-based threshold. See Master Response 1 – GHG Thresholds of Significance.

ECOS-39 *The comment states that, absent a programmatic analysis through a climate action plan or similar document, the notion that any quantity of emissions from a project would be less than significant provided the project met certain performance criteria is not supportable.*

The DEIR/DEIS makes no presumption that the project’s GHG impacts would become less than significant through compliance with certain performance criteria. In fact, the DEIR/DEIS concludes that the impact would remain significant and unavoidable after the implementation of all feasible mitigation measures (DEIR/DEIS Impact 3A.4-1 [pages 3A.4-22 and 3A.4-23] and Impact 3A.4-2 [pages 3A.4-30]). See Master Response 1 – GHG Thresholds of Significance.

ECOS-40 *The comment states that, depending on community needs, a large project resulting in significant GHG emissions, though efficient on a per capita basis, might undermine community-wide emission reduction objectives.*

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



ECOS-41

*The comment states that were a large project consistent with a qualified climate action plan as described under Section 15183.5 of the State CEQA Guidelines, “it could tier off this document and determine its GHG impacts are less than significant. However, because GHG emissions must be significantly reduced from existing levels to reduce the risk of severe climate impacts, there is no scientific basis to conclude that large new sources of emissions, when viewed in isolation without the support of a programmatic document, are not cumulatively considerable.” The comment concludes by referring to the Attorney General’s determination that was quoted to state: “It appears that any project employing certain, as of yet unidentified, mitigation measures would be considered to not be significant, regardless of the project’s total GHG emissions, which could be very large. For instance, under the Air District’s proposal, it would appear that even a new development on the scale of a small city would be considered to not have a significant GHG impact and would not have to undertake further mitigation, provided it employs the specified energy efficiency and transportation measures. This would be true even if the new development emitted hundreds of thousands of tons of GHG each year, and even though other feasible measures might exist to reduce those impacts. The Staff Report has not supplied scientific or quantitative support for the conclusion that such a large-emitting project, even if it earned 30 ‘points’, would not have a significant effect on the environment.”*

The comment is not relevant to the DEIR/DEIS because the DEIR/DEIS contains a numeric, performance-based GHG threshold and makes no presumption that the project’s GHG impacts would become less than significant after mitigation. BAAQMD offers several options for project- and planning-level thresholds of significance, including compliance with a qualified climate action plan, performance metrics, or “bright line” thresholds. See also Master Response 1 – GHG Thresholds of Significance and Master Response 3 – GHG Mitigation Measures.

ECOS-42

*The comment states that SCAQMD [South Coast Air Quality Management District] stated in its latest proposal that a project cannot use an efficiency-based metric if its net emissions exceed 25,000 tons. The comment also states “Here, the over 291,000 tons of emissions resulting from the Project exceed this amount by a factor of 11. Accordingly, absent a programmatic analysis, there is no legitimate basis upon which to conclude that being 30% better than business as usual will meet community wide efforts.”*

SMAQMD (which is the air district with jurisdiction over the SPA) has not adopted significance thresholds for GHGs. Furthermore, the City of Folsom does not have a climate action plan, GHG inventory, or climate policies in its General Plan on which to base a programmatic GHG analysis. See Master Response 1 – GHG Thresholds of Significance.

ECOS-43

*The comment states that because of the extended duration of the project buildout (19 years) and average service life of buildings (approximately 50 years), the DEIR/DEIS’s significance criteria improperly disregards California’s longer range emissions reduction commitments. The comment references that through AB 32 and Executive Order S-3-05, California is committed to reducing GHG emissions to 1990 levels by 2020 and to 80% below 1990 levels by 2050. The comment further states that this long-term target was not developed by the State in a vacuum but was arrived at through review of scientific evidence, an overwhelming amount determined the target to be appropriate and not speculative.*

See Master Response 2 – Post-2020 GHG Significance Thresholds. See also response to comment ECOS-20.

ECOS-44

*The comment [continued from comment ECOS-43] states that this emissions reduction “trajectory” is consistent with the underlying environmental objective of stabilizing atmospheric concentrations of GHGs at a level that will substantially reduce the risk of dangerous climate change. “Because the Project anticipates build out over a number of years, and because the service lives of the buildings is so long, the DEIR’s exclusive and myopic focus on interim 2020 emissions reduction objectives fails to account for scientific evidence on needed additional emissions reductions beyond the 2020 timeframe. Guidelines §15064(b); Scoping Plan at 118 (calling for additional emissions reductions of approximately 5% per year between 2020 and 2030).”*

See Master Response 2 – Post-2020 GHG Significance Thresholds. Furthermore, the Scoping Plan (on page 117) states, “While measures needed to meet the 2050 goal are too far in the future to define in detail, we can examine the policies needed to keep us on track through at least 2030.” Hence, the State of California’s own climate action plan (the “Scoping Plan”) does not lay out specific, post-2020 measures to meet longer-term climate targets.

ECOS-45

*The comment states that, in lieu of an unsupported approach to determining significance, the DEIR/DEIS could have applied a zero- or 900-ton threshold, which CAPCOA determined had “high” effectiveness at reducing GHG emissions and “high” consistency with California’s short and longer term emissions reduction targets. “Like the County of Santa Barbara, the DEIR could also import the thresholds adopted by BAAQMD, which the Attorney General concluded were defensible, unlike those used in the DEIR.”*

The thresholds singled out by the commenter in the CAPCOA document also have low to moderate economic, technical, and logistical feasibilities, as well as low to moderate cost-effectiveness and moderate to high uncertainties. The approach used in the DEIR/DEIS was similar to, and more stringent than, the approach used by BAAQMD in terms of development of a GHG performance metric. See Master Response 1 – GHG Thresholds of Significance.

ECOS-46

*The comment states that by claiming the project would only need to reduce its GHG pollution to approximately 200,000 tons, the DEIR/DEIS misleads decision makers and the public on the significance of project impacts and improperly limits its obligation to consider meaningful mitigation and alternatives to reduce project emissions.*

The DEIR/DEIS makes no presumption that the project’s GHG impacts would become less than significant after mitigation. See Master Response 1 – GHG Thresholds of Significance and Master Response 3 – GHG Mitigation Measures.

ECOS-47

*The comment describes Public Resource Code sections, State CEQA Guidelines CCR Sections, and case law regarding the requirement that mitigation measures included in a DEIR must be effective in reducing the identified impact and must be enforceable.*

The comment correctly summarizes requirements regarding mitigation measures.

- ECOS-48 *The comment states, “Florin Vineyard Gap Community Plan in Sacramento County included a climate action plan that claimed 42% CO<sub>2</sub> mitigation, yet the plan was unmeasurable and unenforceable. The comment also includes an Attachment A that was provided to the County as an example of what a measurable and enforceable climate action plan might look like.”*
- The comment is directed towards a hypothetical climate action plan, which was provided to the County (not the City, as CEQA lead agency for this project), and which does not pertain to the analysis contained in the DEIR/DEIS. No response is required.
- ECOS-49 *The comment states that measurable (although not enforceable as written) mitigation measures also are provided in BAAQMD CEQA Air Quality Guidelines, June 2010, starting on page 4-13.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- ECOS-50 *The comment states, “The DEIR/DEIS’s conclusion is that the baseline efficiency for the project is 7.8 metric tons per year per service population (MT/yr-SP) (DEIR 3A.4-17) and that projects that are constructed by 2020 must achieve an efficiency metric of 4.4 MT/yr-SP and that projects completed by 2030 must achieve an efficiency metric of 3.7 MT/yr-SP (DEIR 3A.4-11). Although the efficiency metric is fundamentally flawed per previous discussion, the DEIR/DEIS also states that the metric will be achieved through an as yet unknown combination of State regulation and project design (DEIR 3A.4-26).”*
- The project’s efficiency metric is addressed in Master Response 1 – GHG Thresholds of Significance.
- ECOS-51 *The comment states that many of the mitigation measures and project design features outlined in the DEIR/DEIS might not be effective at avoiding significant GHG emissions because they would be dependent on the successful implementation of uncertain regulatory schemes.*
- See Master Response 3 – GHG Mitigation Measures.
- ECOS-52 *The comment [continued from comment ECOS-51] states that despite these significant uncertainties, the DEIR/DEIS fails to include a mitigation monitoring and reporting program to ensure that impacts would be fully mitigated if the DEIR/DEIS assumptions were not realized.*
- CEQA does not require that a mitigation monitoring and reporting program be circulated for public review with the DEIR/DEIS. The City will prepare a mitigation monitoring and reporting program, consistent with PRC Section 21081.6, prior to certification of the EIR and adoption of the project.

ECOS-53

*The comment states that on page 3A.4-25 of the DEIR/DEIS, the discussion incorrectly asserts the CALGreen Code will improve energy efficiency. The comment states that the baseline for the CALGreen Code is to simply meet Title 24 requirements, and that Tier 1 and Tier 2, which are voluntary, will beat Title 24 by 15% and 30% respectively. The comment further states that, although not stated, Title 24 is updated every 3 years and generally efficiency is improved with each release.*

As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page 3A.4-25 of the DEIR/DEIS has been revised to reflect that the CALGreen Code will not be more efficient than Title 24.

ECOS-54

*The comment states that at worst, all projects tiered under the DEIR/DEIS would have to reduce GHG emissions by 45% (4.36/7.8) or 55% (3.68/7.8) and, under the best of circumstances, each project would have to mitigate 100% of emissions. “... [It] would seem reasonable that a list of mandatory measures should be included in DEIR/DEIS, not simply a listing of potential measures (DEIR 3A.4-27).”*

Potential measures have been included to allow for future technological innovations and regulations, instead of locking in current standards and conditions that might be obsolete and/or potentially less effective than those available 20 years from now. The feasibility of mitigation measures is likely to change as well, which could enable future incorporation of emerging technologies into building designs (i.e., distributed electricity generation using hydrogen fuel cells, which is currently infeasible). The mitigation measures include performance standards as required by CEQA. See Master Response 3 – GHG Mitigation Measures.

ECOS-55

*The comment [continued from ECOS-54] suggests mitigation measures that should be listed as mandatory, not potential, using a list of examples for project construction.*

This comment provides suggestions for mitigation measures that are similar to those already listed in the DEIR/DEIS; in fact, some of the measures contained in the DEIR/DEIS go beyond those suggested by ECOS (i.e., inclusion of clean alternative energy features to promote energy self-sufficiency such as photovoltaic cells, solar thermal electricity systems, small wind turbines; California Energy Commission Tier 2 energy efficiency in buildings; cool pavements; reclaimed water use; provision of the facilities and infrastructure in all land use types to encourage the use of low- or zero-emission vehicles; etc.). Therefore, the list of mitigation measures suggested by the commenter would not result in any further reduction of impacts beyond what would already be achieved by the existing mitigation measures and, in some cases, would achieve a lesser level of reduction. The list of measures contained in the DEIR/DEIS, coupled with performance standards (which could change as the regulatory environment evolves and significance thresholds are developed by SMAQMD) as already contained in the DEIR/DEIS allows the City and future project applicants to implement future technological innovations and regulations, instead of locking in current standards and conditions that might be obsolete and/or potentially less effective than those available 20 years from now. See Master Response 3 – GHG Mitigation Measures.

ECOS-56 *The comment states that the majority of the measures to mitigate project impacts would hinge on anticipated statewide regulatory action that has yet to be realized, including California’s “Clean Car Standards” bill, Assembly Bill No. 1493, also known as the “Pavley rule” and the low carbon fuel standard.*

The mitigation measures specified in the DEIR/DEIS would not hinge on anticipated statewide reductions; however, the amount of GHG reductions that are realized in the future as well as any future adopted GHG thresholds and regulatory requirements would influence which types of mitigation measures were feasible and necessary, so that each increment of development would meet, at a minimum, the performance standards specified in the DEIR/DEIS. See Master Response 3 – GHG Mitigation Measures.

ECOS-57 *The comment states that although considerable uncertainty exists as to whether some or all of the measures would be fully realized, the DEIR/DEIS both fails to acknowledge this uncertainty and to set forth an alternative means to mitigate project impacts should these statewide measures fail to be fully implemented.*

See response to comment ECOS-56. Alternative mitigation measures are not necessary; if the Pavley rule or another statewide Scoping Plan mitigation measure fails, the project would still have to meet the specified GHG performance standard (or whatever GHG threshold is required in the future regulatory environment) using measures that were feasible at the time of each increment of development. While examples of potentially feasible measures were provided in the proposed mitigation, the measure states that the list is not intended to be exclusive or exhaustive.

ECOS-58 *The comment [continued from comment ECOS-57] states that accordingly, the DEIR/DEIS cannot legitimately conclude that the project would comply with a flawed efficiency metric.*

See Master Response 1 – GHG Thresholds of Significance.

ECOS-59 *The comment states that the DEIR/DEIS relies heavily on the background regulatory scheme of AB 32, as well as its corresponding Scoping Plan adopted by California Air Resources Board (ARB) in December 2008, which includes a range of GHG emission reductions strategies that California will use to implement AB 32. “However, the DEIR/DEIS fails to mention Proposition 23, a recently qualified ballot initiative for the upcoming November 2011 election that would suspend AB 32 until California’s unemployment rate drops to or below 5.5 percent for a full year.”*

Proposition 23 was not in existence at the time the DEIR/DEIS was written. Furthermore, it was not passed by California voters on Election Day, November 2, 2010.

ECOS-60 *The comment states that California has only experienced an unemployment rate of or below 5.5% three times in the past three decades. “Especially given the current economic recession, if Proposition 23 passes, California’s implementation of AB 32 and the GHG reduction strategies outlined in the Scoping Plan will halt for an indefinite, but probably lengthy period.”*

Proposition 23 was not in existence at the time the DEIR/DEIS was written; furthermore, it was not passed by California voters on Election Day, November 2, 2010.

ECOS-61 *The comment states that it is quite possible that Proposition 23 will pass, and implementation of AB 32 will grind to a halt. “Consequently, the DEIR’s references to AB 32-related measures to avoid GHG emissions, such as the low carbon fuel standard, cap-and-trade programs, clean car standards, expansion of California’s RPS, and improved energy efficiency standards, could be moot.”*

Proposition 23 was not passed by California voters on Election Day, November 2, 2010.

ECOS-62 *The comment [continued from comment ECOS-61] states that, to the extent that the DEIR/DEIS mitigation measures and project design features are contingent on implementation of Assembly Bill 32 and the Scoping Plan, it is inappropriate to rely on these measures to claim project threshold would be met.*

See Master Response 3 – GHG Mitigation Measures.

ECOS-63 *The comment states that the DEIR/DEIS’ mobile source emissions calculations rely on California’s regulations under Assembly Bill No. 1493, the “Clean Car Standards” bill, also known as the Pavley rule (see Appendix C of the DEIR/DEIS), the goal of which is to reduce emissions from passenger vehicles by 30% by 2016.*

The mobile source emissions calculations in the DEIR/DEIS, as prepared in the spring of 2010, do not include the Pavley rule GHG reductions (mobile source GHG emissions were calculated using URBEMIS, as stated on page 3A.4-13 of the DEIR/DEIS), although it currently (spring of 2011) is standard practice to subtract estimated GHG reductions using both the Pavley rule and low carbon fuel standard when estimating mobile source emissions from projects and plans (including climate action plans). See Master Response 3 – GHG Mitigation Measures. The City notes that many of the comments in the letter submitted by ECOS appear to have been copied and pasted verbatim from a letter that was apparently submitted by ECOS on a completely different project, since they do not apply to the Folsom South of U.S. 50 Specific Plan project.

ECOS-64 *The comment states that at least 17 petitions challenging the Endangerment Finding have been filed in the U.S. District Court for the District of Columbia, by Texas, Virginia, and multiple extractive industries trade groups, among others. “Challenges to the endangerment finding have been consolidated into Coalition for Responsible Regulation, Inc. v. EPA (D.D.C., Dec. 23, 2009, No. 09-1322).”*

The EPA denied 10 of the petitions challenging the Endangerment Finding on July 29, 2010 (see <http://www.epa.gov/climatechange/endangerment/petitions.html>). Furthermore, according to ARB’s initial statement of reasons for the new passenger vehicle GHG standards (September 7, 2009, available at <http://www.arb.ca.gov/regact/2009/ghgpv09/ghgpvisor.pdf>): “Since Board approval in 2004, motor vehicle manufacturers and their trade associations have challenged the Pavley regulations in numerous Federal and state court proceedings and have opposed California’s request to (U.S. EPA) for a required waiver of preemption under the Federal Clean Air Act to allow California to enforce its adopted standards... On May 19, 2009, challenging parties, automakers, California, and the Federal government reached agreement on a series of actions that would resolve these current and potential future disputes over the standards through model year 2016.”

ECOS-65

*The comment [continued from comment ECOS-64], states that in addition, at least two petitions have been filed in the U.S. Court of Appeals for the District of Columbia Circuit, challenging the U.S. Environmental Protection Agency's decision to regulate mobile source emissions on a level equivalent with the Pavley rule. "See Coal. for Responsible Regulation v. EPA (D.C. Cir., May 7, 2010, No. 10-1092); Southeastern Legal Foundation v. EPA (D.C. Cir., May 11, 2010, No. 10-1094). On top of all of the lawsuits against EPA, there are at least three outstanding lawsuits challenging the Pavley rule, itself or other states' adoptions of the Pavley rule. See Green Mountain Chrysler-Plymouth-Dodge v. Crombie (2nd Cir, No. 07-4342); Central Valley Chrysler-Jeep v. Goldstene (9th Cir., Oct. 30, 2008, No. 08-17378); Zangara Dodge, Inc. v. Curry (D.N.M., Dec. 27, 2007, No. 07-01305). The DEIR fails to mention any of these legal challenges."*

See response to comment ECOS-64.

ECOS-66

*The comment [continued from comment ECOS-65] states that considering the (above) ongoing challenges, all of which draw into question the legal adequacy of the Pavley rule, it is certainly inappropriate for the DEIR/DEIS to rely on the Pavley rule regulations in its mobile source emissions calculations. The comment states it is quite possible that the Pavley rule will be invalidated. The comment suggests that, accordingly, the DEIR/DEIS cannot conclude that the project would have no significant environmental impacts based partially on an over-optimistic assumption that the Pavley rule would be in effect to reduce passenger vehicle emissions.*

As stated in response to comment ECOS-63, the analysis contained in the DEIR/DEIS does not rely on the Pavley rule. Furthermore, the DEIR/DEIS does not conclude that the project would have no significant environmental impacts or that they could be fully mitigated to a less-than-significant level.

*The comment further states that, in concluding that the project as designed and mitigated would meet a flawed threshold, the DEIR/DEIS relies on the implementation of the low carbon fuel standard, which aims to reduce the carbon intensity of California's transportation fuels by 10% by 2020 (page 3A.4-6 of the DEIR/DEIS). "Yet, the legality of the low carbon fuel standard is currently being challenged in National Petrochemical and Refiners Association v. Goldstene (E.D.Cal. June 16, 2010). Indeed, a Federal court recently denied California's motion to dismiss the lawsuit, indicating that the court is willing to entertain challengers' claims. If challengers are successful, the court will find that California does not have authority to regulate fuels."*

This comment references page 3A.4-6 in the DEIR/DEIS; however, that page does not contain a reference to the low carbon fuel standard program. The DEIR/DEIS did not utilize reductions associated with the low carbon fuel standard in the calculation of operational GHG emissions; it was not used in the derivation of the performance standard or specified as a mitigation measure, and absence of the low carbon fuel standard would not change reported operational GHG emissions, mitigation measures, or significance of impacts contained in the DEIR/DEIS).

ECOS-67 *The comment states that the low carbon fuel standard possibly will not be in operation during the life of the project. The comment further states that the absence of the low carbon fuel standard would significantly increase project impacts because, as the DEIR/DEIS acknowledges, on-road transportation emissions composed 41.1% of Folsom’s GHG emissions (page 3A.4-3 of the DEIR/DEIS).*

See response to comment ECOS-66.

ECOS-68 *The comment states that “the agency” should not conclude that the project would have no significant environmental impacts, based partially on an assumption that the low carbon fuel standard would be in effect.*

See response to comment ECOS-66.

ECOS-69 *The comment states that the improper DEIR/DEIS threshold of significance coupled with uncertain and vague mitigation measures amount to an improper end-run around CEQA’s requirement to adopt all feasible mitigation and alternatives.*

See Master Response 1 – GHG Thresholds of Significance and Master Response 3 – GHG Mitigation Measures, respectively. See also responses to comments ECOS-54 and ECOS-55.

ECOS-70 *The comment states, that the DEIR/DEIS fails to adopt meaningful measures that would reduce project impacts, including increased density, increased use of on-site renewable energy, and an alternate location closer to transit.*

Some of the measures suggested in the comment are already incorporated into the site design and the air quality management plan (AQMP). The AQMP (Mitigation Measure 3A.2-2, page 3A.2-43 of the DEIR/DEIS and attached to the DEIR/DEIS as Appendix C2) includes a 20-point public transit mitigation measure (i.e., “Transit Corridor”) as well as 28 points of additional transportation and other mitigation measures. Mitigation Measures 3A.4-2a and 3A.4-2b on pages 3A.4-26 to 3A.4-29 of the DEIR/DEIS include on-site renewable energy measures (photovoltaic cells, solar thermal electricity systems, small wind turbines); building, water, waste, and transportation efficiency measures; and sequestration. The feasibility of increased density has already been analyzed in the DEIR/DEIS as part of the Increased Density Alternative. Moving the project to an alternate location would not be consistent with Measure W or the LAFCo MOU as stated in the project purpose and need (see DEIR/DEIS Chapter 1, “Introduction” page 1-6). See also Master Response 3 – GHG Mitigation Measures and responses to comments ECOS-54 and ECOS-55. In addition, USACE determined that there were no alternate locations for the project that are available and would meet the purpose and need of the project.

ECOS-71 *The comment references an attachment from the Florin-Vineyard project, intended to provide an example of what might be used as a measurable and enforceable plan. The comment also references measurable (although not enforceable as written) mitigation measures, provided in the BAAQMD CEQA Air Quality Guidelines (June 2010), beginning on page 4-13.*

The GHG mitigation plan attached by the commenter has been reviewed. The mitigation plan ECOS cites (and attached to its comments) was a generic climate action mitigation plan supplement (CAMPS) for Florin-Vineyard, and appeared to be for a single (i.e. proposed project) alternative, meaning that multiple alternatives were not analyzed. The CAMPS was generic, and utilized a benchmark approach with no quantification of GHG



reductions. The CAMPS also made numerous assumptions about the quality of the future development (i.e. number of jobs provided close to residences, how much the jobs paid, how much the average mortgages were in the community, etc.). Furthermore, the plan attached by the commenter specifies various development suggestions by percentage of project covered, but the plan does not quantify GHG reductions; thus, whether the GHG mitigation plan would result in impacts that would be less than significant is unknown. When the Folsom DEIR/DEIS was prepared, neither CAPCOA's "Quantifying Greenhouse Gas Mitigation Measures" document nor the updated BAAQMD CEQA Air Quality Guidelines had been published.

ECOS-72

*The comment [continued from comment ECOS-71] states that once all feasible on-site measures have been utilized, off-site measures to be adopted would include energy efficient retrofits of existing structures and SCAQMD's [South Coast Air Quality Management District] -adopted protocols for replacement of inefficient boilers.*

The SPA would not contain any currently existing structures at buildout, and therefore the comment regarding replacement of inefficient boilers is irrelevant. Furthermore, the DEIR/DEIS was written before the SCAQMD boiler protocol was published.

ECOS-73

*The comment references BAAQMD CEQA Air Quality Guidelines, page D-15, which indicate that on-site operational mitigation is difficult beyond 30%. The comment suggests that the DEIR/DEIS should include a statement that off-site mitigation must comply with the ARB Cap and Trade regulations and perhaps future SMAQMD Indirect Source Rule guidelines.*

The City and USACE believe that inclusion of the commenter's suggested statement in the DEIR/DEIS is unnecessary; the project would be subject to all applicable local, state, and Federal laws and regulations (such as CARB Cap and Trade regulations and future SMAQMD Indirect Source Rule guidelines).

ECOS-74

*The comment suggests that for off-site operational mitigation, to require the vintage of the CO<sub>2</sub> emissions reduction to be newer than or equal to the actual time of the emission; front loading of emissions reductions would be acceptable, back loading would not be acceptable. The comment states that, for example, if a project emitted 1,000 tons per year for 50 years, then it would be: okay to purchase 50,000 tons of emissions in year 1; okay to purchase 1,000 tons per year for 50 years; but NOT okay to purchase 50,000 tons of offsets in year 50 (equivalent to a financial "balloon" payment).*

The discussion on page 3A.4-30 of the DEIR/DEIS states that operational GHG emissions associated with the off-site elements would be less than significant; therefore, no mitigation measures are required.

ECOS-75

*The comment suggests that Mitigation Measure 3A.4-2a (on page 3A.4-26 of the DEIR/DEIS) should provide a mitigation monitoring and reporting plan. The comment also suggests reviewing the Florin-Vineyard Gap checklist for sample of what could be used to develop the plan.*

There is no need for a mitigation measure that requires preparation of a mitigation monitoring and reporting plan, because preparation of such a plan is already required by PRC Section 21081.6. See response to comment ECOS-16.

ECOS-76 through  
ECOS-78

*The comments reference the summary discussion on page ES-112 of the DEIR/DEIS and state that the No Project, No USACE Permit, and Resource Impact Minimization alternatives are inconsistent with the SACOG Preferred Blueprint Scenario (Blueprint), but no mitigation is proposed despite significant and unavoidable impacts. The comments further state that none of the project alternatives are fully compatible with the Blueprint and additional mitigation is required.*

As discussed on page 3A.10-9 of the DEIR/DEIS, the Blueprint is an advisory document and provides policy guidance for jurisdictions throughout the Sacramento region. However, SACOG has no land use authority and, therefore, would have no jurisdiction over the project. In Appendix G of the State CEQA Guidelines, the Land Use and Planning threshold IX(b) pertains to “conflict with any applicable land use plan, policy, or regulation 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.” SACOG would have no jurisdiction over the project, and the Blueprint does not qualify as a plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect under the criteria of Appendix G, Land Use and Planning Threshold IX(b). See also 40 CFR Section 1502.16(c). Although an evaluation of the project’s (and alternatives’) consistency with the Blueprint was provided on page 3A.10-30 of the DEIR/DEIS, it is contained in the “Introduction to the Analysis” subsection since no significance conclusion was provided and no mitigation was proposed because this evaluation is not an impact analysis, and therefore inconsistency with the Blueprint is not a significant impact and no mitigation is required. Therefore, no changes to the DEIR/DEIS are necessary.

ECOS-79 through  
ECOS-82

*The comments state that the Blueprint envisions approximately 12,000 residential units and an additional 7,500 jobs in the SPA, and that none of the project alternatives meet these targets. Because none of the project alternatives would include 12,000 residential units, the comment states that none of the alternatives are consistent with the SACOG Blueprint. The comments state that the DEIR/DEIS must use a consistent criteria and reasoning in evaluating all of the alternatives for consistency with the Blueprint.*

See responses to comments ECOS-76 to ECOS-78.

ECOS-83 through  
ECOS-85

*The comments state that the Blueprint is a plan which should be analyzed under Appendix G threshold IX(b) of the State CEQA Guidelines, and that the project must contain measures to ensure that the actual yield of dwelling units meets the number of units expected in the Blueprint. The comments suggest that because the Specific Plan would limit the total number of units in the SPA to below the Blueprint targets, additional mitigation should be undertaken to minimize further regional expansion resulting from insufficient density in the SPA.*

See responses to comments ECOS-76 to ECOS-78.

ECOS-86 through  
ECOS-87

*The comments state that the project includes a relatively small area proposed for multifamily development, and that in order to assure that the project adequately addresses the Blueprint concerns, it is critical that these areas be built at an adequate density. The comments suggest that the DEIR/DEIS should include a mitigation measure requiring a minimum density in multifamily-designated areas.*

See responses to comments ECOS-76 to ECOS-78.

ECOS-88

*The comment states that all of the City of Folsom's housing needs, as projected by SACOG's Regional Housing Needs Plan, could be met under any of the project alternatives, including the No Project alternative. The comment further states that under none of the alternatives would the City meet low income housing needs, and the comment asks how this would be addressed by the City.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The City's housing needs could not be met under the No Project Alternative, because no new housing within the City of Folsom would be constructed. Furthermore, the City believes that it could accommodate its Regional Housing Needs Allocation, including low income housing allocation, under all five of the action alternatives evaluated in the DEIR/DEIS.

Pursuant to State law, SACOG is the regional agency responsible for defining the fair share allocation of affordable housing among the various cities in its jurisdiction, including Folsom, in a document identified as the "Regional Housing Needs Plan." The City must have an adequate area of land zoned for 20+ units to the acre to accommodate the number of units allocated to the City for low, very low, and extremely low income housing. All five action alternatives designate sufficient land for higher-density (20+ units per acre) residential use to allow the City to comply with this requirement. The 2009 City of Folsom Housing Element adopted several programs to ensure the production of affordable housing (e.g., extremely low, very low, and low-income housing), all of which apply to the SPA (see DEIR/DEIS Appendix N). Program 18d requires the creation of a mixed use overlay zone within one-quarter mile of transit stops, which is proposed in the FPASP. Program 18j requires that the City amend the General Plan to increase the maximum density for the Multifamily Medium Density land use designation from 17.9 to 20 units per acre, and also increase the Multifamily High Density land use designation from 25 to 30 units per acre. In the proposed General Plan amendments associated with adoption of the FPASP, the City requires that residential density ranges incorporate minimum densities at the bottom of each density range as mandatory minimums. Chapter 5, "Housing Strategies," of the FPASP recognizes the City's Inclusionary Housing Ordinance, setting forth proactive measures for the acquisition of land by the City for affordable housing and identifying several funding mechanisms to enable the production of affordable housing.

ECOS-89

*The comment asks how the City will address the lack of low-income housing necessary to meet its Regional Housing Needs Allocation.*

See response to comment ECOS-88.

ECOS-90

*The comment states that the City cannot meet the needs for very low or low-income housing with the current built and planned projects and potential housing units in the existing city limits.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The City currently imposes the Inclusionary Zoning Ordinance (FMC 17.104) for all residential projects of 10 or more units proposed within city limits. This requires that 10% of the units be affordable to very low-income families and 5% be affordable to low-income families. In addition to this ordinance, the City collects \$1.20 per square foot for all new commercial building projects, garnered for its Housing Trust Fund, to be used exclusively for below-market-rate housing. The City is actively involved with two projects and over 100 new dwelling units, slated to be affordable to low and very low-income families. The City is proactive within the bounds of its financial resources to produce affordable housing. Very few cities or counties in California can meet all the affordable housing needs within their jurisdictions; however, the level of effort by the City of Folsom is considerable in comparison. Furthermore, as described in the response to comment ECOS-88, sufficient land is designated at a 20+ unit per acre density in the Proposed Project and the other four action alternatives to accommodate the City's RHNA obligation for lower income units.

ECOS-91

*The comment states that the City will have an oversupply of moderate and above-moderate housing units and should address imbalance.*

See response to comment ECOS-90. Furthermore, the balance or imbalance of housing units does not constitute a physical impact on the environment, and therefore does not require a significance determination under CEQA. (See Chapter 4, "Other Statutory Requirements," pages 4-55 through 4-56 of the DEIR/DEIS for a general discussion of the project's projected jobs-housing balance.)

ECOS-92

*The comment states that in general, more centralized and denser development alternatives are better for housing and reducing impacts to infrastructure, land, water, and air.*

The comment does not identify any specific impact that would be reduced by denser development, nor does the comment propose denser development as a mechanism to mitigate a particular impact. Therefore, no response to this comment is required, and no edits to the DEIR/DEIS are necessary.

ECOS-93 through  
ECOS-95

*The comments state that more commercial development, included in all of the project alternatives, would tend to attract low-wage workers, who would need to have work nearby to reduce GHG emissions. The comments further state that more affordable housing should be included in the plan to address this.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The SPA includes a mix of development types, such as commercial and mixed-use designations, office parks, and a wide range of residential densities. The SPA also includes a substantial area of higher density residential designations (20 units per acre and higher),

suitable for provision of housing affordable to all income levels. No revisions to the DEIR/DEIS are required. See also responses to comments ECOS-88 and ECOS-89.

ECOS-96

*The comment states that the City's preferred plan to serve the SPA is to seek an assignment of 8,000 AFY of NCMWC/ Reclamation settlement-contract water and have the Sacramento County/East Bay Municipal Utility District's (EBMUD) Freeport Project divert and deliver it to project pipelines. The comment also references the DEIR/DEIS identification of potential alternative supply options such as Sacramento County central groundwater subbasin extractions, long-term purchase and transfer from senior Sacramento Valley water-right holders, and water conservation within the City.*

The City is proposing to purchase capacity from SCWA's allocated capacity within the Freeport Project. The comment restates text that is already contained in Chapter 2, "Alternatives" of the DEIR/DEIS; the comment is noted.

ECOS-97

*The comment states that, consistent with the City's commitments in the WFA of 2000, the project's water supply would not be supplied from new diversions from Folsom Lake or Lake Natoma. The comment also states that the WFA did not include water service to the SPA, as recognized in the City's purveyor specific agreement. The comment further states that WFA signatories are free to support or oppose water supply facilities that serve the area as well as to support or oppose land use decisions to develop the area.*

The comment is correct that the project's proposed water supplies would not involve a diversion from Folsom Lake or Lake Natoma. The City considered supplies from the American River in its overall evaluation of water supplies for the SPA; however, these sources were not carried forward for further analysis under CEQA and NEPA (see pages 2-97 through 2-100 of the DEIR/DEIS).

ECOS-98

*The comment states that NCMWC has executed an agreement with the project proponents to assign up to 8,000 AFY of its "summer-delivery water" to the City, consistent with Section 3(e) of its 2005 Reclamation renewal contract.*

The comment restates text that is already contained in Chapter 2, "Alternatives" of the DEIR/DEIS; the comment is noted. For clarification purposes, it is important to note that the City is proposing the assignment of "Project" water supplies under NCMWC's settlement contract and not "Base" supply. See also Master Response 13 – Relationship of the Water Component of the Project to the Natomas Central Mutual Water Company and the U.S. Bureau of Reclamation.

ECOS-99

*The comment states that the source water for the project is settlement-contract water made available to NCMWC to settle water right disputes with Reclamation that arose around the construction of Shasta Dam concerning NCMWC's water right licenses and permit, confined to NCMWC's "place of use" as shown in Exhibit B of the contract.*

NCMWC's existing water right permits and licenses are identified on page 2-81 and Table 3A.18-1 of the DEIR/DEIS. The comment restates text that is already contained in Chapter 2, "Alternatives" of the DEIR/DEIS; no further response is required.

ECOS-100

*The comment states that the City is a CVP contractor and is within Reclamation's consolidated place of use under the California's water rights system.*

The comment is generally consistent with the description that is already provided in the first paragraph on page 2-81 of the DEIR/DEIS; the comment is noted.

ECOS-101 *The comment states that the assignment of NCMWC settlement-contract water to the City might not require review by the State Water Resources Control Board (SWRCB).*

The City is currently a CVP contractor. The SPA is within the place of use under Reclamation's state-issued water-right permits. For this reason, the City does not contemplate SWRCB action in conjunction with the proposed water assignment.

ECOS-102 *The comment notes that the proposed water assignment will require consent from the Reclamation contracting officer (Settlement contract Section 3[e] 7[e]) and that this section also requires that "consent will not be unreasonably withheld and a decision will be rendered in a timely manner."*

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

ECOS-103 *The comment states the DEIR/DEIS' purported recognition that, presumably with the construction of the Freeport Project and the SPA project, deliveries from NCMWC would be reasonably certain. The comment also states that no similar reasonable certainty exists from a legal and regulatory standpoint because additional actions by Reclamation and SCWA would be necessary (referencing page 3A.18-4 of the DEIR/DEIS).*

The comment incorrectly characterizes the assigned water as being delivered to the City from NCMWC. The project would involve the City purchasing the assigned water supply from NCMWC's settlement contract with Reclamation. Because subsequent approvals would be required from Reclamation for the water assignment and from SCWA for use for the Freeport Project, outside USACE's and the City's discretion, Section 3A.18.5 on page 3A.18-23 of the DEIR/DEIS evaluates other water supply options to satisfy the requirements of CEQA in response to the case of *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal. 4th 412 (2007).

ECOS-104 *The comment states that the project's water supply would be based on a determination that the assigned water was in surplus to NCMWC's expected demand, because of (1) demand-reducing recirculation systems, (2) changing cropping patterns, (3) less land in production, or (4) the related reduction in the lands served by NCMWC because the lands would be urbanized and water service would be provided by others, primarily the City of Sacramento.*

The comment is generally accurate in terms of the multiple reasons that would enable NCMWC to permanently assign up to 8,000 AFY of water to the City without resulting in corresponding decreases in agricultural production, including rice, within NCMWC's service area. USACE and the City note, however, that the impact determinations discussed in the DEIR/DEIS are supported by the findings of the 2007 Wagner and Bonsignore evaluation, provided in Appendix M2 of the DEIR/DEIS. These findings indicate that, following the proposed assignment, NCMWC would be capable of serving both 2004 and 2007 cropping patterns with its remaining contract supplies without the need for supplemental groundwater pumping.

Further, even if urbanization continues within NCMWC's service area into the future, no net increase in total water usage beyond NCMWC's total settlement contract amount of 120,200 AFY is expected. Rather, given current building code standards (e.g., CalGreen) and water conservation requirements for new development (e.g., California Urban Water

Conservation BMPs), urban growth within the Natomas Basin would likely have a reduced water demand on a per acre basis when compared to current agricultural uses within NCMWC's service area. Additionally, the Natomas Joint Vision MOU signed by the City of Sacramento and Sacramento County encourages a 1:1 ratio of open space to development; thereby potentially further limiting total urban water use.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the discussion under the "Water Supply" heading on page 4-59 of the DEIR/DEIS has been modified to expand on the City's reasoning for concluding a less-than-significant impact for water use within the NCMWC service area.

ECOS-105

*The comment states that, in the absence of an assignment to the City where the water would be consumptively used, the proposed water supply is not currently being diverted by NCMWC and, therefore, is used by Reclamation for other CVP uses, including environmental purposes. The comment further states that, with the assignment, the proposed water supply would be used consumptively (other than return flows to the regional treatment plant) to supply the City.*

See Master Response 13 – Relationship of the "Water" Component of the Project to the Natomas Central Mutual Water Company and the U.S. Bureau of Reclamation, and Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, Central Valley Project-State Water Project Operations, and the Delta. The comment mischaracterizes existing conditions in terms of contracted water supplies available for use within the NCMWC service area. Although the 2007 Wagner and Bonsignore evaluation (provided in Appendix M2 of the DEIR/DEIS) indicates that NCMWC did not use its full contract entitlement in 2004 or 2007, the actual water use does not negate the fact that NCMWC could have used its entire contract supply in either year, subject potentially to its 25% shortage provision. The full use of NCMWC's Base Supply and Project Water supplies was considered appropriate for the DEIR/DEIS analysis for the three reasons discussed below.

First, Reclamation renewed NCMWC's settlement contract in 2005, which is the source water supply for the assignment water. This supply was covered under an EIS for NEPA compliance, and ROD subsequently was approved in 2005. This diversion was considered in Reclamation's Operating Criteria and Procedures (OCAP, 2004 and 2008) and was factored into the baseline for CalSim II modeling, in which the impacts of the water assignment were evaluated. Additionally, the assignment would be diverted within the permitted capacity of the Freeport Project, which has already undergone CEQA and NEPA review.

Second, the City cannot speculate as to what other beneficial uses Reclamation could have supplied with NCMWC's unused CVP water. The unused water could have remained in storage in Shasta Reservoir, been transferred to another CVP contractor either north or south of the Delta, or used to support Delta outflows. Since it would be inappropriate for the City to speculate regarding other beneficial uses and in considering Reclamation's recent renewal of NCMWC's settlement contract, the full contract amount, subject to contract shortage provisions, is adequate for the purposes of characterizing existing conditions and analyzing potential effects.

Third, congressional policy, established in the CVPIA, dictates that even though NCMWC may not have taken full contract deliveries in recent years, it does not otherwise affect the amount of water available for NCMWC to assign.

*The comment states that, in the absence of a showing that no adverse impacts would occur to other CVP water users, Reclamation might have little incentive to consent to the water assignment.*

See Master Response 15 – Formulation of Assumptions for Baseline Conditions for the Sacramento River, Central Valley Project-State Water Project Operations, and the Delta. The potential effects of the water assignment in the context of overall CVP operations are discussed in detail in Impact 3B.9-4 on pages 3B.9-28 through 3B.9-30 of the DEIR/DEIS, and in the cumulative analysis on pages 4-40 through 4-41. Table 3B.9-3 on page 3B.9-28 of the DEIR/DEIS provides a monthly summary of the potential effects, including those to the CVP. As discussed in Impact 3B.9-4, the main effects of the water assignment area would be associated with the change in the delivery schedule from Agriculture to M&I, combined with a reduction in the efficiency of return flows (e.g., 65 to 80%) to the Sacramento River. This change would reduce deliveries in July and August, but would extend the deliveries into September, October, and November, thereby contributing to minor additions of flow to the Sacramento River and to the stabilization of flows during the fall-run/late fall-run spawning period, consistent with National Marine Fisheries Service (NMFS) Reasonable and Prudent Alternative (RPA) and CVPIA Anadromous Fish Restoration Program guidelines.

These effects then need to be considered in the context of the City’s proposed purchasing of capacity within the existing Freeport Project, which has already undergone NEPA review. With the purchasing of diversion and conveyance capacity within the Freeport Project from SCWA, no corresponding increase in diversion capacity would occur along the Sacramento River. Additionally, the water assignment would involve the use of existing CVP contract supplies and, therefore, would not infringe on any other CVP contractor’s supply. In this context, the effects described in Impact 3B.9-4 consider all the operational changes that would occur in conjunction with the water assignment and appropriately conclude that the impact would be less than significant. These findings suggest that the water assignment could provide Reclamation with minor benefits for CVP operations, giving Reclamation an incentive to approve the assignment.

As shown in Chapter 5, “Errata” of this FEIR/FEIS, additional details regarding the project’s potential effects to average monthly storage within Shasta Reservoir have been added to Table 3B.9-3 of the DEIR/DEIS.

*The comment states that the water assignment to the project could adversely affect other CVP users if changes occur to Reclamation’s water rights, either directly or indirectly as a result of the SWRCB’s recent delta outflow recommendations, thereby potentially restricting deliveries to existing CVP contractors.*

At this time, it is not possible to accurately assess the potential implications of SWRCB’s recently released Report on the Development of Flow Criteria for the Sacramento-San Joaquin Delta Ecosystem (Resolution No. 2010-0039) on Reclamation’s current water rights for the CVP. Most importantly, none of the determinations in the report have regulatory or adjudicatory effect; rather, any corresponding regulatory or adjudicative effect would need to occur through SWRCB’s water quality control planning or water rights processes, in conformance with applicable law. Because the water assignment would involve an existing water right and would be diverted at an existing, authorized point of diversion for the CVP (e.g., Freeport Project), the application of the recommended criteria would be inappropriate. Furthermore, any future reductions in CVP contract allocations as a result of the implementation of recommended flow criteria would be speculative to try to quantify at this time. Likewise, the City cannot speculate as



to how Reclamation might or might not attempt to apply any supply reductions to high-priority settlement contracts such as NCMWC's contract.

ECOS-108

*The comment states that it is foreseeable Reclamation would not consent to assignments that increased operational problems for the CVP and might conclude that the 40-year NCMWC settlement contract is exclusively tied to lands within NCMWC's service area.*

There are multiple provisions within NCMWC's settlement contract along with CVPIA policies that support the proposed assignment. First, NCMWC's settlement contract (Contract No. 14-06-200-885A-R-1) anticipates, in Articles 3(e) and 7(a), that: (1) use of NCMWC's supplies may shift from agricultural to M&I; and (2) NCMWC may assign "Project" water under that contract for M&I use outside of NCMWC, subject to Reclamation's consent, which Reclamation may not unreasonably withhold. Second, the proposed assignment would trigger terms of CVPIA that would favor contractors in the area of origin. The assignment would trigger CVPIA Section 3405(a)(1)(M), which states that transfers between area of origin contractors like the City and NCMWC are deemed to satisfy CVPIA Section 3405(a)(1)(A). As explained in response to comment USBR-1, the City and USACE acknowledge that if Reclamation was to approve the proposed assignment, it could seek to do so under different conditions, including different or additional water shortage conditions or limited liability provisions which could require additional environmental review and NEPA compliance.

ECOS-109

*The comment states that Reclamation might not consent to transfer land-based settlement contracts to lands outside the lands of the settlement contracts unless it would result in less CVP or system-consumptive demand. The comment also states that the project would result in an overall increase in system demand.*

See responses to comments ECOS-106 and ECOS-108.

ECOS-110

*The comment states that the DEIR/DEIS does not discuss adverse impacts to other CVP water contractors, other water rights holders, or environmental impacts to the Sacramento and American River systems from the assignment or increased diversions by the City of Sacramento to resupply urbanizing lands in the Natomas Basin.*

Potential impacts to fishery resources and riparian habitats along the Sacramento River are described and evaluated in Impacts 3B.3-2 and 3B.3-6, on pages 3B.3-35 through 3B.3-61 of the DEIR/DEIS. Changes in flows within the Sacramento River and potential implications to CVP operations are described and evaluated in Impacts 3B.9-4 and 3B.16-2, on pages 3B.9-28 through 3B.9-30 and 3B.16-17 of the DEIR/DEIS. The effects of the proposed assignment in relation to other cumulatively considerable projects are discussed on pages 4-40 through 4-41 of the DEIR/DEIS, under the heading of surface water flows. As discussed on page 4-12 of the DEIR/DEIS, the cumulative analysis in support of the assignment considered the Sacramento River Water Reliability Project, which would represent the most probable diversion point for new water demands within the City of Sacramento.

As previously stated in response to comment ECOS-104, continued urbanization within the Natomas Basin, even if served by the City of Sacramento, would be expected to result in further reductions in total water use within NCMWC's service area. The comment provides no evidence to support the assertion that the assignment would result in a net increase in total water use within NCMWC's service area as a result of the City of Sacramento providing water service to urbanizing lands.

ECOS-111 *The comment notes that the DEIR/DEIS acknowledges a Reclamation assignment is uncertain but does not provide the reviewer with a discussion of the nature and legal underpinnings of the uncertainty.*

As discussed on page 3A.18-23 of the DEIR/DEIS, the main source of uncertainty for the assignment is associated with the additional approvals that would be required by Reclamation and SCWA for the assignment, which are outside the direct control of the City or USACE. More specifically, uncertainty remains in relation to Reclamation's discretionary approval for the permanent assignment of a portion of NCMWC's "Project" water supply and the corresponding change in delivery schedule, which could not be otherwise considered certain until Reclamation completed its consultation requirements with pertinent resource agencies.

ECOS-112 *The comments states that because all of the project alternatives rely on the NCMWC water supply, the lack of discussion of its certainty is an important deficiency in the DEIR/DEIS.*

A discussion of the relative certainty of the NCMWC water supply for the project is provided in the Impact Conclusion on pages 3A.18-13 and 3A.18-14 of the DEIR/DEIS. Because the NCMWC water supply could not be secured and water conveyance and treatment facilities constructed in advance of approval of the project, additional contingencies would be required for the project applicants to confirm the availability of water. Mitigation Measure 3A.18-1 on page 3A.18-14 of the DEIR/DEIS is proposed to address the comment's concerns. Furthermore, Section 3A.18 contains an analysis of other water supply options considered in addition to the preferred water supply as required by the California Supreme Court in the case of *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal.4th 412 (2007).

ECOS-113 *The comment states that although Sacramento County has executed an MOU with the City for a portion of the capacity within the Freeport Project (see Appendix M3 of the DEIR/DEIS), the DEIR/DEIS does recognize that a contract has not yet been signed and, therefore, provides an element of uncertainty (DEIR/DEIS page 3A.18-14).*

The comment restates text that is presented in the DEIR/DEIS on page 3A.18-14; the comment is noted.

ECOS-114 *The comment states that Sacramento County also is a conjunctive-use water service supplier and, acting as the groundwater authority, potentially would be the referee over the currently unallocated Sacramento County central groundwater subbasin.*

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

ECOS-115 through  
ECOS-116

*The comment states that the Freeport Project would be the potential surface-water supply source for conjunctive use in the central groundwater subbasin, that the City's use of the Freeport Projects would represent a diminution in the County's ability to manage the central groundwater subbasin with surface water augmentation, and that this could also reduce the supply available for other unnamed users or uses of SCWA's portion of the Freeport Project.*

The ability of SCWA to utilize the Freeport Project for conjunctive use activities would not be precluded by the project. With the project, SCWA would continue to maintain, on average, 78.5 mgd of capacity within the Freeport Project. As described in Impact 3B.17-2 on page 3B.17-12 of the DEIR/DEIS, the effect of the City's purchasing of capacity within Freeport would translate into a need for SCWA to pump more groundwater in future years as SCWA's Zone 40 approached buildout. As discussed on pages 3B.17-12 through 3B.17-13 of the DEIR/DEIS, this consequence would be less than significant based on demands generated by the currently adopted County General Plan Update. However, as indicated on pages 4-42 through 4-44 of the DEIR/DEIS, under cumulative conditions, which could include an expanded urban service area for the County as proposed in the current County General Plan Update, the project's indirect increase for groundwater demands could be cumulatively considerable. Nevertheless, this cumulative impact would not otherwise preclude SCWA's ability to provide surface water augmentation to the central groundwater subbasin via the Freeport Project.

ECOS-117

*The comment states that indirect effects to SCWA might have an effect on the viability of the project water supply and the County's permission to use the Freeport pipeline, and that a thorough discussion and analysis of this uncertainty is warranted in the DEIR/DEIS.*

The DEIR/DEIS is clear in acknowledging that uncertainties would remain for the project water supply in relation to the City's potential use of the Freeport Project. A discussion of the relative certainty of the City's use of the Freeport Project for the project is provided in the Impact Conclusion on pages 3A.18-13 and 3A.18-14 of the DEIR/DEIS. Notwithstanding this element of uncertainty, as described on pages 2-97 through 2-103 of the DEIR/DEIS, the City evaluated numerous water supply sources and conveyance alternatives, each with its own element of uncertainty. Following extensive evaluation, the project water supply was selected as the most certain for the project, and this choice is supported by crucial agreements with the pertinent entities (e.g., NCMWC and SCWA). The discussion on pages 4-42 through 4-44 of the DEIR/DEIS clearly states that the indirect effects to SCWA would come mainly in the form of increased groundwater demands, presuming the adoption and buildout of the draft Sacramento County General Plan.

ECOS-118

*The comment states that optional water supply options were described on page 3A.18-23 of the DEIR/DEIS, in addition to the NCMWC assignment to satisfy the requirements of CEQA, and include three additional contingency options: groundwater, Sacramento water rights transfers, and conservation.*

Section 3A.18.5, beginning on page 3A.18-23 of the DEIR/DEIS, evaluates other water supply options to satisfy the requirements of CEQA as part of the court ruling in the case of *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal.4th 412 (2007).

ECOS-119 *The comment suggests that because of the uncertainties associated with the project water supply as discussed in the DEIR/DEIS, some or all of the water supply options should be described in greater depth.*

As discussed in Section 3A.1.5, beginning on page 3A.18-23 of the DEIR/DEIS, for each of these water supply options, similar, if not greater, elements of uncertainty exist with these sources. Furthermore, the water supply options were developed sufficiently enough to enable a qualitative evaluation, as required under CEQA by the court ruling in the case of *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal.4th 412 (2007).

ECOS-120 *The comment states that the WFA assumed the central groundwater subbasin's long-term sustainable yield was 273,000 AFY and estimated expected extractions and surface water imports that might augment groundwater basin supplies. The comment references the DEIR/DEIS conclusion on page 3A.18-32 of the DEIR/DEIS that the project's demand of up to 5,600 AFY would be within the safe yield range of the central groundwater subbasin. The comment states that the DEIR/DEIS concludes that under cumulative conditions and beyond 2030, additional sources of demand combined with the project could lead to exceedances of the groundwater basin's safe yield and to a further lowering of the regional aquifer, which would be a significant and unavoidable cumulative impact.*

The comment restates text contained in the DEIR/DEIS in Section 3A.18; the comment is noted.

ECOS-121 *The comment states that the DEIR/DEIS does not note that there has been "no allocation of subbasin among existing and potential pumpers," including incorporated cities other than the City of Folsom.*

The comment does not factor in that SCWA is responsible for providing wholesale water to the unincorporated areas of Laguna and Vineyard and the incorporated Cities of Elk Grove and Rancho Cordova, which collectively comprise Zone 40. As a result, the demand estimates summarized on page 3B.17-4 of the DEIR/DEIS account for the vast majority of groundwater demands for the central groundwater subbasin.

ECOS-122 *The comment states concern that, without an allocation of groundwater subbasin yield among the various pumpers and a mechanism to control pumping so that pumpers would not exceed their potential allocations, neither the City nor the County could provide assurances that the safe yield of the subbasin would not be exceeded.*

The concern expressed by the commenter and the potential impacts to groundwater resources are addressed in the cumulative impacts discussion on pages 4-42 through 4-44 of the DEIR/DEIS.

ECOS-123 *The comment states that the DEIR/DEIS does not include discussion on the recent decision by the Sacramento Groundwater Authority to adopt sustainability groundwater-extraction goals for the Sacramento County North Area subbasin that are notably lower than the WFA "safe yield" determination for the North Sacramento subbasin, or whether the experience in the adjacent subbasin might be repeated in the central groundwater subbasin.*

The sustainability groundwater-extraction goals, presented in the Phase 3 Effort of the Sacramento Groundwater Authority's (SGA) Water Accounting Framework (on June 10, 2010), were just recently released and therefore were not available for review during

preparation of the DEIR/DEIS. Furthermore, the City notes that sustainability groundwater-extraction goals are prescribed just for the central unit basin and are not indicative of the entire northern subbasin. The sustainable yield estimates provided in the Central Sacramento County Groundwater Management Plan (CSCGMP) were considered the best available information for the DEIR/DEIS and adequate for characterizing and quantifying the project's potential direct and indirect affects to groundwater resources.

ECOS-124 *The comment suggests that if Water Supply Option 1 is to be a viable option, the DEIR/DEIS should discuss the implications of its cumulative impact.*

The implication of the significance determination for cumulative groundwater impacts for Water Supply Option 1 is summarized on page 3A.18.37 of the DEIR/DEIS. This option entails concerns related to the long-term reliability of groundwater supplies.

ECOS-125 *The comment suggests that the DEIR/DEIS should discuss the implications of “an additional straw” into a potentially over-allocated aquifer (e.g., the central groundwater subbasin).*

The analysis of potential groundwater impacts, as discussed for Water Supply Option 1 on pages 3A.18-29 through 3A.18-35 of the DEIR/DEIS, describe and evaluate the implications of additional groundwater demands from the project, in terms of groundwater quality, groundwater withdrawal, effects to adjacent wells, and alteration of surface water hydrology.

ECOS-126 *The comment questions the reliability of the subbasin yield estimates provided by the WFA.*

See response to comment ECOS-123.

ECOS-127 *The comment suggests that the DEIR/DEIS should include a discussion of the necessary mechanisms to make Water Supply Option 1 viable over the long-term, as well as the feasibility of such mechanisms.*

As discussed in the fifth paragraph on page 3A.18-24 of the DEIR/DEIS, given the complexities of implementing a conjunctive use program, the City purposely did not assume the inclusion of any conjunctive use facilities. Although a conjunctive use program would represent the primary mechanism for minimizing long-term impacts to the central groundwater subbasin, any such program would more than likely be administered by SCWA, which is already implementing a conjunctive use program.

ECOS-128 *The comment references Water Supply Option 2 on page 3A.18-37 of the DEIR/DEIS and requests clarification as to whether such water might become available from substituting local groundwater for surface water or by water-conservation actions that might make surface water available.*

Under Water Supply Option 2, the City would enter into an agreement with one or more of several entities to purchase a portion of their CVP water, similar to the project. However, each entity would make water available through different means (e.g., water conservation or supplemental groundwater pumping). For the purposes of analysis, the City assumed that supplemental groundwater pumping could be required to offset the surface supplies purchased by the City, unlike the source water for the Off-site Water Facility Alternatives.

ECOS-129

*The comment states that the DEIR/DEIS does not note that groundwater exports by downslope Sacramento River senior water right holders are controversial with upslope groundwater users, who might experience more significant groundwater-level declines (and even “areal” availability) from groundwater exports.*

The commenter’s concern is addressed in the Option 2 conclusion at the top of page 3A.18-41 of the DEIR/DEIS: the transferring entities might replace surface water supplies purchased by the City with groundwater, thus leading to additional groundwater impacts. As shown in Chapter 5, “Errata” of this FEIR/FEIS, additional text has been added to page 3A.18-41 of the DEIR/DEIS to expand on the City’s reasoning for not carrying forward Water Supply Option 2 for analysis under NEPA.

ECOS-130

*The comment states that Water Supply Option 3 seems plausible, assuming that water would be conserved from an aggressive water conservation and reclamation program by the City.*

As discussed in the third paragraph on page 3A.18-46 of the DEIR/DEIS, the City has not determined whether sufficient supplies could be produced under Water Supply Option 3 or how the City’s adopted Measure W would apply to such a program. Additionally, the City remains in the process of completing a leak detection study to determine what infrastructure improvements would be required and the corresponding quantity of supply conserved. As shown in Chapter 5, “Errata” of this FEIR/FEIS, additional discussion has been added to page 3A.18-47 of the DEIR/DEIS to include additional detail as to the City’s reasoning for not carrying forward Water Supply Option 3 for analysis under NEPA.

ECOS-131

*The comment states that the DEIR/DEIS does not provide much information on the institutional, political, cultural, financial, and legal constraints of a City water conservation program to allow for an assessment of the viability of such an effort.*

The description of Water Supply Option 3, provided on pages 3A.18-41 through 3A.18-43 of the DEIR/DEIS, is sufficient to enable evaluation of potential environmental impacts. As alluded to on page 3A.18-46 of the DEIR/DEIS and in the response to comment ECOS-130, the main institutional, political, cultural, financial, and legal constraints centered around Water Supply Option 3 relate to the City’s adoption of Measure W, which is described in its entirety on page 3A.10-14 of the DEIR/DEIS.

ECOS-132

*The comment states that page 4-74 of the DEIR/DEIS correctly identifies the growth-inducing potential for pressure on undeveloped grazing lands to be converted to urban uses because of the proximity of large-scale urban development proposed by the project or the other four action alternatives.*

The comment restates text contained on page 4-74 of the DEIR/DEIS; the comment is noted.

ECOS-133 through  
ECOS-134

*The comments purport to restate the reasoning of DEIR/DEIS impact conclusions regarding growth inducing impacts as, “Adopted plans don’t show it as urban, so therefore the project won’t induce growth there.” The comments also state that the SPA, when first proposed, was not anticipated for urban levels of public infrastructure services as it was to be beyond the USB [urban service boundary] and the UPA [urban policy area].*

The comment speculates that development of the SPA could encourage growth in the unincorporated area of the County south of the SPA. The commenter does not present facts to support the suggested changes in land use in the County, and the speculative claims are not evidence of an environmental impact. (See CEQA Guidelines Section 15384[b] [argument, speculation, and unsubstantiated opinion are not substantial evidence of an environmental impact].) In any event, the County’s land use designations immediately south of the SPA are rural. It would be improper for the City to speculate at this time as to possible land use changes to the area south of the SPA in the absence of any indication from the County to provide for such a land use change. So far, there is no such indication from the County. In fact, the referenced County area is subject to the County’s SSCHP, [providing a further impediment to urbanization of this area and indicating an intent by the County not to urbanize the area](#). The City’s project does not remove barriers to growth in the areas of the County south of the SPA, nor does the project provide for infrastructure to serve an urbanized area south of the SPA. (See CEQA Guidelines Section 15126.2[d].) Furthermore, CEQA does not require an EIR to anticipate and mitigate the effect of a project on growth in other areas. (*Napa Citizens for Honest Government v. Napa County Board of Supervisors* [2001] 91 Cal.App.4th 342, 371.) Such an analysis is more appropriately undertaken at the time a project is proposed in that area. Therefore, the DEIR/DEIS properly addressed growth-inducing impacts.

ECOS-135

*The comment states that development should not be accepted without appropriate, feasible, implementable, and necessary mitigation measures for growth-inducing impacts.*

The commenter suggests that the DEIR/DEIS should provide significance conclusions and mitigation measures, rather than identifying whether certain factors could or could not be growth inducing. However, Section 15126.2(d) of the State CEQA Guidelines states:

Growth-Inducing Impacts of the Proposed Project. Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment [emphasis added].

Some growth is inevitable and in fact desirable. CEQA acknowledges this: “It is the intent of the Legislature that all agencies of the state government...shall regulate

[activities within their jurisdiction] so that major consideration is given to preventing environmental damage, *while providing a decent home and satisfying living environment for every Californian.*” (Pub. Resources Code Section 21000[g]) Mandating mitigation measures to preclude growth in any particular area, outside of a comprehensive planning effort, would infringe on the agencies’ legislative powers and unduly hamper large scale planning efforts. In point of fact, the City of Folsom will soon be engaged in such a planning effort as it updates its general plan.

This understanding of section 15126.2(d) is supported by the Court of Appeal’s opinion in *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342. That case provides the most comprehensive discussion of growth-inducing impacts in the context of an EIR and explains that “Nothing in the Guidelines, or in the cases, requires more than a general analysis of projected growth.” (*Id.* at p. 369.) Here, such a discussion is necessarily limited because the precise growth-inducing impacts of the proposed project are difficult to forecast and to a large degree are speculative. Contrary to the commenter’s suggestion, CEQA does not require mitigation for these growth-inducing impacts; as the *Napa Citizens* court explained: “Neither CEQA itself, nor the cases that have interpreted it, require an EIR to anticipate and mitigate the effects of a particular project on growth in other areas.” (*Id.* at p. 371.) Rather, such precise mitigation is best determined at the time specific projects are proposed. (*Ibid.*) “[I]t is enough that the [DEIR] warns interested persons and governing bodies of the possibility or probability of growth inducement, so that the agency can take appropriate steps in its planning efforts. (*Ibid.*)

Therefore, because the State CEQA Guidelines state that it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance, the City believes it would be inappropriate to assign a significance conclusion for the growth-inducing impacts identified in Chapter 4 of the DEIR/DEIS or to provide mitigation for those impacts. No revisions to the DEIR/DEIS are necessary.

ECOS-136

*The comment states that the City of Folsom has suggested that the Specific Plan provides “significant open space.” The comment further states that this observation by the City is irrelevant to growth inducement.*

The commenter’s meaning is not clear; the amount of open space included in the SPA is not related to growth-inducing impacts. No further response can be prepared.

ECOS-137

*The comment states that widening of White Rock Road to four lanes with urban development on the north side of the road will induce growth on the south side of the road. The comment offers examples of Elk Grove Boulevard and Del Paso Road.*

The potential for growth-inducement south of White Rock Road is addressed on pages 4-72 and 4-73 of the DEIR/DEIS. See also Master Response11 – Disagreement Regarding the Conclusions of the DEIR/DEIS.

ECOS-138

*The comment states that the [Final] EIR/EIS must include a financing program to acquire development rights for a 1-mile-wide buffer on the south side of White Rock Road to mitigate for the project’s growth-inducing impacts.*

See response to comment ECOS-135.



ECOS-139

*The comment summarizes the fact that ECOS' letter addresses numerous concerns identified in the DEIR/DEIS and offers a meeting with ECOS representatives to address deficiencies.*

City representatives will be happy to meet with ECOS representatives at any time. The City already has extended this offer during preparation of the DEIR/DEIS, and two productive meetings were held in 2010.



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September 9, 2010

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

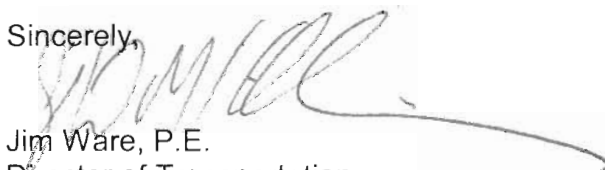
**Subject: Folsom Sphere of Influence Draft Environmental Impact Report**

Dear Ms. Furness de Pardo,

Thank you for providing an opportunity for the County of El Dorado Department of Transportation to review the Folsom Sphere of Influence (SOI) Draft Environmental Impact Report (EIR). We have reviewed the document as well as the Folsom Plan Area Specific Plan. Our comments are attached.

Thank you for your willingness to work with the County of El Dorado and accommodate our concerns in your analysis. Should you have any questions or would like to discuss any of the issues listed, please contact Craig McKibbin, Deputy Director, Transportation Planning & Land Development Division. Mr. McKibbin can be reached at 530-621-5914 or via email at [craig.mckibbin@edcgov.us](mailto:craig.mckibbin@edcgov.us).

Sincerely,

  
For Jim Ware, P.E.  
Director of Transportation

enclosure

c: Craig McKibbin, Deputy Director, EDC DOT  
Rich Lorenz, Public Works Director, City of Folsom

**Folsom South of U.S. Highway 50 Specific Plan DEIR/DEIS**

<u>Page</u>	<u>Comment / question</u>	
1.	3A.15-1 The Traffic and Transportation - Land chapter of the document indicates that the cumulative conditions reflect year 2030 conditions and that the land use and transportation networks are all based on regional Sacramento Area Council of Governments forecasts and General Plan and specific project information in jurisdictions near the Specific Plan Area. Since the County of El Dorado (County) General Plan reflects transportation and land use through 2025, has it been adjusted to match the year 2030 used for the Folsom SOI analysis? Have the County forecasts been adjusted to reflect the year 2030 forecasts? Are all the assumptions for El Dorado Hills Business Park reflected correctly including the employment cap or its removal?	2 3 4
2.	3A.15-3 The Sophia Parkway / Iron Point Road / Saratoga Way intersection is not included on Table 3A.15-1 <i>Locations of Detailed Traffic Analyses</i> . This intersection should be analyzed to determine both near term and long term impacts from the SOI development.	5
3.	3A.15-10 The County uses peak hour volumes for the threshold determination whereas Table 3A.15-3 of the DEIR reflects daily volume thresholds. Which thresholds are used to determine the mitigation measures for County facilities?	6
4.	3A.15-24 Has the bikeway connectivity between the Folsom SOI and the community of El Dorado Hills been studied? If so, has it been planned as part of the SOI?	7 8
5.	3A.15-26 There is no discussion on how mitigation measures are proposed for roadway segments in the County of El Dorado. What criteria was used?	9
6.	3A.15-29 The cumulative conditions scenario roadway network list indicates Grant Line Road as a four lane roadway. Does that include the expressway designation proposed by the Capital Southeast Connector Joint Powers Authority?	10
7.	3A.15-30 The cumulative regional roadway improvements indicates that White Rock Road will be widened to four lanes from Rancho Cordova Parkway to U.S. 50 at the new Silva Valley interchange. That should be corrected to six lanes within El Dorado County.	11
8.	3A.15-41 Table 3A.15-21 <i>Intersection Level of Service - Existing Plus Project Conditions - El Dorado County</i> indicates LOS F for the White Rock Road / Windfield Way Intersection. The County is currently in the bidding process for signal construction at this location. Is that included in this analysis?	12

**Folsom South of U.S. Highway 50 Specific Plan DEIR/DEIS**

	<u>Page</u>	<u>Comment / question</u>	
9.	3A.15-43	Table 3A.15-23 <i>Freeway Mainline Levels of Service - Existing Plus Project Conditions - Caltrans</i> indicates LOS F for the Eastbound U.S. 50 segment between El Dorado Hills Blvd - Latrobe Road to Bass Lake Grade. Does this include the improvements being built under the Phase 1 HOV Lane Project that is currently under construction in the County?	13
10.	3A.15-45	Table 3A.15-24 <i>Merge/Diverge/Weave Levels of Service - Existing Plus Project Conditions - Caltrans</i> indicates LOS F for Westbound U.S. 50 El Dorado Hills Boulevard - Latrobe Road on and off-ramps. Does this include the improvements being built under the US 50 HOV Lane Project under construction in the County?	14
11.	3A.15-48	Section c. of the Project Participation in Funding Transportation Improvements states that the City of Folsom will pursue agreements with affected jurisdictions to create fair share mitigation payments and implement the mitigation measures. Has this effort started? If not, when would it start?	15
12.	3A.15-48	There is statement that certain impacts outside of the City of Folsom would remain significant and unavoidable. Have any such unavoidable impacts in the County of El Dorado been identified and have they been discussed with the County? If not, when will those discussions occur?	16 17
13.	3A.15-58	The County is currently in the bidding process to install a signal at the White Rock Road / Windfield Way intersection (see <i>question 8</i> ). If additional mitigation measures are required in addition to the signal due to the SOI development, the SOI Fair Share Agreements should reflect those measures.	18
14.	3A.15-58	The document has no discussion of the impact of the SOI development on the Latrobe Road / White Rock Road intersection. That intersection analysis should be included in the document for both existing and cumulative conditions.	19
15.	3A.15-65	IMPACT 3A.15-1t indicates an unacceptable LOS on Eastbound U.S. 50 between El Dorado Hills Boulevard - Latrobe Road and Bass Lake Grade (Freeway Segment 9). Did the analysis include the Phase1 HOV Lane Project (see <i>question 9</i> ) currently under construction in the County?	20
16.	3A.15-72	IMPACT 3A.15-1bb and 3A.15-1cc indicate unacceptable LOS at the U.S. 50 Eastbound / El Dorado Hills Boulevard - Latrobe Road Merge (Freeway Merge 19) and at the U.S. 50 Westbound / El Dorado Boulevard Diverge (Freeway Diverge 20). Did the analysis include the Phase1 HOV Lane Project (see <i>question 9</i> ) currently under construction in the County?	21

**Folsom South of U.S. Highway 50 Specific Plan DEIR/DEIS**

<u>Page</u>	<u>Comment / question</u>	
17.	3A.15-91 Table 3A.15-30 <i>Intersection Levels of Service - Cumulative (2030) Conditions - El Dorado County</i> indicates LOS F at White Rock Road / Valley View Parkway and Latrobe Road / Town Center Blvd intersections in the P.M. Peak Hour with no project scenario during the year 2030. However, it is indicated as LOS E in the P.M. Peak Hour for the year 2030 with several SOI project alternatives. Is this change due to any mitigation measures proposed by the SOI? If so, will the mitigation be included in the SOI / County Fair Share Agreement?	22 23
18.	3A.15-93 Table 3A.15-32 <i>Freeway Mainline Levels of Service - Cumulative (2030) Conditions - Caltrans</i> indicates LOS E at Westbound U.S. 50 Silva Valley Road to El Dorado Hills - Latrobe Road at the A.M. Peak Hour with no project scenario during the year 2030. However, it is indicated as LOS D at the A.M. Peak Hour for the year 2030 with several SOI project alternatives. Is this change due to any mitigation measures proposed by the SOI? If so, will the mitigation be included in the SOI / County Fair Share Agreement?	24 25
19.	3A.15-109 Under cumulative conditions an unacceptable LOS is indicated at the White Rock Road / Carson Crossing Road intersection. This section identifies the necessary improvements and indicates that the County will be responsible for implementation with fair share contribution from the SOI applicant. Has this been initiated by the City of Folsom yet?	26
20.	3A.15-134 Section 3A.15.4 Cumulative Quarry Truck Traffic discusses the impact of the three proposed quarries for the area south of the SPA. Does this analysis reflect the latest information available from the East Sacramento Region Aggregate Mining Truck Traffic Study and Management Plan?	27
21.	3A.15-143 Table 3A.15-45 <i>Roadway Segment Levels of Service - Cumulative (2030) Conditions - Sacramento County - Quarry Truck Influence for White Rock Road - Empire Ranch Road to Carson Crossing Road</i> indicates deterioration of LOS from D to E with certain Quarry Project Alternatives, while other alternatives improve the LOS. Would the quarry truck fair share contribution be included as a part of SOI Fair Share Agreement with the County of El Dorado?	28
22.	3A.15-149 Table 3A.15-48 <i>Intersection Levels of Service - Cumulative (2030) Conditions - El Dorado County - Quarry Truck Influence</i> indicates that for the White Rock Road / Valley View Parkway and the Latrobe Road / Town Center Boulevard intersections, the LOS with no project is indicated as LOS F while most of the Proposed Project alternatives indicate LOS improvements. Would the quarry truck fair share contribution be included as a part of SOI Fair Share Agreement with the County of El Dorado?	29

**Folsom South of U.S. Highway 50 Specific Plan DEIR/DEIS**

<u>Page</u>	<u>Comment / question</u>	
23.	3A.15-157 Section 3A.15.6 <i>Residual Significant Impacts</i> discusses the significant unavoidable impacts in the Folsom area and to U.S.50 and that mitigation measures for these segments call for fair share payments to the Connector JPA. However, it also indicates that based upon available information, it cannot be determined that the connector will reduce traffic on U.S. 50 and those impacts are considered significant and unavoidable.  Because the Draft EIR for the connector has not been completed, this determination seems premature. Once the Draft EIR is completed, this analysis should be revisited to verify that the impacts are still considered significant.	30
24.	3A.15-157 The Residual Significant Impacts Section should also include any County of El Dorado facilities that fall under that category based on SOI analysis.	31
25.	Area Specific Plan Please correct Figure 7.1 (Circulation Plan) in the Specific Plan document to reflect the El Dorado County classification of White Rock Road as a four-lane divided road instead of the "Expressway" classification shown in the Sacramento County section.	32



EDC DOT-1

*The comment states that the County of El Dorado Department of Transportation (EDC DOT) has reviewed the DEIR/DEIS and submits comments. The comment also identifies appropriate EDC DOT personnel for coordination and questions.*

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

EDC DOT-2 through  
EDC DOT-4

*The comments state that the cumulative year 2030 traffic forecasts in the “Traffic and Transportation – Land” discussion, beginning on p. 3A.15-1 of the DEIR/DEIS, are based on Sacramento Council of Government’s forecasts, General Plan, and specific project information in jurisdictions near the SPA. The comments ask if the El Dorado County General Plan land use and roadway network assumptions, based on a cumulative year of 2025, were changed to reflect year 2030 conditions. The comments also ask if the El Dorado Hills Business Park development cap was lifted or not.*

The development assumptions and roadway network for El Dorado Hills in the DEIR/DEIS cumulative year 2030 forecasts reflect the same assumptions used for cumulative conditions (2025) in the El Dorado County General Plan EIR. The DEIR/DEIS assumes approximately 22,000 employees in the El Dorado Hills Business Park. Subsequent to the DEIR/DEIS analysis, the County capped employment in the El Dorado Hills Business Park at 10,045. Thus, the DEIR/DEIS assumes that the cap would be lifted by the cumulative horizon year.

EDC DOT-5

*The comment states that the intersection of Sofia Parkway/Saratoga Way was not included on Table 3A.15-1, “Locations of Detailed Traffic Analyses” on p. 3A.15-3 of the DEIR/DEIS, and suggests that it should be.*

The intersection of Empire Ranch Road/Iron Point Road was analyzed as City of Folsom Intersection 24. Sofia Parkway becomes Empire Ranch Road when it enters the Folsom city limits. Saratoga Way becomes Iron Point Road when it enters the Folsom city limits. The intersections of Empire Ranch Road/Sofia Parkway and Iron Point Road/Saratoga Way are inside Folsom city limits.

EDC DOT-6

*The comment states that El Dorado County uses peak-hour thresholds for the roadway segments’ LOS analysis, but the DEIR/DEIS states daily thresholds for roadway segments LOS analysis. The comment asks which thresholds were used to analyze impacts to El Dorado County roadways.*

Roadway segment LOS thresholds were not used to analyze impacts to El Dorado County roadways. As stated on p. 3A.15-9 of the DEIR/DEIS, the traffic analysis in El Dorado County focused on intersections, similar to the El Dorado County practice for recent projects in the area, such as the Traffic Operations Study for the Saratoga Way extension. Highway Capacity Manual 2000 methods were used to analyze El Dorado County intersections.



EDC DOT-7

*The comment asks if bikeway connectivity between the City of Folsom's SPA and El Dorado Hills has been studied.*

The DEIR/DEIS assessed bikeway connectivity between the City's SPA and adjacent jurisdictions, including El Dorado County. See response to comment EDC DOT-8 and the Bike Lane and Class I Trail Exhibit on Page 7-59 of the FPASP (depicting two future Class I trail connections between the SPA and El Dorado Hills).

EDC DOT-8

*The comment asks if any bikeway connections between the City of Folsom's SPA and El Dorado Hills are planned.*

The project does not include any bikeway connections with El Dorado Hills, primarily because of the steep topography and the low density residential subdivisions planned along the entire SPA/El Dorado Hills boundary. Some bikeway connections could be made at the project level when subdivisions are planned. The City's Bikeway Master Plan is regularly updated and could include additional connections as opportunities present themselves.

EDC DOT-9

*The comment refers to p. 3A.15-26 of the DEIR/DEIS and asks why no roadway segment mitigation measures are proposed for El Dorado County roadways, and what criteria was used to determine that none would be needed.*

See response to comment EDC DOT-6 as to why El Dorado County roadway segments were not analyzed. Study area El Dorado County intersections were analyzed, impacts are stated, and mitigation measures are proposed in Section 3A.15, "Traffic and Transportation" of the DEIR/DEIS.

EDC DOT-10

*The comment asks whether Grant Line Road was designated as an expressway in the cumulative conditions, on page 3A.15-29 of the DEIR/DEIS, as proposed by the Capitol Southeast Connector JPA.*

The Cumulative Plus Project analysis did not assume that Grant Line Road would be an expressway facility, as described by the Capitol Southeast Connector project description and EIR. The Cumulative Plus Project analysis assumed that Grant Line Road would be a thoroughfare with high access control between White Rock Road and Douglas Road, and a thoroughfare with moderate access control between Douglas Road and Jackson Highway (SR-16). The Cumulative Plus Project – Mitigated Network analysis assumed that Grant Line Road would be a thoroughfare with high access control between White Rock Road and Jackson Highway (SR-16). (See DEIR/DEIS pages 3A.15-3 through 3A.15-134.)

EDC DOT-11

*The comment references the assumption on p. 3A.15-30 of the DEIR/DEIS that White Rock Road would be widened to four lanes between Rancho Cordova Parkway and the U.S. 50/Silva Valley Parkway interchange by the cumulative year 2030. The comment suggests that this should be corrected to six lanes in El Dorado County.*

The El Dorado County General Plan and the Metropolitan Transportation Plan include the ultimate widening of White Rock Road to six lanes between Latrobe Road and the U.S. 50/Silva Valley Parkway interchange, and four lanes between the Sacramento County line and Latrobe Road. The cumulative year 2030 traffic analysis in the DEIR/DEIS assumed four lanes on White Rock Road between Latrobe Road and the U.S. 50/Silva Valley Parkway interchange with the proposed project and indicates that six lanes are not required on that segment because intersections would operate at an

acceptable LOS E with only four through lanes. Analyzing the road with only four lanes was conservative but still resulted in no project impacts. With the project, traffic operating conditions improved from LOS F to E at the intersection of White Rock Road and Valley View Parkway (also see response to comment EDC DOT-22).

EDC DOT-12

*The comment states that Table 3A.15-21 on p. 3A.15-41 of the DEIR/DEIS indicates an impact at the White Rock Road/Windfield Way intersection under Existing Plus Project conditions and asks whether the new signal that is out to bid was assumed.*

The new signal at the White Rock Road/Windfield Way intersection was not assumed under Existing conditions or Existing Plus Project conditions because it has not yet been built. The proposed mitigation measure, installing a signal at this intersection, is the improvement that was recently put out for bid by El Dorado County.

EDC DOT-13

*The comment references the data on p. 3A.15-43 of the DEIR/DEIS regarding LOS F on the Eastbound segment of U.S. 50 between El Dorado Hills Boulevard/Latrobe Road and Bass Lake Road under Existing Plus Project conditions and asks whether the new HOV lanes that are now under construction were assumed.*

The new carpool (HOV) and truck climbing lane on eastbound U.S. 50 between El Dorado Hills Boulevard/Latrobe Road and Bass Lake Road were not assumed under Existing conditions or Existing Plus Project conditions because they have not yet been built. No mitigation measure is proposed because the new HOV and truck climbing lanes currently are under construction and would reduce the impact to a less-than-significant level.

EDC DOT-14

*The comment references the Caltrans indication of LOS F on the Westbound U.S. 50 on- and off- ramps at El Dorado Hills Boulevard/Latrobe Road under Existing Plus Project conditions, shown on Table 3A.15-24 on page 3A.15-45 of the DEIR/DEIS. The comment asks whether the improvements that are included in the new HOV lane project, now under construction, were assumed.*

The new carpool (HOV) and truck climbing lane on Eastbound and Westbound U.S. 50 between El Dorado Hills Boulevard/Latrobe Road and Bass Lake Road were not assumed under Existing conditions or Existing Plus Project conditions because they are not yet built. No mitigation measure is proposed because the new HOV and truck climbing lanes are currently under construction and would reduce the impacts to a less-than-significant level.

EDC DOT-15

*The comment asks if fair share funding agreements have been discussed with affected jurisdictions and, if not, when those discussions would begin.*

Fair share funding calculations, negotiations, and payment would not be initiated until the project was approved and the SPA was annexed by the City of Folsom.

EDC DOT-16 through  
EDC DOT-17

*The comment notes that the DEIR/DEIS states that certain impacts outside the City of Folsom would be significant and unavoidable. The comment asks if any such impacts are within El Dorado County and if so, when the City will discuss those impacts with the County.*

None of the significant and unavoidable transportation impacts that are identified in the DEIR/DEIS would occur within El Dorado County.

- EDC DOT-18 *The comment asks whether any additional mitigation measures are needed at the intersection of White Rock Road/Windfield Way beyond the signal installation that is out to bid, in reference to discussion on p. 3A.15-58 of the DEIR/DEIS.*
- No additional mitigation measures are needed under Existing Plus Project conditions.
- EDC DOT-19 *The comment states that the intersection of White Rock Road/Latrobe Road was not analyzed but suggests that it should be, in reference to discussion on p. 3A.15-58 of the DEIR/DEIS.*
- The intersection of White Rock Road/Latrobe Road was analyzed as El Dorado County Intersection 4. No impact would occur at this location under either Existing Plus Project conditions or Cumulative Plus Project conditions.
- EDC DOT-20 *The comment repeats comment EDC DOT-13.*
- See response to comment EDC DOT-13.
- EDC DOT-21 *The comment repeats comment EDC DOT-14.*
- See response to comment EDC DOT-14.
- EDC DOT-22 *The comment references the data on p. 3A.15-91 of the DEIR/DEIS that the PM peak-hour LOS improves at the intersection of White Rock Road/Valley View Parkway from LOS F under Cumulative No Project to LOS E under Cumulative Plus Project or Alternative conditions and asks if this is due to any mitigation measure that was assumed as part of the project.*
- No improvements were assumed outside of the SPA, including in El Dorado County, as part of the project and in the plus-project traffic analysis. No significant impacts were identified at this intersection and thus, no mitigation measures are required. The modest improvement in traffic operating conditions at this location during the p.m. peak hour results from a redistribution of travel patterns because of the additional land use and roadway network assumed as part of the project. In particular, 10,210 new dwelling units and about 13,200 new jobs are assumed as part of the project. When added to cumulative No Project conditions, the travel demand model projects that this development would result in different travel patterns into and out of El Dorado County. That is, the origins and destinations of people living and working in El Dorado County, particularly in the El Dorado Hills area, would be somewhat different with the proposed project than without it. Although the project would result in increases in traffic volumes on some turning movements at some intersections in El Dorado Hills, it also would result in decreased volumes for other movements.
- EDC DOT-23 *The comment asks about an SPA/County fair-share agreement related to the intersection mentioned in comment EDC DOT-22.*
- Because no mitigation measure or further improvement is assumed at this location, an SPA/County fair-share agreement is not required.

EDC DOT-24

*The comment references the information on p. 3A.15-93 of the DEIR/DEIS that the PM peak-hour LOS improves on westbound U.S. 50 between Silva Valley Parkway and El Dorado Hills Boulevard/Latrobe Road from LOS E under Cumulative No Project to LOS D under Cumulative Plus Project or Alternative conditions and asks if this is because of any mitigation measure that was assumed as part of the project.*

No improvements or mitigation measures were assumed outside of the SPA, including in El Dorado County, as part of the project and in the plus-project traffic analysis. The modest improvement in traffic operating conditions at this location during the p.m. peak hour results from the following two factors.

First, a redistribution of travel patterns would occur because of the additional land use and roadway network assumed as part of the project. In particular, 10,210 new dwelling units and about 13,200 new jobs are assumed as part of the project. When added to cumulative No Project conditions, the travel demand model projects that this development would result in different travel patterns into and out of El Dorado County. That is, the origins and destinations of people living and working in El Dorado County, particularly the El Dorado Hills area, would be somewhat different with the proposed project than without it. Although the project would result in increases in traffic volumes on some roadway segments in El Dorado Hills, it also would result in decreased volumes on other segments.

Second, at the specific location on U.S. 50 referenced by the commenter, a shift would occur in traffic volumes from the mixed flow lanes to the auxiliary lane between Silva Valley Parkway and Empire Ranch Road. A higher exit volume would occur at the Empire Ranch Road off-ramp with the proposed project because it would serve more development. This shift would result in improved conditions for the freeway mixed-flow lanes.

EDC DOT-25

*The comment asks about an SPA/County fair-share agreement related to the intersection mentioned in comment EDC DOT-24.*

Because no mitigation measure or further improvement is assumed at this location, an SPA/County fair-share agreement is not required.

EDC DOT-26

*The comment asks if fair share funding by the project applicant has been initiated with respect to improvements to the White Rock Road/Carson Crossing Road intersection, in reference to the discussion on page 3A.15-109 of the DEIR/DEIS.*

Fair share funding calculations, negotiations, and payment would not be initiated until the project was approved and the SPA was annexed by the City of Folsom.

EDC DOT-27

*The comment asks whether the quarry truck analysis on p. 3A.15-134 of the DEIR/DEIS includes the latest data from the East Sacramento Region Aggregate Mining Truck Traffic Study.*

This DEIR/DEIS used truck data from the (now) certified Teichert Quarry EIR. The East Sacramento Region Aggregate Mining Truck Traffic Study is ongoing and has not yet resulted in an adopted truck routing plan. The truck trip generation in the Teichert Quarry EIR was based on a higher quarry production level than the East Sacramento Region Aggregate Mining Truck Traffic Study and, thus, has a higher number of trucks on most roadway segments. The truck volumes used in the DEIR/DEIS are considered conservatively high.

- EDC DOT-28 *The comment asks if fair share funding agreements with El Dorado County will include quarry truck fair share contributions.*
- See response to EDC DOT-26.
- EDC DOT-29 *The comment notes that the intersection LOS at White Rock Road/Valley View Parkway and Latrobe Road/Town Center Boulevard improves with the addition of the proposed project under any truck scenario (Table 3A.15-48 on p. 3A.15-149 of the DEIR/DEIS). The comment asks if the quarry truck fair-share contribution to roadway improvements would be included in the proposed projects fair-share agreement with El Dorado County.*
- As noted in the response to comment EDC DOT-22, the improvement in traffic operating conditions at these locations results from a redistribution of travel patterns resulting from the additional land use and roadway network assumed as part of the project. See also response to comment EDT DOT-26.
- EDC DOT-30 *The comment states that the proposed project would cause significant impacts to U.S. 50 in the City of Folsom area and that the mitigation measures call for a fair-share payment to the Capitol SouthEast Connector Joint Power Authority. The comment further states that it cannot be determined if the Connector will reduce traffic volumes on U.S. 50; therefore, the impact is considered significant and unavoidable. The comment suggests that this determination is premature and that the analysis should be revised after the Draft EIR for the Capitol SouthEast Connector is released to see if impacts are still significant after implementing the Capitol SouthEast Connector mitigation measure.*
- Over the last few years, traffic analyses conducted for both the 50 Corridor Mobility Partnership and the Capitol SouthEast Connector have indicated that improving White Rock Road to a limited access, high capacity/speed roadway would divert traffic from U.S. 50. As stated on p. 3.15-112 of the DEIR/DEIS, it is reasonable to expect that the Capitol SouthEast Connector will reduce traffic volumes on U.S. 50 by some amount; therefore, the impact would be partially mitigated. However, because the design of the Capitol SouthEast Connector is not known yet, whether it will reduce traffic volumes on U.S. 50 enough to fully mitigate the freeway impacts cannot be determined.
- The Capitol SouthEast Connector EIR is programmatic and it will not result in a project design that can provide certainty on the amount of traffic expected to be diverted from U.S. 50.
- EDC DOT-31 *The comment suggests that the Residual Significant Impacts section on p. 3A.15-157 of the DEIR/DEIS also should include any El Dorado County facilities that fall under that category.*
- No El Dorado County facilities exist that would have residual significant impacts. All of the impacts in El Dorado County can be fully mitigated. Therefore, no change to the text of the DEIR/DEIS is required.
- EDC DOT-32 *The comment suggests that Figure 7.1 (Circulation Plan) in the Specific Plan be corrected to remove the expressway designation for White Rock Road in El Dorado County.*
- The change requested by the commenter is to the FPASP (provided in Appendix N of the DEIR/DEIS) rather than to the DEIR/DEIS. No deficiency in the environmental review is suggested by this comment, and no change to the DEIR/DEIS is proposed.



Municipal Services Agency  
Paul Hahn,  
Agency Administrator

Interim County Executive  
Steven C. Szalay

### County of Sacramento

September 9, 2010

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

**SUBJECT: Comments on the Draft Environmental Impact Report/Environmental Impact Statement for the Folsom South of U.S. Highway 50 Specific Plan Project**

Dear Ms. Furness De Pardo:

Thank you for providing the County of Sacramento ("County") the opportunity to review and comment on the Draft Environmental Impact Report/Environmental Impact Statement ("DEIR/EIS") for the Folsom South of U.S. Highway 50 Specific Plan Project ("Project") prepared by the City of Folsom ("City"). The Project proposes developing approximately 3,500 acres of Sacramento County's vacant grazing land south of U.S. Highway 50 and north of White Rock Road between Prairie City Road to the west and Placerville Road to the east. This would place over 10,000 residences, over 360 acres of commercial and industrial uses and over 179 acres of public/quasi public uses in an area of the County which is a primary natural resource and conservation area for the County.

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**Overview:** The County is very concerned that the DEIR/EIS inadequately addresses the potential for land use and other conflicts arising from the proposed Project. The scope of these omissions are so substantial and pervasive throughout the document that it lacks the necessary information required in a DEIR/EIS and does not afford the reviewing public a meaningful opportunity to review and evaluate the adverse environmental effects of the Project. Recirculation of the draft is required by law in order to disclose the substantial information currently absent from the draft analysis. The County is particularly perplexed at the magnitude of the missing analysis given that we articulated the requirement for such analysis to the City in our November 6, 2008 comment letter on the Notice of Preparation for the Project (attached). The following comments detail these inadequacies.

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**Land Use: Prairie City State Vehicular Recreation Area** - The DEIR/EIS fails to analyze the potential land use incompatibility that exists between the proposed Project and the existing Prairie City State Vehicular Recreation Area ("SVRA") on the south side of White Rock Road just southwest of the Project. Even though an analysis of this impact was requested in our NOP comment letter, no discussion of compatibility appears in the Land Use or Parks and Recreation chapter of the DEIR/EIS. The only mention of the SVRA is in the noise section where it is concluded that there will be no impact to the proposed Project from the SVRA. There is no analysis of the Project's impacts on the SVRA. The Project would introduce potentially incompatible urban uses in close proximity to the SVRA. This type of land use arrangement has been repeatedly shown to result in complaints from the new residents against the existing use. In this particular case complaints regarding noise and dust are inevitable and would likely result in adverse restrictions on the operations and potential expansion of the SVRA. The DEIR should also discuss the impacts that the Project may have on the SVRA's existing General Plan.

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**Land Use: Greencycle Project** – The DEIR/EIS fails to adequately address County’s proposed Green Waste Composting Facility (“Greencycle”) and the land use compatibility impacts of bringing residential development associated with the Project nearer to such use even though this analysis was requested in our NOP comment letter. The Final Environmental Impact Report for the Greencycle project, certified as complete and adequate by the Solid Waste Authority Board of Directors on March 11, 2010, determined that odors from the Greencycle project on Scott Road will not impact the Folsom South of 50 Specific Plan area. Yet, on page 4-29 of the cumulative impacts chapter of the Folsom South of 50 DEIR/EIS it is stated “... new residents that would be generated within the SPA could be exposed to odors generated by the Easton project to the west, by the proposed City Corporation Yard to the south, and by the proposed Sacramento GreenCycle Project further south below the Corporation Yard.”

This wording implies that the DEIR/EIS is considering impacts **to** the Folsom South of 50 Specific Plan Project instead of the considering the impacts **from** the Folsom South of 50 Specific Plan Project which would be the correct evaluation pursuant to CEQA. The analysis contained in the DEIR/EIR should be revised to respond to the CEQA guidelines checklist item that asks would the Project, “Create objectionable odors affecting a substantial number of people?”.

**Land Use: Agricultural Resources and Growth Inducement** - As indicated in our November 6, 2008, comment letter on the NOP, the area south of White Rock Road is zoned for permanent agriculture, is used for cattle grazing operations and contains several Williamson Act contracts. The DEIR/EIS fails to consider the impact of urban development on these adjacent lands, propose suitable mitigation, or discuss feasible alternatives. The introduction of dense urban uses (e.g., retail commercial and high density residential at 30du/ac) adjacent to ongoing agricultural uses will undoubtedly result in significant land use conflicts and will also place substantial growth inducement pressure on these adjacent lands . The DEIR/EIS is deficient for failing to address these impacts and provide appropriate mitigation. Potential mitigation for the impact to adjacent agricultural lands could include a requirement to protect additional lands of similar agricultural quality located in the general vicinity of the Project. An example of this type of mitigation can be found in Sacramento County’s EIR for the Teichert Quarry (County Control Number: 02-GPB-RZB-UPB-REB-DGB-0636), which included a mitigation measure requiring the aggregate operator to protect an amount of land equal to the footprint of the quarry via conservation easements in the general vicinity of the quarry. Mitigation could also utilize the strategies contained in Sacramento County’s Right to Farm Ordinance; this Ordinance is intended to provide notice to adjacent land uses that there could be potentially incompatible activities associated with the adjacent agricultural land uses such as dust and odors, which could be perceived as nuisances to urban lifestyles but are protected as a matter of right in an agricultural zone. Such notice could be provided to future residents within the Project. Moreover, the DEIR/EIS is further deficient for failing to consider feasible alternatives such as reduced densities, a land use transition to more compatible land uses at the south Project boundary, or agricultural conservation easements.

The DEIR/EIS discussion under Williamson Act contract cancellation for the Project’s off-site elements (Impact 3A.10-3) states that “feasible mitigation measures, such as participation in an agricultural conservation easement, are not available to reduce impacts associated with the cancellation of these Williamson Act contracts to a less-than-significant level because no such programs are available.” This is not correct, in that there are numerous conservation easements available through non-profit groups such as the Rangeland Trust, or the Sacramento Valley Conservancy that can be used to protect and improve the environmental quality of these lands and the economic stability of the ranching operations. The DEIR/EIS violates CEQA requirements by not including mitigation when there are feasible options available.

The DEIR/EIS erroneously states (under Impact 3A.10-4) that the proposed Teichert Quarry and the Granite Walltown Quarry would require cancellation of Williamson Act contracts. That is incorrect. Those portions of the lands on which these quarries are proposed are not subject to Williamson Act contracts.

**Land Use: Aggregate Resources** – As indicated in our November 6, 2008, comment letter on the NOP, the area south of U.S. Highway 50 is a designated State Mineral Resource Zone (MRZ) by the California Department of Conservation (DOC). The DEIR/EIS addresses the impacts of the on- and off-site elements of the Project on mineral resources; however, there is no mention of the Project impacts on mineral resources located on adjacent lands. One of the most significant oversights of the DEIR/EIS is that there is no acknowledgment that in 2009, the State Mining and Geology Board reclassified approximately 1,000 acres of those lands south of White Rock Road from MRZ-3 to MRZ-2. The DEIR/EIS acknowledges that these adjacent lands are designated MRZ-3, which describes an area containing mineral deposits, the significance of which cannot be evaluated from existing data. The MRZ-2 designation, on the other hand, describes an area where adequate information (e.g., drill records) indicates that significant mineral deposits are present or where it is judged that a high likelihood for their presence exists.

The executive officer’s report to the State Mining and Geology Board in 2009 for the Mangini Property (CGS Special Report 213) and for the Wilson Ranch (CGS Special Report 214) indicates that aggregate tests results indicate the presence of aggregate materials on these properties which meet the specifications for a variety of construction aggregate uses up to and including PCC-grade aggregates, and further that the aggregate resources present on these properties exceed the minimum threshold value of \$17.38 million 2008-dollars established by the State Mining and Geology Board. The report also notes that “potential urban encroachment in this area constitutes a threat to the intended mining of the mineral resources on these properties.”

The primary goal of the DOC mineral land classification is to help ensure that the mineral resource potential of lands is recognized and considered in the land-use planning process. The fact that the DEIR/EIS did not recognize the reclassification of these lands is a significant omission. Due to the improper omission of this significant fact, critical analysis of the Project’s potential adverse environmental impacts to the mineral resources in the area was not performed in the DEIR/EIS. As noted in our NOP comment letter, the proposed Project would have impacts on the extraction of this regionally and locally significant resource by placing potential incompatible uses in proximity to quarry operations and hauling routes. While the DEIR/EIS did recognize the pending quarry proposals by Teichert Aggregates and Granite Construction on portions of these lands as contributing to cumulative environmental impacts, the DEIR/EIS fails to acknowledge the potentially significant effects of the Project on either the current mining proposals or potential future mining operations that are likely given the significant mineral deposits in the area. The DEIR/EIS must be revised to acknowledge the presence of these significant aggregate resources and the impact of the Project on the extraction of these resources. To be valid, the revised analysis must include an evaluation of the adverse effects of the Project upon logical transportation routes for the mining operations, acknowledging that the most likely, direct and only logical route for the distribution of the mined material is through the Project using Scott Road (AKA: East Bidwell Road). Restrictions on aggregate truck routes, hours of operation, blasting or other operation elements of the extraction process, could mean additional pressure to import aggregates from outside of the Sacramento region which would lead to increased traffic congestion, increased roadway maintenance, increased air quality impacts, increased construction overruns and higher costs to consumers and taxpayers, all of which are indirect impacts of the Project’s proposed mitigation measures that must be disclosed.

**Land Use: Open Space** – As indicated in our November 6, 2008, comment letter on the NOP, the area south of White Rock Road is designated as a Resource Conservation Area (RCA). The RCA



designation is intended to identify areas with special resource management needs, and the area to the south of White Rock Road is characterized by blue oak woodlands and grasslands that provide valuable habitat areas and wildlife corridors. The Open Space Element of the Sacramento County General Plan encourages the permanent protection of areas having natural resource value (Policy OS-1), and the connectivity of these areas such that they provide for biodiversity, accommodate wildlife movement and sustain ecosystems (Policy OS-2). The DEIR/EIS for the Project fails to recognize the presence of the RCA designation for adjacent lands, and does not discuss the potential impacts to these valuable resources from adjacent urban development.

The importance of these lands is highlighted by recent planning efforts by Sacramento County. The DEIR prepared for the Teichert Quarry, released in August 2008, includes mitigation requiring that the aggregate operator protect an amount of land equal to the footprint of the quarry via conservation easements in the general vicinity of the quarry. The County Planning Department staff report prepared for the Teichert Quarry, released in March 2010, recommends conditions of approval that require dedication of 380 acres of land as a conservation easement, and the exhibits attached to the report identify an area south of White Rock Road that Teichert Aggregates has agreed in concept to dedicate as a conservation easement to satisfy this mitigation measure. These exhibits identify a corridor from White Rock Road to the south boundary of the Teichert Aggregates property, a distance of approximately 1.5 miles, consistent with the above General Plan open space policies. The DEIR/EIS for the Project fails to recognize these ongoing planning efforts for adjacent lands, and fails to discuss the compatibility of the proposed urban development with these planning efforts.

Also indicated in our November 6, 2008, comment letter on the NOP, the configuration of the proposed open space is heavily weighted toward the north and drops off significantly toward the south. The proposed open space connection or “fingers” at each location where the open space meets White Road Road is extremely narrow, particularly at the point where Alder Creek crosses White Rock Road. As noted above, the staff report exhibits for the Teichert Quarry identify an open space connection on the south side of White Rock Road where Alder Creek crosses this roadway. The DEIR/EIS for the Project should be revised to recognize this fact, and discuss how the efforts could be coordinated consistent with the above General Plan open space policies. In addition, the Draft Sacramento County Bicycle Master Plan, released in January 2010, identifies a planned Class I multi-purpose trail, labeled as the “Deer Creek Trail”, to cross White Rock Road at this location. The planned trail is shown to connect to a planned “Alder Creek Trail” within the Project to the north, and to the Deer Creek Hills Preserve property to the south. This trail is also referenced in the 2009 SACOG Draft Regional Bicycle, Pedestrian, and Trails Master Plan. It is noted that the Conceptual Pedestrian, Bicycle and Transit Corridor map, labeled Exhibit 2-10, as contained in the DEIR/EIS for the Project, identifies a proposed trail for this alignment, but it is not identified as a “Class I” trail consistent with these other draft plans. The DEIR/EIS for the Project must be revised to recognize this Project’s impact on this important regional trail connection, with consideration given to significantly widening the finger of open space in which this multi-purpose trail will be located.

**Public Services: Solid Waste** - We concur with the analysis of solid waste generation rates and agree with the conclusion that the additional solid waste generated by construction activities in the SPA, as well as generated by residents and businesses occupying the SOI when it is built, can be managed by existing County of Sacramento disposal and recycling capacity.

**Biological Resources: Swainsons Hawk** – The DEIR/EIS does not adequately disclose or fully mitigate the impact to Swainson’s hawk foraging habitat. The DEIR/EIS identifies 2,594 acres of grassland habitat as potential foraging habitat for Swainson’s hawk and other raptors that would be affected by the proposed Project, with further reductions in impact to be determined by future studies to be conducted as part of a “Swainson’s hawk mitigation plan” using the 1994 DFG Swainson’s Hawk Guidelines as the basis for establishing the value of the habitat lost. The analysis is flawed in

several ways. Not only does the DEIR/EIS improperly defer the quantification of impact, more importantly, it grossly underestimates the acreage impacted due to the use of an outdated methodology. Since 2006 Sacramento County has not used the DFG guidelines but instead has used a methodology specific to Sacramento County and endorsed by DFG as a “better fit” for Sacramento County than the 1994 Guidelines. This methodology was jointly developed with DFG and recognizes that Swainson’s hawk foraging habitat value is greater in large expansive open spaces and agricultural areas than in areas which have been fragmented by agricultural-residential or urban development. The concept is that impact to foraging habitat occurs as properties develop to increasingly more intensive uses on smaller minimum parcel sizes. Therefore, foraging habitat impacts are assessed when agricultural and agricultural-residential parcels are rezoned to smaller minimum parcel sizes. The level of impact is calculated in acres and is based on the starting habitat value and ending habitat value.

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As a baseline, the methodology assumes that properties zoned AG-40 and larger have 100% habitat value, AG-20 properties have 75%, and AR-10 properties have 25% habitat value. Properties zoned AR-5 and smaller, such as AR-2, AR-1, the urban Residential Densities (RD-1 thru 40), commercial and industrial zonings, retain no habitat value. Table 1 below illustrates the continuum of habitat values by zoning and Table 2 provides the possible impact scenarios based on different starting and ending zonings.

**Table 1: Swainson’s Hawk Foraging Habitat Value by Zoning Category**

Zoning Category	Habitat Value Remaining
AG-40 and larger (e.g., AG-80, A-80, AG-160 etc.)	100%
AG-20, A-20, Some IR and UR	75%
AR-10, A-10	25%
AR-5 and A-5 and smaller (e.g., AR-2, A-2, AR-1, A-1, RE, RD, R, Commercial and Industrial Zones)	0%

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**Table 2: Swainson’s Hawk Foraging Habitat Impacts Associated with Different Rezone Proposals**

Rezone Request (From)	Rezone Request (To)	Impact
AG-40 and larger (e.g., AG-80, A-80, AG-160 etc.)	AG-20	25% of project size
AG-40 and larger (e.g., AG-80, A-80, AG-160 etc.)	AR-10	75% of project size
AG-40 and larger (e.g., AG-80, A-80, AG-160 etc.)	AR-5, AR-2, AR-1 and any RD, Commercial or Industrial Zone	100% of project size
AG-20, A-20, Some IR and UR	AR-10	50% of project size
AG-20, A-20, Some IR and UR	AR-5, AR-2, AR-1 and any RD, Commercial or Industrial Zone	75% of project size
AR-10, A-10	AR-5, AR-2, AR-1 and any RD, Commercial or Industrial Zone	25% of project size
AR-5 and A-5 and smaller (e.g.,	AR-5, AR-2, AR-1 and any RD,	0% of project size

AR-2, A-2, A-1, RE, RD(1 thru 40), R, Commercial and Industrial Zones)	Commercial or Industrial Zone		79 cont.
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Under CDF’s preferred methodology for Sacramento County, the entire project site (3,584 acres) is considered foraging habitat that would be lost if the area is urbanized, not just the 2,594 acres identified in the document as “grassland habitat”. Thus, the DEIR/EIS underestimates the area impacted by nearly 1,000 acres. This is a significant flaw in the analysis. 80

To further compound the flaw, the DEIR/EIS does not require full 1:1 mitigation, instead relying upon partial mitigation based on mitigation ratios to be determined at an unspecified future date based on an outdated methodology. Thus the City proposes to under-mitigate for an already grossly understated impact. 81

In addition to failing to disclose the full amount of impact to Swainson’s hawk foraging habitat, deferring quantification of impact, and utilizing an inappropriate impact assessment/mitigation methodology no longer used in Sacramento County, the mitigation measures also contain inappropriate and unenforceable assignment of mitigation responsibilities to the City of Folsom and County of Sacramento instead of to the Project applicant. For example, the third paragraph of page 3A.3-53 states that, “Before approval of such mitigation, the City, or Sacramento County for the off-site detention basin shall consult with DFG regarding the appropriateness of the mitigation.” If consultation with DFG is necessary to determine the appropriateness of the mitigation then such consultation should have been done as part of the environmental review process prior to release of the Draft EIR/EIS. If consultation with DFG is recommended as mitigation then it should be the responsibility of the Project applicant, and not jurisdictions, to carry out the mitigation. 82

Similarly, the last paragraph of page 3A.3-53 states, “The City Planning Department shall ensure that mitigation habitat established for impacts on habitat within the City’s planning area is properly established and is functioning as habitat by conducting regular monitoring of the mitigation site(s) for the first 10 years after establishment of the easement. Sacramento County shall monitor habitat and ensure success for impacts on habitat at the off-site detention basin.” If the intent is to require extended monitoring as part of the mitigation then this should be explicitly stated, with the responsibilities of the Project applicant and the approving jurisdiction clearly laid out within the mitigation monitoring and reporting program. However, it is improper to transfer the mitigation responsibility from the applicant and City of Folsom to the County of Sacramento, who is neither a party to the application nor the approving jurisdiction. As written, the mitigation would not only require that the County of Sacramento take over the City of Folsom’s monitoring responsibilities, but could also make the County responsible for the applicant’s failed mitigation. This inappropriate delegation of responsibilities is present throughout the entire DEIR/EIS and is further detailed in the following comment. 84

**Inappropriate Delegation of Responsibilities:** The County is also very concerned that the City of Folsom appears to be abrogating their responsibilities as lead agency in regard to mitigation monitoring. Throughout the DEIR/EIS, the Sacramento County Planning and Community Development Department is repeatedly listed as an enforcement entity for the City’s proposed mitigation measures. This is wholly inappropriate. Mitigation monitoring is not a responsibility of the Sacramento County Planning and Community Development Department, even for projects in which the County is lead agency. It is certainly not their responsibility for projects under another lead agency. Under CEQA Guidelines Section 15097, mitigation monitoring or reporting responsibilities can be delegated to another agency, but only if the agency accepts the delegation. The County was 85

not asked nor accepts this responsibility. The DEIR/EIS must be revised to correctly delegate mitigation monitoring responsibilities to the City of Folsom rather than the County of Sacramento. | 98  
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The DEIR/EIS also places mitigation requirements on Sacramento County, or other responsible agencies, rather than on the project proponents. For example, Mitigation Measure 3A.2-1h requires the responsible agency to conduct detailed dispersion modeling of construction generated PM<sub>10</sub> emissions. This deferral of responsibility is inappropriate and makes the mitigation unenforceable. The DEIR/EIS must be revised so that mitigation responsibility is borne by the project applicant and/or the lead agency, not outside agencies such as the County of Sacramento. | 100  
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Similarly, the DEIR/EIS places numerous mitigation requirements on non-related project applicants (e.g., quarry operators) for impacts caused by the Project. Again, this is improper delegation of responsibilities. Mitigation for Project impacts is the responsibility of the Project proponents, not unrelated parties. Further, as noted in the DEIR/EIS, the City of Folsom has no direct jurisdiction over the quarry projects as the projects are located within the unincorporated County of Sacramento. As such, the City does not control quarry-related activities, rendering the proposed mitigation unenforceable. CEQA Guidelines Section 15126.4(a)(2) requires that mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. CEQA Section 15126.4(4) also requires mitigation measures to be consistent with applicable constitutional requirements, including an essential nexus and rough proportionality. It does not appear that the proposed mitigation measures meet either of these criteria. Additionally, CEQA Guidelines Section 15126.4 (a)(1)(A) requires that mitigation measures be either measures proposed by the proponents to be included in the project or measures proposed to be required as conditions of approving the project. Mitigation cannot be arbitrarily placed on outside parties. The improper delegation of mitigation measures is pervasive throughout the document. The DEIR/EIS must be revised to include enforceable mitigation that places full responsibility for Project impacts on the Project itself. | 104  
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**Biological Resources: - Valley Needlegrass Grasslands** – The DEIR/EIS correctly identifies the importance of the valley needlegrass grasslands but fails to establish quantitative mitigation and defers establishment of mitigation to some time in the future upon consultation with DFG and the City of Folsom. The DEIR/EIR should establish a quantitative mitigation principle such as 1:1 mitigation and hold the applicants to this unless otherwise determined by DFG. While we understand that DFG has oversight as a trustee agency, it is the responsibility of the preparers of the DEIR/EIS to quantify impacts and identify feasible mitigation. If this cannot be done without consultation with DFG then such consultation should have occurred prior to release of the DEIR/EIS. | 115  
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**Aesthetic Impacts: Mitigation Measure 3A.1-1 Construct and Maintain a Landscape Corridor Adjacent to U.S. 50** – The DEIR/EIS identifies the significant impact that development will have on scenic resources and proposes a 50 foot landscape corridor adjacent to U.S. 50 as partial mitigation, “except that the landscaped corridor width shall be reduced to 25 feet adjacent to the proposed regional mall.” There is no justification or analysis provided for a reduced landscape corridor adjacent to the proposed regional mall. It is not clear if the finding of the DEIR/EIS is that the proposed regional mall is less visually obtrusive than the remainder of the development and therefore requires only a 25 foot landscaped corridor when the rest of the Project requires 50 feet. Additional clarification is required. | 121  
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**Noise Impacts: Traffic** - The DEIR/EIS fails to include reasonably foreseeable quarry truck traffic in the noise modeling for the Future (2030) noise scenarios and therefore underestimates the traffic noise exposure at on- and off-site site land uses under future conditions. The City of Folsom has been involved in numerous meetings regarding the Teichert Quarry Project and Walltown Quarry Project, and has been repeatedly advised that these projects would utilize Scott Road and/or Prairie City Road through the SPA area to access U.S. Highway 50. The quarry projects have been under CEQA review and had Notices of Preparation available before the Notice of Preparation was issued | 126  
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for the subject DEIR/EIS and therefore are required to be considered as reasonably foreseeable and analyzed as part of the environmental baseline of the proposed Project. | 130

Further, although the Noise chapter evaluates the increase in noise associated with Project-related traffic, it fails to address the impact of introducing new noise-sensitive land uses where they would be exposed to future traffic noise. This is a significant impact of the project that has not been acknowledged and mitigated. This omission warrants a recirculation of the draft document. | 131  
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**Airport/Air Traffic Impacts: Hazardous Wildlife Implications at Mather Airport:** - The County is concerned about the potential generation of hazardous wildlife attractants that could cause wildlife movement into or across aircraft approach, departure and circling airspace. The Federal Aviation Administration (FAA) establishes policies and guidance relative to the placement of hazardous wildlife attractants on and near airports, in particular with regard to projects within a five-mile radius of airports subject to FAA grant assurances. FAA Advisory Circular 150/5200-33B<sup>1</sup>, "Hazardous Wildlife Attractants On Or Near Airports", August 28, 2007 (Wildlife Hazards AC), requires airport operators, such as the County Airport System, to strongly discourage land uses that may attract hazardous wildlife within minimum separation distances from an airport's air operations area (AOA)<sup>2</sup> to protect approach, departure, and circling airspace. For Mather Airport (MHR), the 10,000-foot and five-mile separation criteria should at least be considered when designing land uses that have the potential to attract hazardous wildlife (e.g., stormwater and wastewater management facilities, water features associated with residential and commercial developments, wetlands mitigation areas, wildlife habitat conservation areas, etc.). Exhibit 1 (attached) depicts the 10,000-foot and five-mile perimeters for MHR. | 134  
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While the Project area is not within five miles of MHR, Exhibit 2 (Attached) demonstrates that portions of the Project area directly underlie the MHR Runway 22L Instrument Landing System (ILS) final approach course where terrain elevations average approximately 275 feet above mean sea level (MSL), putting aircraft as low as 1,000 feet above the ground within the Project area based on radar flight track analysis. County Airport System records indicate that most damaging birdstrikes occur at altitudes below 3,000 feet MSL. Therefore, it is appropriate for the DEIR to consider the potential for wildlife attractants within the Project area. The DEIR does not assess the potential attraction of hazardous wildlife to MHR or its surrounding airspace. The County Airport System requests that the DEIR address the proximity of Project alternative sites and measures that will be incorporated into the Project to avoid adversely affecting MHR aircraft operations. Off-site Water Facility Alternatives 4 and 4a in the DEIR call for the development of a Folsom Boulevard Water Treatment Plant within five miles of MHR. Water treatment plants and similar open water facilities are designated by the FAA as potential hazardous wildlife attractants. | 139  
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**Airport/Air Traffic Noise Impacts: Noise Implications and Concerns at Mather Airport** - Page 3A. 11-27 states that the EIR/EIS will not discuss exposure to aircraft noise because the nearest 60 dB CNEL noise contour from Mather Airport is 5,000 feet away. Yet in the analysis on Page 3A.11-40 impact 3A.11-6 is presented and discusses the potential impacts of Single-Event Aircraft Noise from Mather Airport. Although the analysis ultimately concludes a less-than-significant impact, the presence of the analysis is contradictory to the statement that aircraft noise would not be discussed. | 148  
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The County concurs with the City's conclusions stated in the Project DEIR that, as is the case within the entirety of the current City limits, current and forecast aircraft noise impacts associated with MHR within the proposed Project area will not exceed any federal or State thresholds of significance. | 151

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<sup>1</sup> Analysis of proposed projects and land uses should rely upon the most recent version.

<sup>2</sup> The AOA is defined in the Wildlife Hazards AC as "any area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft".

However, given the City's and a small number of its residents' extensively documented history of concern about aircraft overflight noise exposure that falls well below such thresholds of significance in other areas of the City that are even further away from both the airport and its associated flight paths than is the proposed Project's location, the County is concerned that residences, schools, and other noise sensitive developments within the proposed Project area have strong potential to both expose future residents, students/ teachers, and others to aircraft noise exposure they and the City might find objectionable, which could result in expanded and unreasonable criticism of continued or increased aircraft operations at MHR. Therefore, at a minimum, the DEIR should require acoustical insulation of all noise sensitive developments to the State of California Division of Aeronautics Title 21 Noise Standards interior noise standard of a Community Noise Equivalent Level (CNEL) of 45 dB. Specifically, the DEIR should explicitly require that prior to construction, an acoustical analysis be prepared and submitted to the City's Building Department demonstrating that an interior noise level of 45-dB CNEL has been achieved for all:

- residences, including but not limited to, detached single-family dwellings, multi-family dwellings, apartments or condominiums, and mobile homes,
- classrooms in all public or private schools,
- rooms used for patient care in all hospitals and convalescent homes, and
- churches, synagogues, temples, and other places of worship.

The Project area is at an approximate distance of eight to twelve miles from the Airport Reference Point (ARP) and runways at MHR. Of greater significance, the Instrument Landing System (ILS) final approach course passes over the northwestern portion of the Project area. No point within the Project area is more than three miles from the ILS final approach course centerline.

In consideration of the history of and potential for City and resident concerns, Exhibit 3 (attached) provides a flight track analysis the County Airport System performed for the Project area. Radar data indicates that arrivals and traffic pattern operations will result in frequent overflights of the area at altitudes between (but not limited to) 1,200 to 3,000 feet above the ground by all manner and type of aircraft, including air cargo, military transport, and fighter jet aircraft, at all hours of the day and night. Additionally, the MHR Runway 22L ILS approach procedure and local nighttime noise abatement procedures currently result in a high concentration of nighttime flight activity along the ILS Runway 22L final approach course, which places aircraft at approximately 2,000 feet MSL directly over the northwest portion of the Project area. These procedures are voluntary rather than mandatory, meaning that their existence does not assure that other areas will not be subject direct overflights due to poor weather or during the nighttime. Additionally, the County's aircraft noise complaint records demonstrate that overflights do not need to occur directly overhead to be objectionable to residents living in these areas. The County Airport System regularly receives aircraft noise complaints from residents living between one and three miles from the MHR Runway 22L ILS final approach course centerline for aircraft overflight noise originating from aircraft on course and at the appropriate altitude for the approach segment. Therefore, it is appropriate for the DEIR to conclude that the less than significant aircraft noise exposure will be considered objectionable by residents throughout the Project area and to recommend mitigation measures that will reduce or eliminate those anticipated effects.

The location at which arriving aircraft intercept the MHR Runway 22L ILS final approach course is dependent on a number of factors: their origin, weather conditions, and air traffic volume and congestion. The majority of aircraft arriving from Southern California and airports in the Pacific Northwest are able to intercept the ILS glideslope very close to the Airport the majority of the time. However, when the weather conditions reduce cloud ceilings and visibility, or when there are multiple

aircraft on the approach or in the traffic pattern, FAA procedures require that these aircraft be directed to intercept the Runway 22L ILS at distances further out from the Airport and be adequately separated from each other. Aircraft that arrive from the East are typically given en route clearances that result in them entering the region somewhat southeast of the Runway 22L ILS final approach course. The point at which they then intercept the ILS is determined in part by weather, traffic, and pilot/controller discretion. Flight track analyses conducted by the County Airport System indicate that approximately thirty percent of aircraft arriving at MHR will fly over some portion of the Project area at altitudes generally between 1,500 and 3,500 feet MSL, which is estimated to be between 1,000 to 3,200 feet above ground level depending on which part of the Project area is overflown.

Impact 3A.11-6 of the DEIR concludes that “Overflights would not result in interior noise levels that create sleep disturbance.” While it is unlikely that aircraft flyovers would generate interior noise levels greater than the ANSI standard threshold used to determine significance (i.e., 55 dB with windows and doors closed), the City of Folsom and the County Airport System have received numerous complaints by Folsom residents who reside at greater distances from MHR (therefore aircraft were at higher altitudes than they would have been over the Project area) but who are in the same relative proximity, one to three miles, of the ILS final approach course. These residents assert that their sleep is disturbed by aircraft approaching MHR, despite living outside the 60 CNEL noise contour for MHR airport.

The American National Standards Institute’s (ANSI) methodology for predicting nighttime awakenings includes equations and recommendations for both disturbances where people are familiar with the noise environment and the effects of new sounds to an area such as a new airport or runway. While neither MHR nor its runways are new, it can be concluded that, unless the noise sensitive developments within the Project are acoustically insulated, a portion of the residents in the proposed Project area will not be familiar with the noise environment and will experience the effects of new sounds to which they are unaccustomed. Policy 30.4 included in the DEIR additionally states “The potential for sleep disturbance is usually of primary concern, and should be evaluated on a case-by-case basis.”

The County Airport System supports the City’s conclusions in the DEIR that the Project area is not located within the currently adopted 60 and 65 dB CNEL contours of the MHR Airport Land Use Compatibility Plan or the revised contours included in the MHR Master Plan and that the cumulative noise exposure in terms of Ldn/CNEL is within acceptable limits per FAA and National Environmental Policy Act (NEPA) guidelines, and that since “the SPA would not be located in an area exposed to excessive aircraft-generated noise levels (e.g., not within the 60 dB Ldn/CNEL contour of any airport), there would be no impact related to aircraft noise...<sup>3</sup>”. Notwithstanding these conclusions, and taking into account the well-documented historic aircraft noise complaints by residents of the City Folsom regarding aircraft overflight, it is reasonable to conclude that given the Project area’s proximity to the Runway 22L ILS final approach course, there will be some level of concern expressed by new residents within the Project area; even though the aircraft noise exposure does not exceed Federally or State established significance thresholds.

The Sacramento County Board of Supervisor’s resolution 2006-1378, adopted April 19, 2006, established the Mather Airfield Airport Planning Policy Area (APPA) and prohibited new residential development within the 60 CNEL noise exposure contour for MHR and also required new residential development within the APPA boundary but outside the 60 CNEL to meet the following conditions prior to any approval by Sacramento County:

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<sup>3</sup> Conclusion stated in DEIR, page 3A-11-27, **ISSUES NOT DISCUSSED FURTHER IN THIS EIR/EIS**  
Exposure to aircraft noise:

1. Minimum noise insulation to protect persons from excessive noise within new residential dwellings, including single family dwellings, that limits noise to 45 dB CNEL, with windows closed, in any habitable room.
2. Notification in the Public Report prepared by the California Department of Real Estate disclosing to prospective buyers that the parcel is located within the applicable airport planning policy area and that aircraft operations can be expected to overfly that area at varying altitudes less than 3,000 feet Above Ground level (AGL)
3. Execution and recordation with the Sacramento County Recorder of Avigation Easements prepared by the Sacramento County Counsel's Office on each individual residential parcel contemplated in the development in favor of the County of Sacramento. All avigation easements recorded pursuant to this policy shall, once recorded, be copied to the director of Airports and shall acknowledge the property location within the appropriate Airport Planning Policy Area and shall grant the right of flight and unobstructed passage of all aircraft into and out of the appropriate airport.

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The Folsom South of U.S. 50 Specific Plan Project location is currently in an area of unincorporated Sacramento County and is entirely within the Mather Airfield APPA as depicted in Exhibit 4 (Attached). Under the No Project Alternative, the Project would be required to meet the conditions referenced above.

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The County Airport System strongly encourages the City of Folsom to require that all 10,210 residential units planned in the proposed Project area to be conditioned with all Mather Airfield APPA conditions in order to facilitate home buyer awareness, minimize the impact of aircraft overflights which may be experienced by residents within the proposed Project area, and to protect the public's current and future investment in an economic resource that is MHR.

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Without such conditions being adopted and required by the City, the County must conclude that the City has determined that any current and future aircraft noise exposure within the City limits but occurring beyond any airport's 60 CNEL contour to be less than significant and would not cause any impacts related to aircraft noise and, therefore, does not warrant consideration of any form of noise abatement or mitigation on the part of the County.

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**Water Supply and Infrastructure Impacts: Sacramento County Water Agency (SCWA) –**

Although the DEIR/EIS analyzes several water supply options, these all rely on water to be conveyed to the site via SCWA capacity in the Freeport Regional Water Authority infrastructure. At this time the agreement between SCWA and the City of Folsom does not represent a commitment from either party and is intended only to frame future negotiations between the entities. SCWA has prepared a separate comment letter that details the Agency's concerns with the analysis provided in the DEIR/EIS and the assumption that a water supply delivery agreement is in place to serve the Project.

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**Infrastructure Impacts: Lack of Adequate Financing Plan** - The DEIR/EIS correctly points out that LAFCo Resolution 1196 established conditions to ensure that annexation of the Project area by the City would include adequate services. The DEIR/EIS fails however, to identify any plan for providing adequate services and has not shown that the level of funding and infrastructure needed to support development in the Project area is financially feasible. Given the extensive roadway, sewer, open space and water infrastructure necessary to develop the Project area, it is unclear at this time how the Project can proceed without having a financial impact on other areas in the City of Folsom or surrounding jurisdictions. The DEIR/EIS should be revised to include this analysis.

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**Traffic Impacts: Page Specific Comments and Deficiencies** – The following itemized list contains numerous errors and deficiencies that must be corrected in the Draft EIR/EIS in order to adequately disclose the Project's potential impacts to surrounding jurisdictions. Some of the corrections

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necessary will result in substantial new information that must be incorporated into a re-circulated Draft ERI/EIS.	201
1. Page ES-154. Mitigation Measure 3A.15-4i. The project shall pay its fair share towards the urban interchange at the White Rock Road and Grant Line Road intersection. This mitigation measure is consistent with the draft Sacramento County General Plan Update. Please include this mitigation measure in the public facilities financing plan and collect fair share for this proposed mitigation measure.	202 203 204
2. Page 3A.15-3. Table 3A.15-1. Intersections no. 27, 28, 29 and 30 under City of Folsom should be considered Sacramento County facilities under existing conditions.	205
3. Page 3A.15-4. Table 3A.15-1. Some Grant Line Road segments are shown under both Sacramento County (segments no. 6, 7 & 8) and the City of Rancho Cordova (segments no. 2, 3 & 4). Facilities that are located partially within the City of Rancho Cordova should be analyzed using Rancho Cordova’s significance criteria rather than the County’s since the City’s significance criteria are more stringent.	206 207
4. Page 3A.15-8. Level of Service Standards. SR 16 is typically analyzed as a local road rather than a state highway. For portions within the County, LOS D should be considered acceptable for the rural segments located outside the County’s Urban Service Boundary (USB), and LOS E should be considered acceptable for the urban segments within the USB. Please use these criteria when determining potential project impacts on SR 16.	208 209 210 211
5. Page 3A.15-14. Table 3A.15-8. Roadway segment no. 13, SR 16 – Grant Line Road to Dillard Road, is outside the USB, therefore the LOS D standard will apply. Please show this as an existing deficiency.	212 213 214
6. Page 3A.15-26. Unsignalized Intersections. Please correct the Sacramento County impact criteria listed in the third bullet item for unsignalized intersections. In addition to the LOS standards, a signal warrant must be satisfied. Please evaluate signal warrants for all of the unsignalized intersections.	215 216 217
7. Page 3A.15-26. Unsignalized Intersections. Please correct the Sacramento County impact criteria listed in the fourth bullet item for unsignalized intersections. It should read: “For an unsignalized intersection that meets a signal warrant, increase the delay by more than 5 seconds at a movement/approach that is operating at an unacceptable LOS (LOS F for urban or LOS E or F for rural areas) without the project.”	218
8. Page 3A.15-28 & 3A.15-29. Existing Scenarios Roadway Networks. Is the project fully paying for and constructing the external roadway improvements and new interchanges assumed in the with-project conditions? When would these new facilities be constructed? What would be the impact of the project on the County roadways until all these improvements are fully constructed? Even though the analysis considers new interchanges and external roadways under the with-project conditions, nowhere in the DEIR/DEIS is it indicated that the project will fully fund and construct these facilities. Unless full construction of these new facilities is a part of the project description, the DEIR/DEIS should analyze the impacts of the project without these new roadways and interchanges.	219 220 221 222 223
9. Page 3A.15-37. Table 3A.15-18. Roadway segment no. 5, Grant Line Road – White Rock Road to Douglas Road, is located partially within the City of Rancho Cordova and should be analyzed using the City’s significance criteria. The acceptable level of service for this segment is LOS D.	224 225 226

10. Page 3A.15-47. Project Participation in Funding Transportation Improvements. Paragraph b. If the project results in a direct impact, then the project should be 100% responsible for the mitigation measure as opposed to a fair share.	227
11. Page 3A.15-48. Project Participation in Funding Transportation Improvements. Paragraph c. The County staff is willing to work with the City of Folsom staff regarding the cross jurisdictional infrastructure mitigation measures. We would recommend that the fair share fees or 100% fees be collected by the City of Folsom prior to issuance of building permits for mitigation measures related to the Sacramento County facilities. The County at time of implementation of improvements at impacted facilities would ask the City of Folsom to transfer these collected funds to Sacramento County. The details of this agreement can be drafted by the City of Folsom and County of Sacramento staff for Board of Supervisors and City Council's adoption/approval. Please coordinate with SACDOT and County Engineering Infrastructure Financing Section (IFS) staff to finalize these details.	228 229 230 231 232
12. Page 3A.15-83. Table 3A.15-26. Hazel Avenue/Gold Country Boulevard has an impact during the AM peak hour under cumulative plus project (Centralized Development) because this intersection degrades from an acceptable LOS standard (LOS E) to an unacceptable LOS standard (LOS F). Please correct this and provide an appropriate feasible mitigation measure.	233 234
13. Page 3A.15-85. Table 3A.15-27. As commented earlier, Grant Line Road segments no. 6, 7 & 8 are located partially within the City of Rancho Cordova and should be analyzed using the City's more stringent significance criteria. The acceptable level of service for these segments is LOS D.	235 236 237
14. Page 3A.15-85. Table 3A.15-27. Jackson Road segment no. 15 and Prairie City Road segment no. 16 are outside or on the border of the USB. Please use LOS D as the acceptable standard for these roadways. In this case, both of these segments would be operating at unacceptable conditions under cumulative no project conditions.	238 239 240
15. Page 3.15-125. Table 3A.15-36. The "Lanes" column does not show the number of lanes assumed for the "Proposed Project with Mitigated Transportation Network". Please add this information to the table.	241
16. Page 3A.15-133. Sacramento County. The DEIR/DEIS needs to mention that the mitigated transportation network will add significant traffic to some of the area roadways and that several roadways will continue to operate at unacceptable levels of service even after all the widenings proposed under this scenario. In addition, the mitigated network does not mitigate the impacts on Scott Road (West), since no impacts had been identified on this roadway under the Proposed Project. Furthermore, the mitigated network results in an impact on the intersection of Hazel Avenue/Gold Country Boulevard that did not occur under the Proposed Project.	242 243 244 245
17. Page 3A.15-134 & 3A.15-135. Cumulative Quarry Truck Traffic. The DEIR/DEIS states that the trip distribution assumed for the proposed quarries and shown on Exhibit 3A.15-111 is not considered acceptable to the City of Folsom, but it reflects a logical distribution of truck trips. Why does the DEIR/DEIS assume that Exhibit 3A.15-111 reflects a logical distribution of truck trips? The Draft East Sacramento Region Aggregate Mining Truck Management Plan, prepared by DKS Associates and in association with the City of Folsom, shows that the future Oak Avenue Parkway would not be competitive with Scott Road and Prairie City Road as a truck route and no more that 2% of the total quarry trucks would be anticipated to use this road. The DEIR/DEIS either needs to be consistent with the extensive analysis that was	246 247 248 249 250

conducted as part of the Truck Management Plan or needs to provide sufficient justification for any assumption that contradicts that Plan. | 250 cont.

**Traffic Impacts: General Comments and Deficiencies** – The following itemized list provides a continuation of the above comments on general traffic and circulation topics. | 251

18. Please coordinate with Southeast Connector JPA staff regarding the number of access points and signal spacing on White Rock Road. | 252

19. The project should be conditioned by the City of Folsom to install frontage improvements on Prairie City Road using a 6 lane (98 foot) thoroughfare standard and a public utility public facilities (PUPF) easement. The multiuse pedestrian and bicycle trail on the Folsom SOI frontage should be installed in this easement. For reference, the Easton development west of this project is providing an 8 foot wide multiuse pedestrian and bicycle trail in this easement. Also, a 5 foot wide bike lane should be provided on the roadway. Since this is a regional route, we recommend that City of Folsom coordinate the proposed cross sections on the Prairie City Road with Sacramento County staff for consistency. Generally, this same comment applies to White Rock Road but the cross sections for White Rock Road should be coordinated with Southeast Connector JPA staff and Sacramento County staff for review and comments. | 253  
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20. The project applicant and City of Folsom should coordinate with SACDOT staff for the Prairie City Road and Easton Valley Parkway intersection improvements. For reference, the cross section (see figure below) on Easton Valley Parkway in the Easton project consists of a 98 foot thoroughfare with 39 foot PUPF easement. 4 foot on street bike lanes will be provided on Easton Valley Parkway and an 8 foot wide multiuse pedestrian and bicycle trail will be installed in the PUPF. Additionally, at major 6x6 or 6x4 intersections, dual left turns and exclusive rights turns will be provided. At a minimum the cross sections should be aligned for smooth transitions through the intersections when travelling east-west. The Easton project is conditioned to construct outside four lanes on Easton Valley Parkway and to provide room for expansion to six lanes in the medians. | 259



Figure 5.3, Easton Valley Parkway Concept, Four Lanes

260

21. The project applicant and City of Folsom should coordinate with SACDOT and County Regional Parks department for the connectivity of the Class I trails to the west of the project. The Easton project will be providing a trail under crossing at Prairie City Road to connect with the future Folsom SOI project. The cost sharing of this under crossing and placement needs to be coordinated with both developments and jurisdictions. | 261  
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22. Right in and right out driveways should not be allowed on Prairie City Road, Scott Road and White Rock Road. Access on these roadways should be limited to signalized intersections with 1,200 foot or more spacing. Also, a landscape median should be installed on these roadways.	264   265   266
23. The DEIR/DEIS did not evaluate the Project’s safety impacts on Prairie City Road. This road currently has a horizontal and vertical curve alignment deficiency. Prairie City Road needs an upgrade to the horizontal and vertical alignments to meet a six lane thoroughfare standard.	267   268   269
24. Phasing triggers should be developed to address the needs of infrastructure improvements. The Project should be conditioned to limit further development until these new interchanges are open.	270   271
25. The public facilities financing plan should assume collection of the fees for the mitigation measures/infrastructure improvements outside of City of Folsom jurisdiction. These fees should be later transferred to County of Sacramento for the implementation.	272   273
26. The Sacramento County General Plan Update designates a need for an urban interchange at Prairie City Road and White Rock Road; therefore, the City of Folsom should preserve the right of way for this urban interchange. The project should also contribute a fair share towards this urban interchange. The right of way foot print of this interchange needs to be coordinated with SACDOT and the Southeast Connector JPA staff.	274   275   276   277
27. The project should pay its fair share towards the mitigated network above and beyond the mitigation measures listed in the DIER/DEIS. This roadway network is necessary to relieve the congestion on the surrounding roadway network.	278
28. In addition to the Folsom SOI mitigation measures and US 50 Corridor Mobility Partnership fee program, this Project should contribute its fair share towards the regional roadway infrastructure needs as identified by City of Folsom and SACDOT staff. This could include the Project’s fair share payment towards the Sacramento County Transportation Development Fee (SCTDF) program which accounts for regional roadway infrastructure needs.	279   280
29. General. Since Prairie City Road, Scott Road (east) and White Rock Road are designated as six lane thoroughfares in the draft Sacramento County General Plan Update and these roadways provide direct access to the regional freeway U.S. 50, quarry trucks should not be restricted on these roadways.	281
30. General. Please identify the fair share percentages for all of the mitigation measures. These percentages will later be used to compute the fair share payments to the Sacramento County roadway and intersection mitigation measures.	282
<b>Cumulative Impacts: Toxic Air Contaminants:</b> - The discussion of Toxic Air Contaminant (TAC) exposure within the “Other Statutory Requirements – Cumulative Impacts” chapter (page 4-23) stated that exposure to mobile-source TAC emissions from U.S. 50 was significant and unavoidable, with or without additional quarry truck trips and despite implementation of all feasible mitigation measures identified in Section A3.2 “Air Quality”. This contradicts the conclusions regarding TAC exposure contained in the Air Quality chapter of the DEIR/EIS, which found impacts associated with TAC emissions from U.S. 50 to be less than significant. The DEIR/EIS analyses need to be revised so that the conclusions are consistent.	283   284   285
The methodology utilized for the cumulative impact TAC analysis appears highly biased. Throughout the analysis related to TAC the DEIR/EIS cites methodologies put forward by SMAQMD for disclosing impacts for projects located near major roadways. However, the analysis deviates substantially from those methodologies. The DEIR/EIS focuses on impacts associated with Scott	286   287   288   289

<p>Road, although the screening thresholds of the SMAQMD methodologies (<i>Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways</i>, January 2010) would screen out Scott Road from in-depth analysis. However, there is no in-depth analysis of U.S. 50, which does not screen out under the methodologies. This intentional manipulation of the adopted methodologies unjustly inflates impacts associated with the quarry projects currently under consideration within Sacramento County and is inappropriate within the context of a CEQA analysis.</p>	<p>  289 cont.   290   291   292   293</p>
<p>The DEIR/EIS states without any substantiation that the Teichert Quarry Draft Environmental Impact Report did, “not fully analyze the potential impacts of TAC [Toxic Air Contaminant]-emitting truck traffic at off-site sensitive receptors, including those planned in the SPA.” (Page 4-23) This is purely conjecture and is not relevant to the impacts of the City’s proposed Project. The statement should be removed.</p>	<p>  294   295   296</p>
<p>The DEIR/EIS in its analysis of TAC on Scott Road concludes that there is a potentially significant impact to sensitive receptors located within 400 feet of the roadway segments when quarry trucks are included in the traffic mix. However, the DEIR/EIR relies on inappropriate adaptations of screening methodologies and not on a formal Health Risk Assessment (HRA) as required under SMAQMD’s Protocol. The preparers of the DEIR/EIS have not included a formal HRA nor have they reported the results of either the HRA conducted for the Teichert Quarry project DEIR or the HRA conducted by Granite Construction Company and peer reviewed by SMAQMD (summary provided to the City of Folsom and SOI property owners through their participation in East County Quarry Truck Management Study meetings). Both HRAs conducted for the quarry projects found the maximum incremental cancer risk in the SPA area from quarry diesel trucks to be far below the 296 in a million threshold of significance established in the DEIR/EIS (Cumulative Mitigation Measure AIR-1). Thus, impacts from toxic air contaminants are less than significant. By choosing to ignore the results of the HRAs and instead relying on a makeshift analysis which deviates substantially from adopted protocol, it appears that the DEIR/EIS preparers deliberately manipulated the facts to suit their own agenda to shift the burden of mitigation from the SOI land owners and Project applicants to the quarry operators. As required by CEQA principles, reasonable mitigation within control of the Project should include responsible community design that avoids incompatible uses adjacent to long-established major travel corridors.</p>	<p>  297   298   299   300   301   302   303   304   305</p>
<p>Further, the DEIR/EIS puts forward two mitigation measures for TAC that are inappropriate. As discussed above, the DEIR/EIR has not identified any facts to support the contention that mitigation for TAC exposure is necessary. Nonetheless, the DEIR/EIS recommends draconian measures aimed not at the project under analysis, but at unrelated projects and specifically requires the costs of said mitigation for Project impacts to be borne by quarry operators who are not involved with the proposed Project.</p>	<p>  306   307   308   309</p>
<p>The first mitigation measure states that the City “could” designate truck routes through newly-annexed City areas so as to force trucks that have been using the existing roadways to reroute around the new development brought to the area by the Project. This mitigation is to occur as a future recommendation by the City’s traffic department to the City Council, at the time of future discretionary actions that precede site development. The mitigation is invalid in that it relies on the voluntary action of a future City Council that may never occur. It also pre-supposes the findings of future CEQA analyses. Furthermore, the mitigation measure would create its own impacts not disclosed in the current document; for example, eliminating the most direct route to U.S. 50 would be expected to result in increased TAC, NO<sub>x</sub>, ROG and GHG emissions. This is particularly ironic given that the impact being addressed is TAC. This mitigation measure would also shift truck traffic to other existing communities such as Rancho Cordova and unincorporated Sacramento County which could have other traffic, noise or air quality impacts. Mitigation that shifts an impact from one community to another is not feasible mitigation. Furthermore this mitigation measure could impede</p>	<p>  310   311   312   313   314   315   316   317   318</p>

the extraction of minerals resources at the nearby proposed quarries, which, as noted in the Comment entitled “Land Use – Aggregate Resources” above, is an impact not analyzed in the DEIR/EIS. CEQA Guidelines Section 15126.4(a)(1)(D) requires that if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be disclosed. As, such a discussion of the adverse effects of the proposed mitigation measure, including but not limited to increased emissions, increased truck traffic and noise in other jurisdictions, and other effects related to hampering the extraction of known mineral resources is required. Such an analysis would likely disclose new or substantially more severe significant impacts than previously identified; thus recirculation of the DEIR/EIS would be required.

Another proposed mitigation measure is equally infeasible and improper. It seeks to require the quarry operators to “voluntarily” pay the City for one or more of the following: (1) lost development profits associated with increased setbacks of sensitive receptors from the roadways, (2) roadside tree plantings and their maintenance, and/or (3) installation of HEPA filtration systems and/or other specialized HVAC systems on Project schools and residences. Once again, the City is punting the responsibility for Project impacts to an outside party. It is the responsibility of the City to design a land use plan that requires appropriate setbacks from major roadways and to build-in appropriate health and safety measures for proposed development and the preparers of the DEIR/EIS should include them as Project mitigation measures.

As proposed, these two mitigation measures are misplaced, unrealistic and unenforceable. A future City Council may choose not to apply restrictive truck routes and/or the quarry operators may choose not to “voluntarily” pay. The impact would remain unmitigated, even though there are other feasible options, such as including appropriate setbacks in community design, which would mitigate the impact. CEQA requires the inclusion of feasible mitigation measures when they are available. The DEIR/EIS must be modified to include such measures.

Finally, it is curious that the preparers of the DEIR/EIS choose to focus so exclusively on the pollution from quarry truck trips while ignoring the pollution generated by U.S. 50, an acknowledged source of TAC emissions, or that of the construction-related truck traffic generated by the Project’s development.

**Cumulative Impacts: Noise:** - Similar to the flawed analysis and mitigation discussed above in the Toxic Air Contaminants comments, the noise analysis suffers from many of the same inadequacies.

First and foremost, the DEIR/EIS fails to acknowledge that the Project would create an impact by bringing sensitive receptors into an area with high future traffic noise levels. Instead, the DEIR/EIS focuses on only one of the components of the future noise (quarry truck traffic) and attempts to shift impact and mitigation responsibility away from the current Project and to the quarry operators. Thus the DEIR/EIR fails to examine the most reasonable Project alternative for dealing with any potential noise and air quality impacts. That alternative would be to formulate a land use plan which does not attempt to place sensitive receptors immediately adjacent to the Plan’s own 6-lane roadway (Scott Road). Instead the preparers of the DEIR/EIS propose infeasible mitigation similar to that discussed above under “Cumulative Impacts: Toxic Air Contaminants”, which again pre-supposes a future City Council will to decide to designate truck routes through newly-annexed City areas so as to force trucks that have been using the existing roadways to reroute around the new development brought to the area by the Project. This mitigation is flawed for the same reasons discussed in the Toxic Air Contaminants discussion above.

The other mitigation measure proposes options that are fairly standard for noise attenuation (i.e., sound walls/berms, rubberized asphalt, increased sound transmission class rated windows) and would constitute reasonable, effective and enforceable mitigation if placed as conditions of approval

on the Project. However, the City oversteps its authority and renders the mitigation infeasible and unenforceable by specifying that the cost of the physical improvements is to be borne by the quarry operators. As we have previously pointed out, it is not the responsibility of outside parties to mitigate for any impacts of the City's plan to develop in the SOI area. | 346  
| 347

In conclusion, the DEIR/EIS is inadequate for the reasons stated in this letter. The nature of the inadequacies can be remedied through additional analysis and recirculation of the Draft EIR/EIS per CEQA Guidelines Section 15088.5. | 348  
| 349  
| 350

Thank you for this opportunity to comment.

Sincerely,  


Paul J. Hahn  
Administrator, Municipal Services Agency

Attachments: NOP Comment Letter  
Airport Exhibits 1 through 4

Municipal Services Agency  
Paul Hahn  
Agency Administrator



County Executive  
Terry Schutten

County of Sacramento

November 6, 2008

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

SUBJECT: Comments on Notice of Preparation for Joint Draft Environmental Impact Report/Environmental Impact Statement for the Folsom South of U.S. Highway 50 Specific Plan Project

Dear Ms. Furness De Pardo:

Thank you for the opportunity to comment on the environmental scope of work for this important project. The County of Sacramento did not receive a copy of the Notice of Preparation. On September 30<sup>th</sup> one of our staff members discovered the NOP online and downloaded and distributed it appropriately. As a result we were not aware of, and missed, the opportunity to attend the Scoping Meeting held September 25, 2008. We respectfully request that the attached Sacramento County staff addresses and emails be added to the City's distribution and notification list for any notices or postings related to this project in the future:

The County of Sacramento has significant interests in the successful planning and development of the project area. We request that the environmental analysis examine the following issues (in no particular order):

**Land Use Incompatibilities** – The unincorporated area south of White Rock Road is a primary natural resource and conservation area for the County. It contains a number of open space and resource-related land uses and is planned for others. It is imperative to the region that the proposed land uses in the SOI project area not be allowed to adversely effect existing and planned land uses in the surrounding area. Of particular concern is the protection of these existing and planned land uses from complaints and development pressures from future City residents. Please examine these impacts as related to existing and future planned land uses in the area including:

- Prairie City Off-Highway Vehicle Park on the south side of White Rock Road
- Proposed GreenCycle Green Waste Compost Facility on Scott Road, south of White Rock Road
- Designated Resource Conservation Area (see the current Sacramento County General Plan)



Ms. Gail Furness de Pardo  
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**Land Use Incompatibilities – continued:**

- County General Plan Designated Mineral Resource Zones (see the current Sacramento County General Plan and California Department of Conservation Open-File Report #99-09)
- Proposed hard rock quarries (see Teichert, Granite and DeSilva-Gates pending quarry entitlement applications with Sacramento County)
- Existing cattle ranching operations, Williamson Act lands, and large agricultural holdings south of Scott Road
- Planned open space preserves, biological preserves, passive recreation areas, and trails surrounding and linking to the proposed Specific Plan Project.

**Biological Resources** – Please address impacts to the area’s biological resources, in particular riparian, wetland, oak woodland, and vernal pool communities. Also be advised that nesting burrowing-owls have recently been documented in the SOI area at foothill elevations. This information has been reported to the Department of Fish and Game’s California Natural Diversity Database but may not yet be reflected in the records.

**Scenic Corridors** – Please analyze impacts to Scott Road (south) which is a designated scenic corridor within the Scenic Highways Element of the current Sacramento County General Plan.

**Aggregate Resources** – The area south of U.S. Highway 50 is a designated State mineral resource zone (MRZ) by the California Department of Conservation (OFR 99-09), and recent drilling records provided by Teichert Aggregates, Granite Construction and DeSilva Gates Construction have proven that the area south of White Rock Road is known to contain approximately 20 million tons of feasibly harvestable aggregate. The proposed project would have impacts on the extraction of this regionally and locally significant resource by placing potentially incompatible uses in proximity to quarry operations and hauling routes. These impacts are further exacerbated by the proposal to restrict through truck trips in the Specific Plan Project area. Please analyze the primary and secondary impacts of proximate urbanization and potentially limited access to U.S. Highway 50 for aggregate and other hauling.

Please analyze the regional impacts associated with loss of the state designated MRZ within the proposed Specific Plan Project area, including whether this will put more pressure on the County to supply aggregate for the region. Please look at the primary and secondary impacts to aggregate transport.

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**Truck Route Restrictions** – County staff were informed September 30, 2008 that the City has implemented a new policy precluding through-truck trips within the City limits. We are not clear on the details about this new policy or how it is evidenced in the City's regulations. The City's website contains conflicting information on this issue. We were not able to identify any posted signage that might provide a code reference. Nevertheless it is our understanding that included in the development of the subject project the City proposes to preclude all truck traffic north through the project area, including potentially traffic on Prairie City Road, future Oak Avenue Parkway, Scott Road/East Bidwell Street, and Empire Ranch Road.

Regarding this issue, please ensure that the EIR/EIS examines the following:

- Impacts of this policy on regional movement of goods
- Impacts of this policy on extraction of state designated aggregate resources south of White Rock Road
- Impacts of this policy, and required alternate routes, on air quality, noise, land use compatibility, safety, traffic congestion, regional and local circulation, and greenhouse gases/climate change
- Environmental justice issues associated with this policy

**Agricultural Resources** – Please consider the impacts of the proposed development to existing cattle operations south of White Rock Road, as well as impacts to rangeland and impacts to existing Williamson Act contracts in the area. Note that the proposed reclamation for the adjacent Teichert quarry is to return the pit floor to grazing land for cattle operations.

**Cumulative Impacts** – Please analyze the entire range of reasonably foreseeable projects in the cumulative analysis including:

- Teichert Quarry application (DEIR circulating)
- Teichert Grant Line East application
- Granite Walltown Quarry application (EIR in process)
- DeSilva Gates Barton Ranch Quarry application (EIR in process)
- SWA GreenCycle project (EIR in process)
- General Plan Update (EIR in process)
- South Sacramento HCP/NCCP (EIR in process)
- Country Day School application (EIR in process)
- Easton application (EIR in process)
- Rancho Cordova SOI planning/Cordova Hills Application
- Rancho Murietta projects
- Deer Creek Hills Preserve Master Plan (EIR in process)
- El Dorado County growth

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**Cumulative Impacts** – continued:

- Boys Ranch expansion/operation
- Prairie City OHV Park expansion/operation
- Kiefer Landfill expansion/operation
- White Rock Road Realignment and rehabilitation (EIR in process)
- Capital Southeast Connector Project, formally known as the Elk Grove, Rancho Cordova, El Dorado Connector Project (EIR in process)

**Growth Inducement** – Please discuss the growth-inducing effects of placing the proposed dense urban uses (e.g. retail commercial and high-density residential of 30 du/ac) at the boundary of the County's permanent agricultural/open space area, in light of several Williamson Act contracts and policies in the current Sacramento County General Plan intended to preserve the agricultural value, natural resources and scenic qualities of this area.

**Open Space** -- The configuration of the proposed green space is heavily weighted toward the north and drops off significantly toward the south. The proposed open space connections at White Rock appear to be very narrow. Please consider significantly widening the green space "fingers" at each location where they meet White Rock (especially at the planned undercrossing where Alder Creek crosses White Rock Road).

Please ensure that the planned trail undercrossing of White Rock where Alder Creek crosses White Rock Road is fully funded and planned for early construction.

Please expand the open space and add a new at-grade trail crossing to the south, at Scott Road (north).

We would like to work cooperatively with your staff to widen and align the planned open space and crossings along White Rock Road with those being planned to the south.

Please ensure that the planned right-of-way for White Rock includes a green belt along the north side, including a multi-purpose off-road Class 1 trail from Prairie City to New Scott Road. This will allow future open space users crossing at any point on the future open space trail to move east or west safely and continue north or south along multiple trail links.

Sacramento County is working to ensure at least one trail connection from Deer Creek Hills Preserve north to White Rock Road within ten years. The City of Folsom is encouraged to do the same from White Rock Road northward.

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Please verify that ultimately there will be multiple connecting trail links planned within all the open space areas. This is the approach Sacramento County is taking south of White Rock Road, which we believe will result in outstanding open space and trail resources for future generations.

Please consider third party management of the planned open space areas, which could be combined with management of open spaces in the Easton project and potentially other planned open space in the area to form a continuous swath of open space with consistent oversight and maintenance.

**Project Alternatives** -- Please consider the following project alternatives/options which may result in lower impacts to the County and surrounding areas and are therefore merited under CEQA:

- Realignment of Prairie City Road to Scott Road (south)
- Realignment of Oak Avenue Parkway so it does not bisect the planned open space area
- Shift the town center east or west to a new north/south roadway thus freeing up Scott Road (north) for regional access to Highway 50
- Expansion of the road network. Consider extending "Street B" west and south at least to Oak Avenue.

**Roadway Impacts** – Please analyze the impacts to County roadway facilities that will result from phasing and build-out of the proposed project and identify appropriate multi-jurisdictional mitigation measures and funding mechanisms for each scenario.

The County is currently considering adoption of the Sacramento County Transportation Development Fee (SCTDF) Program to fund major transportation infrastructure needed to accommodate future travel demand in Sacramento County. The project area is a significant component of the SCTDF Program and any adopted fees, improvement projects and updates should be fully supported in the subject project and environmental analysis.

Along with the City of Folsom, the County is a participant in the 50 Corridor Mobility Partnership (Partnership) which is a public/private partnership with the objective to improve mobility, relieve congestion and reduce dependence on auto travel throughout the 50 Corridor. The Partnership is currently considering a fee program to fund improvements in the 50 Corridor. The project area is a significant component of the project area and any adopted fees, improvement projects and updates should be fully supported in the subject project and environmental analysis.

Ms. Gail Furness de Pardo  
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November 6, 2008

The County is currently updating the County General Plan. The subject project and environmental analysis should be aware of and consider the proposed transportation infrastructure and policies of the circulation element of the General Plan Update. Facilities that should be anticipated include, but are not limited to, an urban interchange at the intersection of White Rock Road and Prairie City Road, wildlife grade separations, transit service along Easton Valley Parkway, and planned trail undercrossing of White Rock where Alder Creek crosses White Rock Road.

Sacramento County is a member agency of the Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA) which oversees an existing rail corridor through the proposed Folsom SOI. Recently, the JPA board members authorized an Execution of Nonbinding Letter of

Intent for Excursion Rail Operations with the El Dorado & Sacramento Historical Railroad Association along this rail corridor. It is Sacramento County's intent that this corridor be used for excursion rail operations in the near future.

Along with the City of Folsom, Sacramento County is a member agency of the Capital Southeast Connector Joint Powers Authority which is charged with developing and implementing transportation improvements that may be affected by the planning and development of the project. Coordination and collaboration with the Authority's Executive Director, Tom Zlotkowski is highly recommended.

**Transit Operations** -- Additionally, the EIR should assess the impacts of proposed land uses and densities on the feasibility of transit service, especially along Easton Valley Parkway, and identify the right of way necessary to provide bus rapid transit, trolley or streetcar service along this major arterial.

**Water Supply and Infrastructure** -- Please analyze proposed water rights and the planned delivery system, including impacts of failure to successfully procure the water rights or implement the proposed water treatment and conveyance system.

Thank you for this opportunity.

Sincerely,



Paul J. Hahn, Administrator

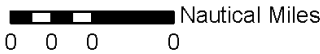
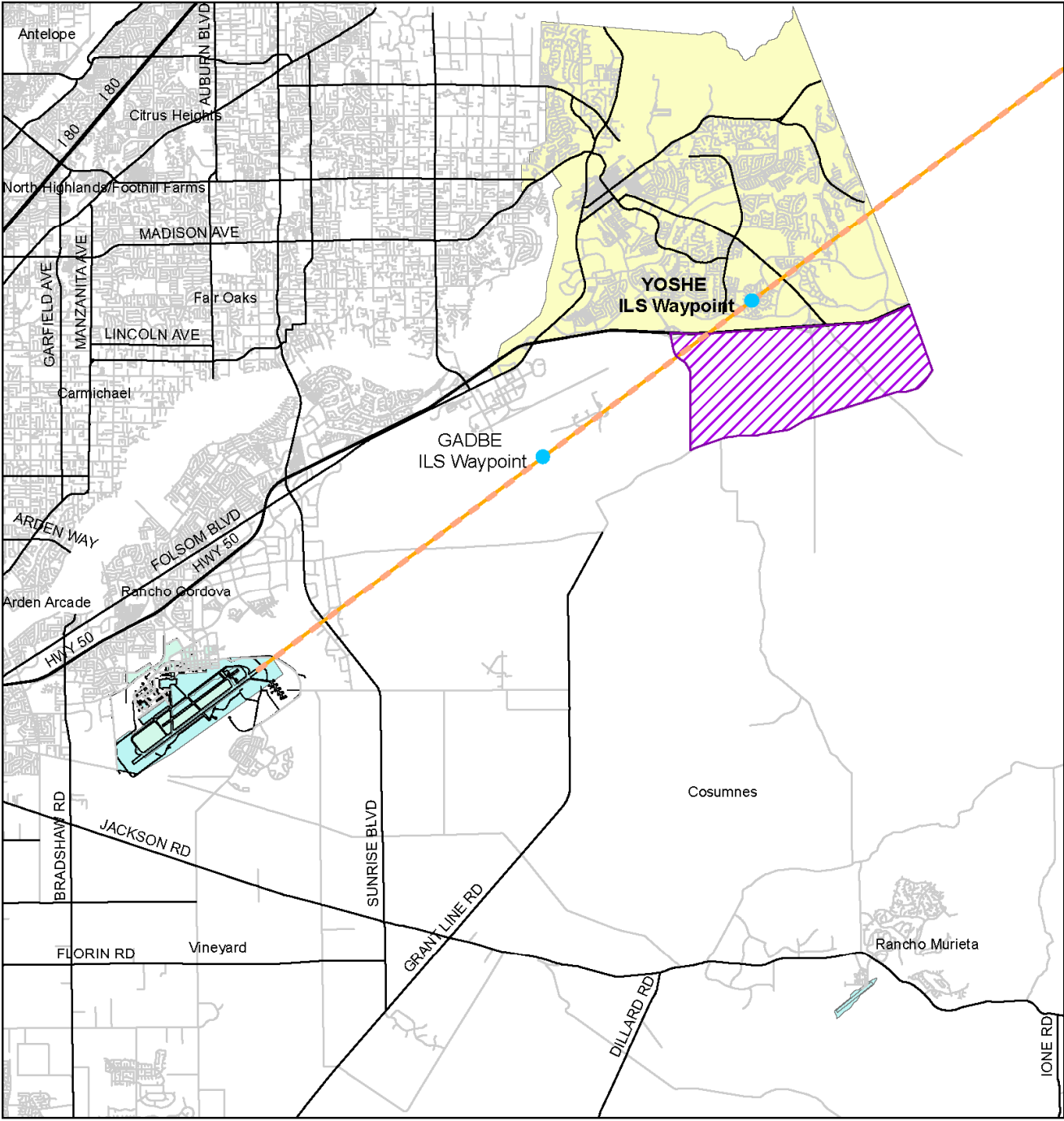
CS/PJH/ds

Cc: Robert Sherry, Joyce Horizumi, Michael Penrose







# Mather Airport Runway 22L Instrument Landing System (ILS) Final Approach Course and Proximity to Folsom South SOI



### Legend

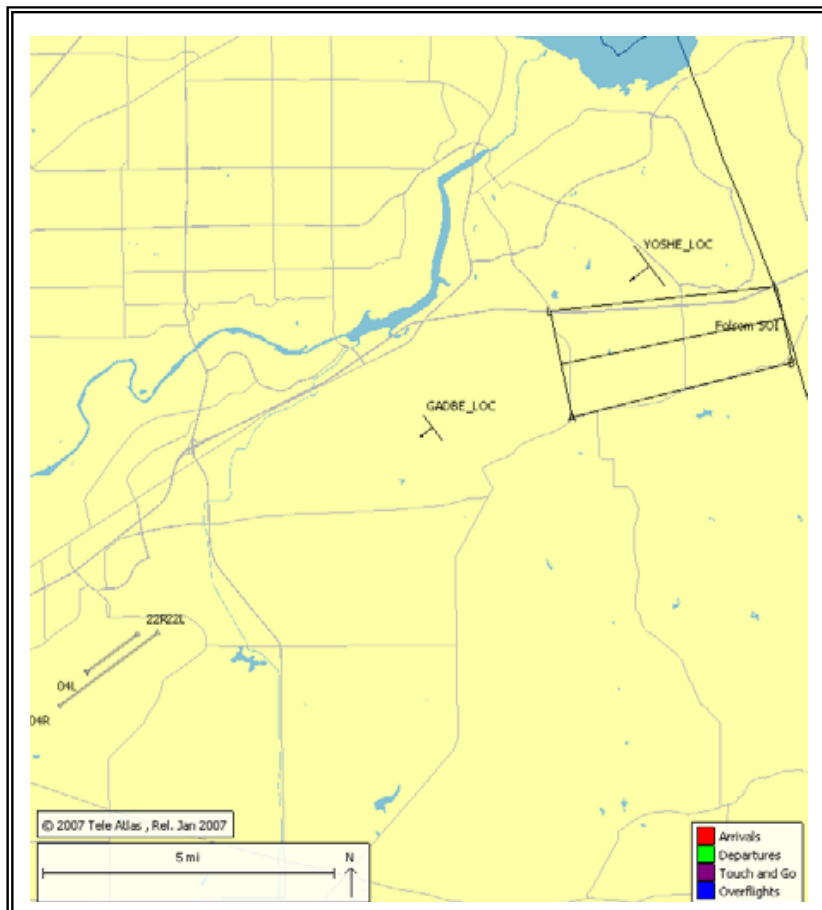
-  Folsom SOI
-  ILS Final Approach Course

**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
Flight Track Analysis

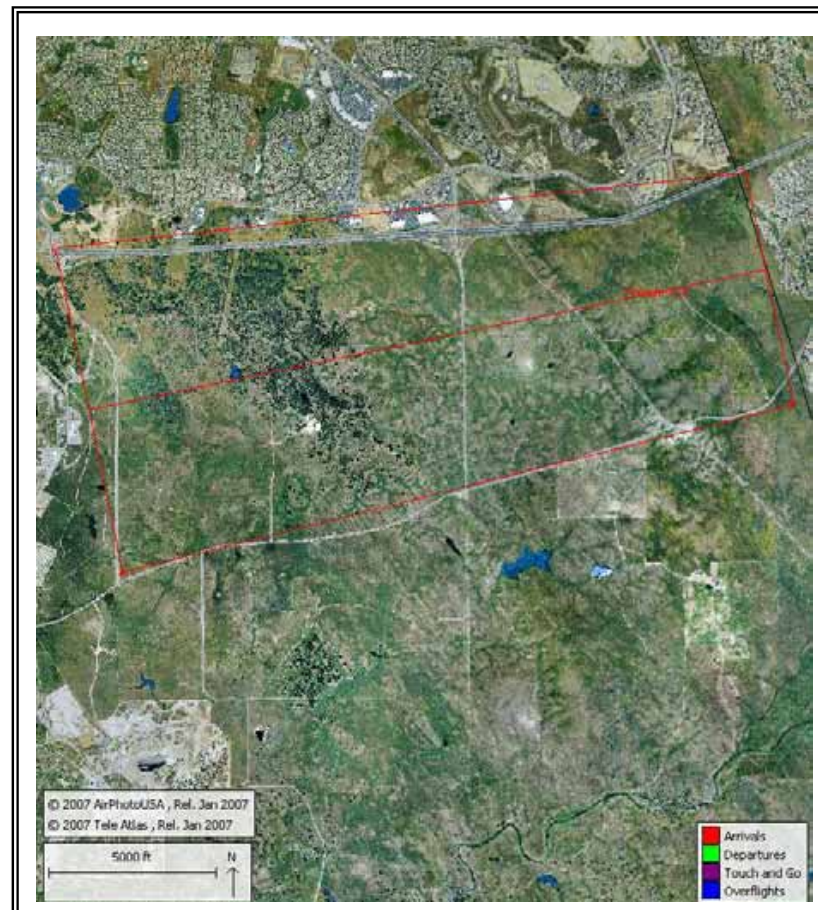


Basic Location



A flight corridor was created in the Airport Noise & Operations Management System (ANOMS) to emulate the boundaries of the proposed location: south of U.S. Highway 50 (U.S. 50), east of Prairie City Road, North of White Rock Road, and west of the El Dorado County Line.

Geographic Representation of the Corridor



The penetration gate is centered at the coordinates of 38°34'36.99"N, 121°14'26.38"W, spanning the site for two miles and is oriented to capture the majority of the flights that directly overfly the location.

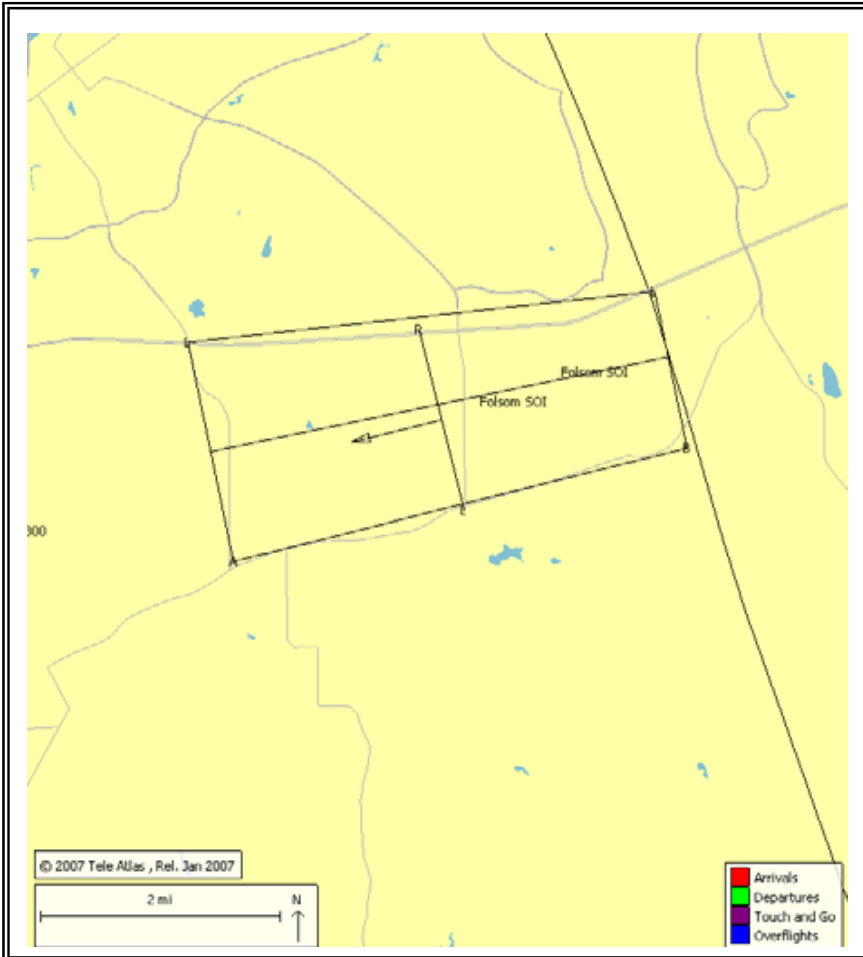


**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
*Flight Track Analysis*

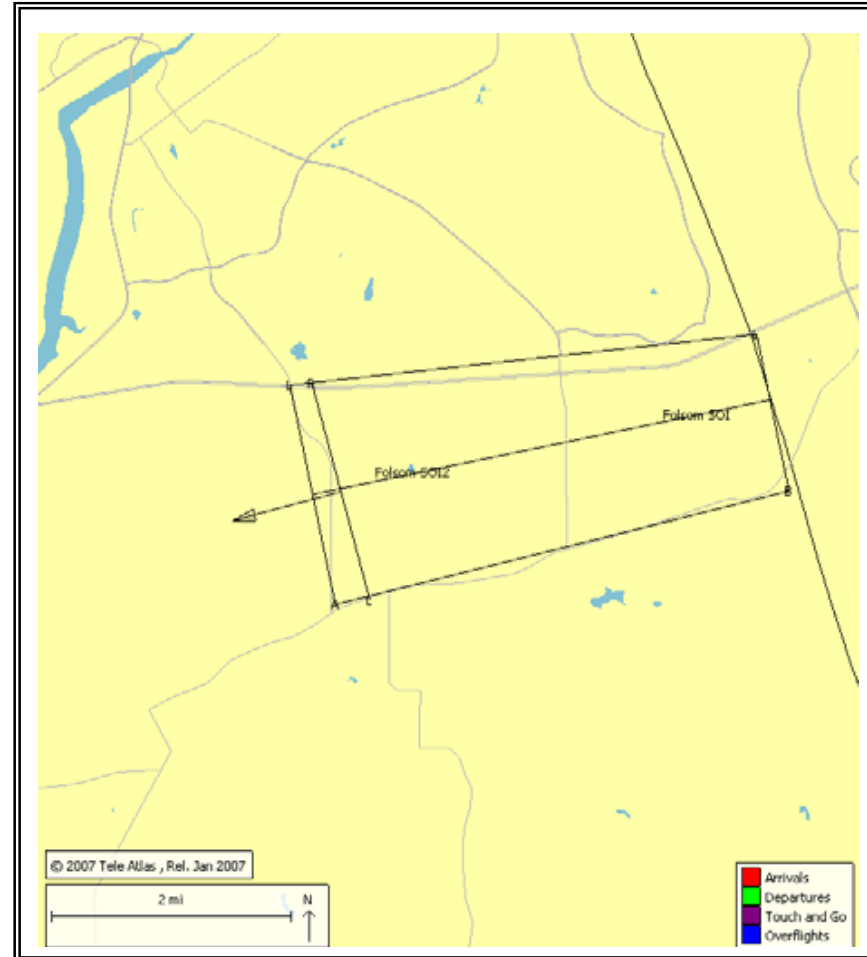


Basic Location of Penetration Gate 1



The first penetration gate is located approximately at the center of the site from U.S. 50 to White Rock Road and is oriented to capture the majority of the flights that directly overfly the location.

Basic Location of Penetration Gate 2



The second penetration gate is located approximately at the southwestern border of the site from U.S. 50 to White Rock Road and is oriented to capture the majority of the flights that directly overfly the location.

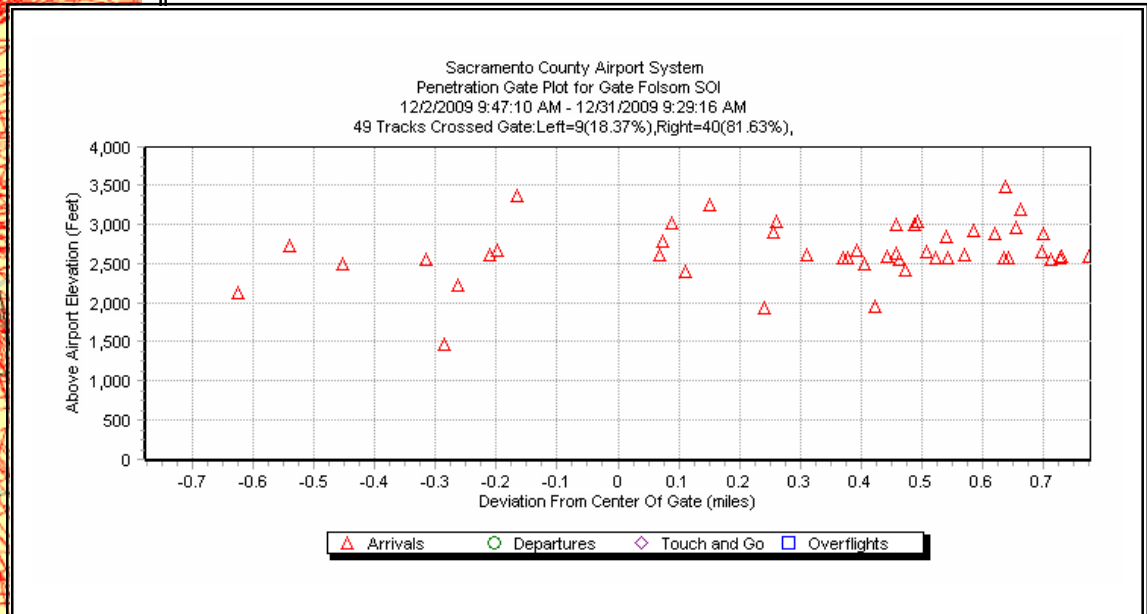
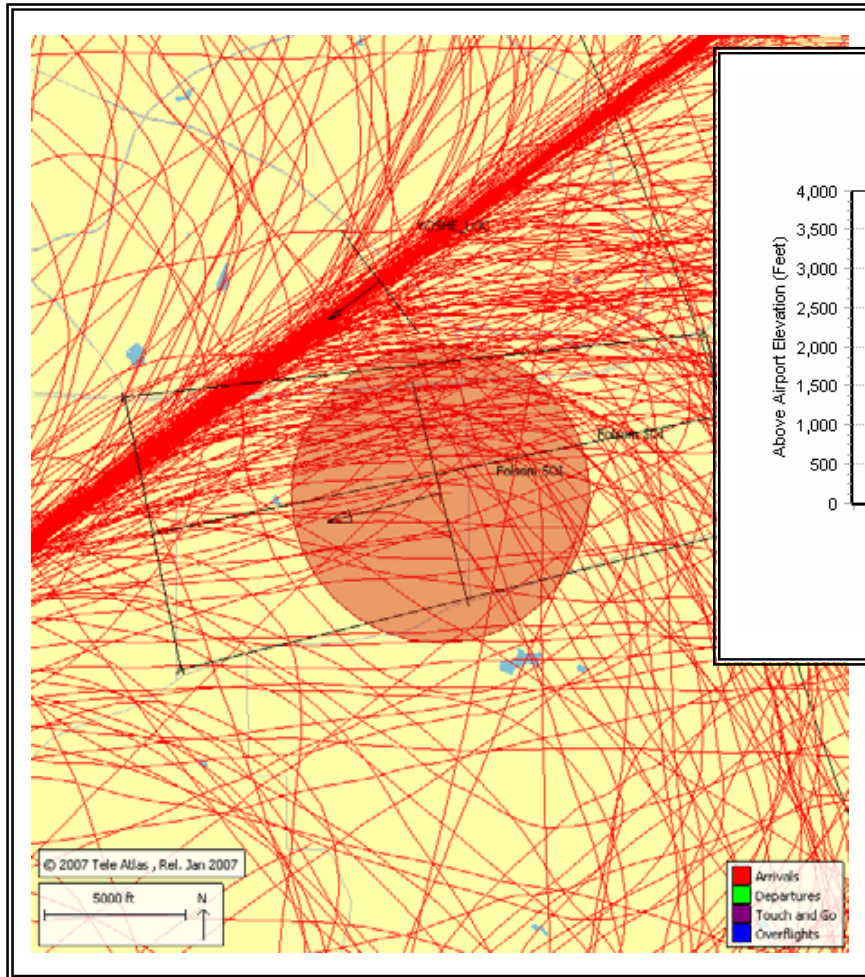
Sac Cnty-2

**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
Flight Track Analysis



Arrival Analysis Penetration Gate 1, December 2009



During December 2009, a total of 873 arrival flight tracks were recorded at Mather Airport. Of these, 76 flew within a 1-mile radius of the center of Penetration Gate (as indicated by the red sphere) 49 penetrated the gate spanning the location. As indicated by the graphic above, these flights typically passed over the site at altitudes between 2,000 and 3,500 ft MSL. The Operator Category for the number of arrivals within the 1-mile radius includes 18 Cargo, 13 Commercial, 34 General Aviation, 3 Military and 8 Unknown. The Aircraft Category for the total number of arrivals includes 14 Business Jets, 4 Helicopter, 18 Jets, 3 Military, 12 Propeller, 10 Regional Jets, 7 Turbo-prop and 8 Unknown.

The proposed location is in direct proximity to the Instrument Landing System (ILS) Approach for Runway 22L at Mather Airport. Due to this proximity, the majority of overflights of the site are from arrivals.

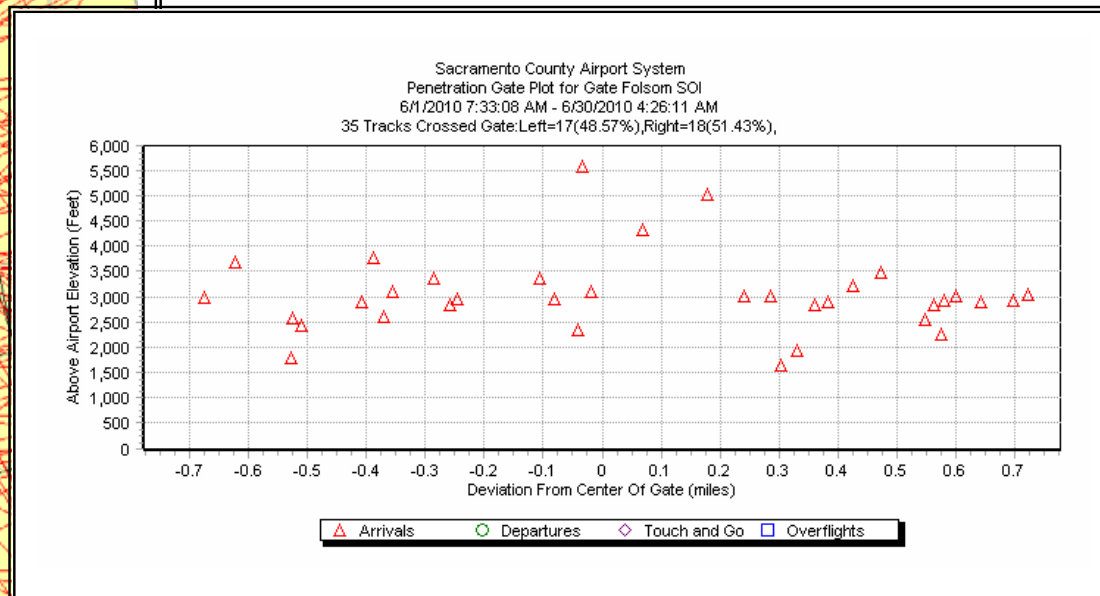
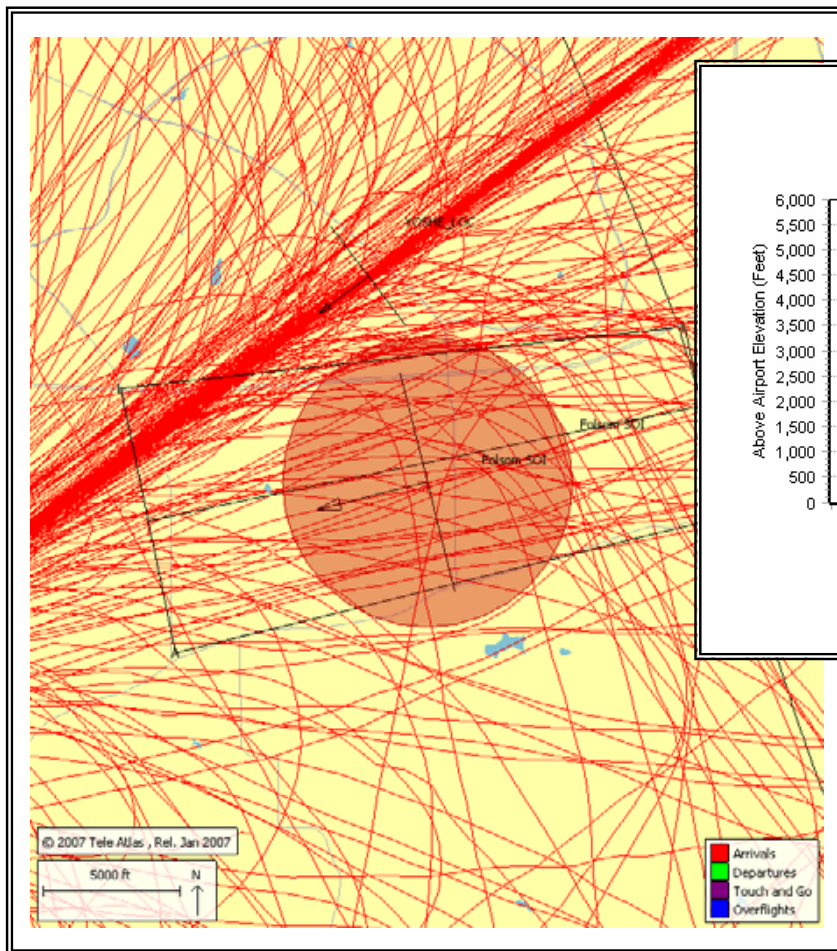
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**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
Flight Track Analysis



Arrival Analysis Penetration Gate 1, June 2010



The proposed location is in direct proximity to the Instrument Landing System (ILS) Approach for Runway 22L at Mather Airport. Due to this proximity, the majority of overflights of the site are from arrivals.

During June 2010, a total of 1,060 arrival flight tracks were recorded at Mather Airport. Of these, 53 flew with a 1-mile radius of the center of Penetration Gate (as indicated by the red sphere) 35 penetrated the gate spanning the location. As indicated by the graphic above, these flights typically passed over the site at altitudes between 2,000 and 4,000 ft MSL. The Operator Category for the number of arrivals within the 1-mile radius includes 15 Cargo, 2 Commercial, 28 General Aviation and 8 Unknown. The Aircraft Category for the total number of arrivals includes 12 Business Jets, 4 Helicopter, 15 Jets, 10 Propeller, 1 Regional Jet, 3 Turbo-prop and 8 Unknown.

Sac Cnty-2

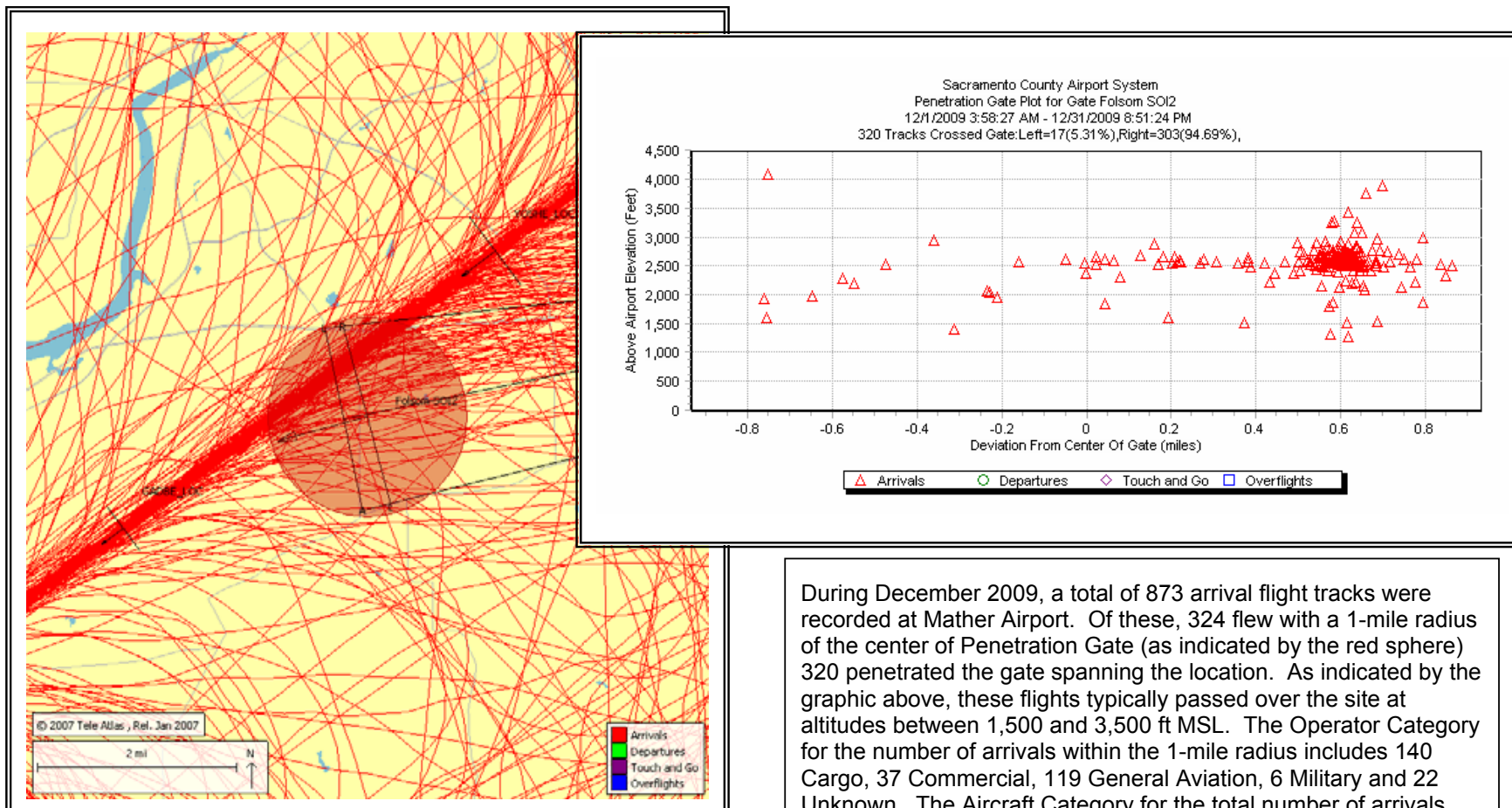


**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
*Flight Track Analysis*



Arrival Analysis Penetration Gate 2, December 2009



During December 2009, a total of 873 arrival flight tracks were recorded at Mather Airport. Of these, 324 flew with a 1-mile radius of the center of Penetration Gate (as indicated by the red sphere) 320 penetrated the gate spanning the location. As indicated by the graphic above, these flights typically passed over the site at altitudes between 1,500 and 3,500 ft MSL. The Operator Category for the number of arrivals within the 1-mile radius includes 140 Cargo, 37 Commercial, 119 General Aviation, 6 Military and 22 Unknown. The Aircraft Category for the total number of arrivals includes 47 Business Jets, 12 Helicopter, 140 Jets, 6 Military, 42 Propeller, 25 Regional Jets, 30 Turbo-prop and 22 Unknown.

Sac Cnty-2

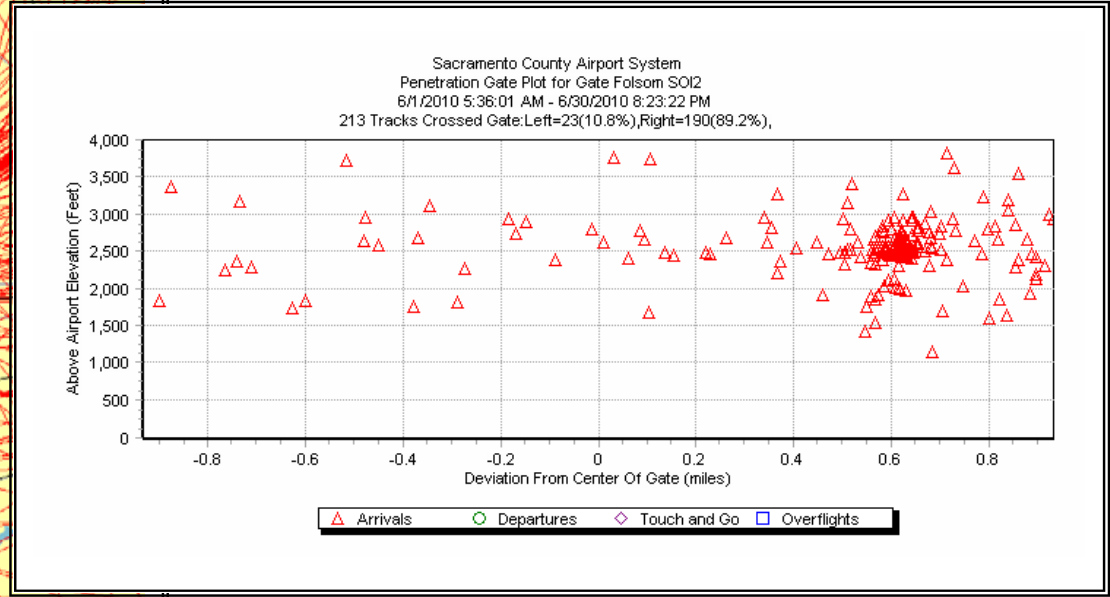
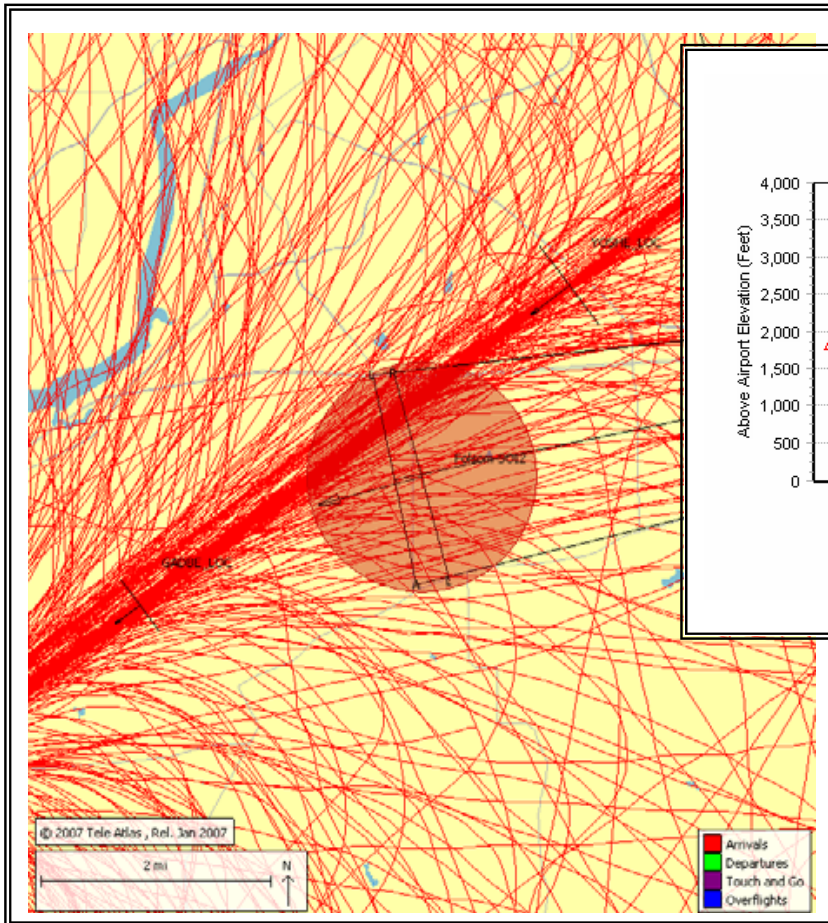
The proposed location is in direct proximity to the Instrument Landing System (ILS) Approach for Runway 22L at Mather Airport. Due to this proximity, the majority of overflights of the site are from

**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
*Flight Track Analysis*



Arrival Analysis Penetration Gate 2, June 2010



During June 2010, a total of 1,060 arrival flight tracks were recorded at Mather Airport. Of these, 228 flew with a 1-mile radius of the center of Penetration Gate (as indicated by the red sphere) 213 penetrated the gate spanning the location. As indicated by the graphic above, these flights typically passed over the site at altitudes between 1,500 and 3,500 ft MSL. The Operator Category for the number of arrivals within the 1-mile radius includes 73 Cargo, 15 Commercial, 101 General Aviation, 2 Military and 37 Unknown. The Aircraft Category for the total number of arrivals includes 39 Business Jets, 6 Helicopter, 74 Jets, 2 Military, 48 Propeller, 9 Regional Jet, 13 Turbo-prop and 37 Unknown.

The proposed location is in direct proximity to the Instrument Landing System (ILS) Approach for Runway 22L at Mather Airport. Due to this proximity, the majority of overflights of the site are from arrivals.

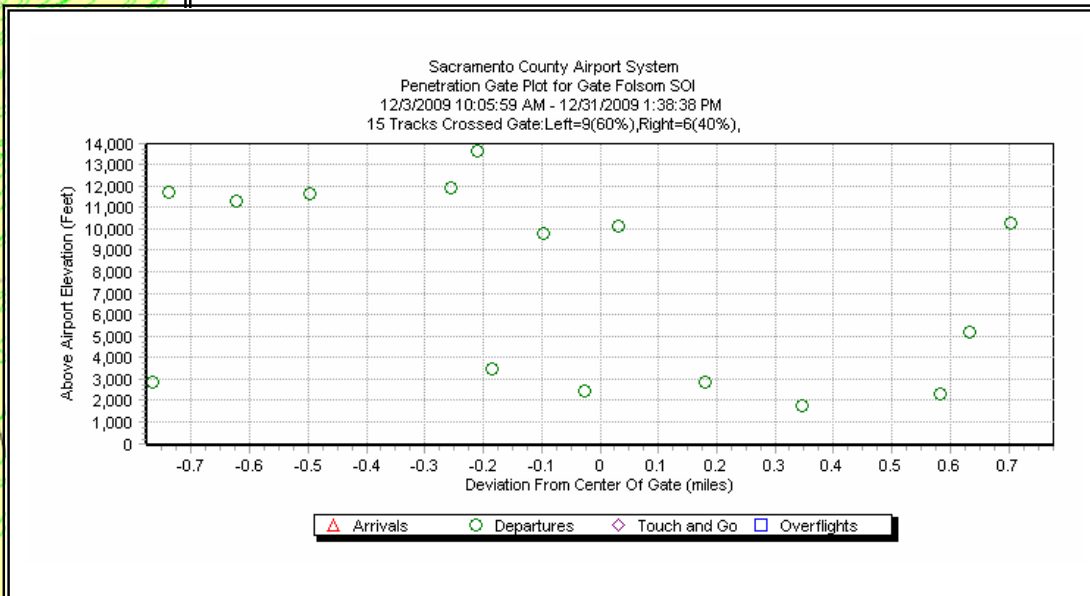
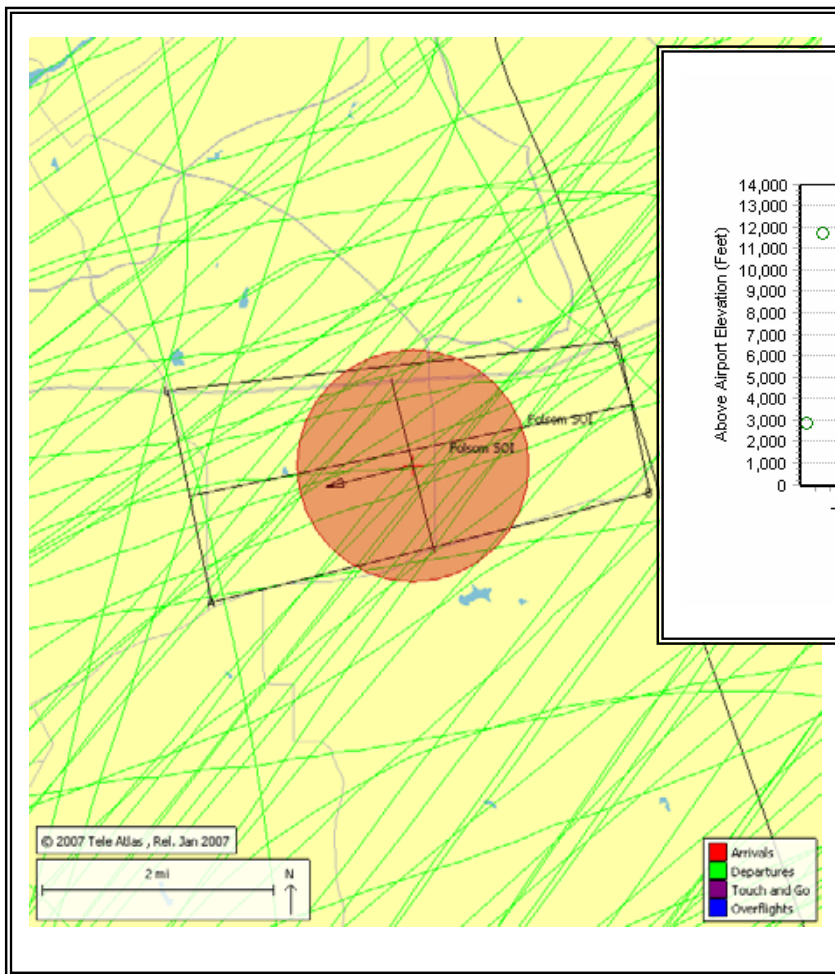
Sac Cnty-2

**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
Flight Track Analysis



Departure Analysis Penetration Gate 1, December 2009



During December 2009, a total of 868 departure flight tracks were recorded at Mather Airport. Of these, 21 flew with a 1-mile radius of the parcel; 15 penetrated the gate spanning the location. As indicated by the graphic above, these flights typically passed over the site at a wide variety altitudes. The Operator Category for the total number of departures includes 9 Cargo, 5 General Aviation and 7 Unknown. The Aircraft Category for the total number of departures includes 2 Business Jets, 9 Jets, 2 Propeller, 1 Turbo-prop and 7 Unknown.

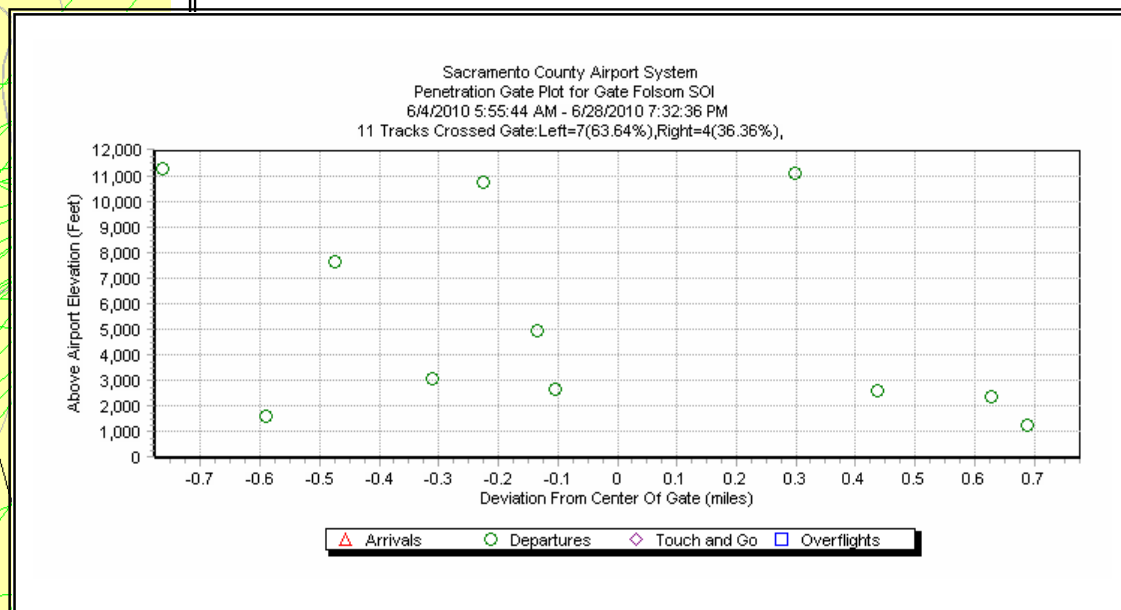
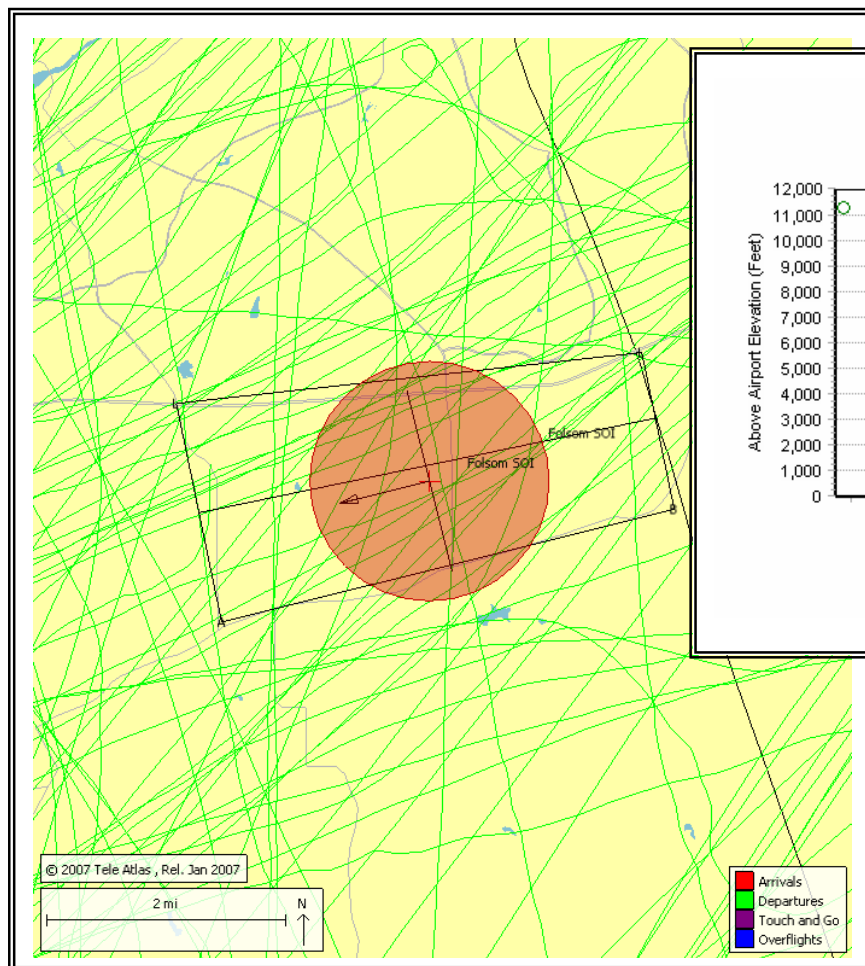
Operations departing to the east or north may pass over the location as they proceed on course to their destination.

Sac Cnty-2





Departure Analysis Penetration Gate 1, June 2010



During June 2010, a total of 1,059 departure flight tracks were recorded at Mather Airport. Of these, 22 flew with a 1-mile radius of the parcel; 15 penetrated the gate spanning the location. As indicated by the graphic above, these flights typically passed over the site at a wide variety altitudes. The Operator Category for the total number of departures includes 4 Cargo, 11 General Aviation, 1 Military and 6 Unknown. The Aircraft Category for the total number of departures includes 4 Business Jets, 1 Helicopter, 4 Jets, 1 Military, 6 Propeller, and 6 Unknown.

Operations departing to the east or north may pass over the location as they proceed on course to their destination.

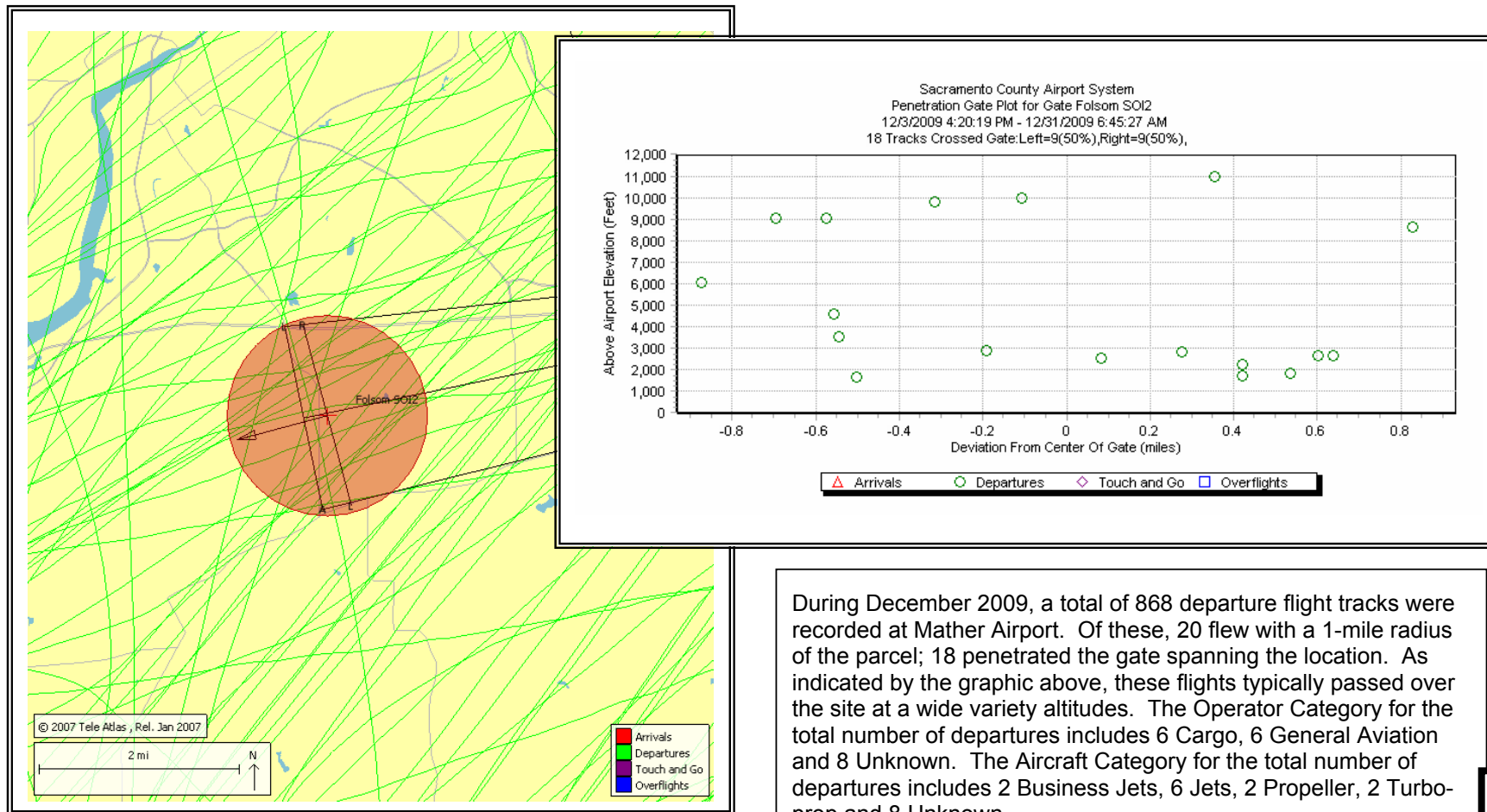
Sac Cnty-2

**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
*Flight Track Analysis*



Departure Analysis Penetration Gate 2, December 2009



Operations departing to the east or north may pass over the location as they proceed on course to their destination.

During December 2009, a total of 868 departure flight tracks were recorded at Mather Airport. Of these, 20 flew with a 1-mile radius of the parcel; 18 penetrated the gate spanning the location. As indicated by the graphic above, these flights typically passed over the site at a wide variety of altitudes. The Operator Category for the total number of departures includes 6 Cargo, 6 General Aviation and 8 Unknown. The Aircraft Category for the total number of departures includes 2 Business Jets, 6 Jets, 2 Propeller, 2 Turbo-prop and 8 Unknown.

Sac Cnty-2

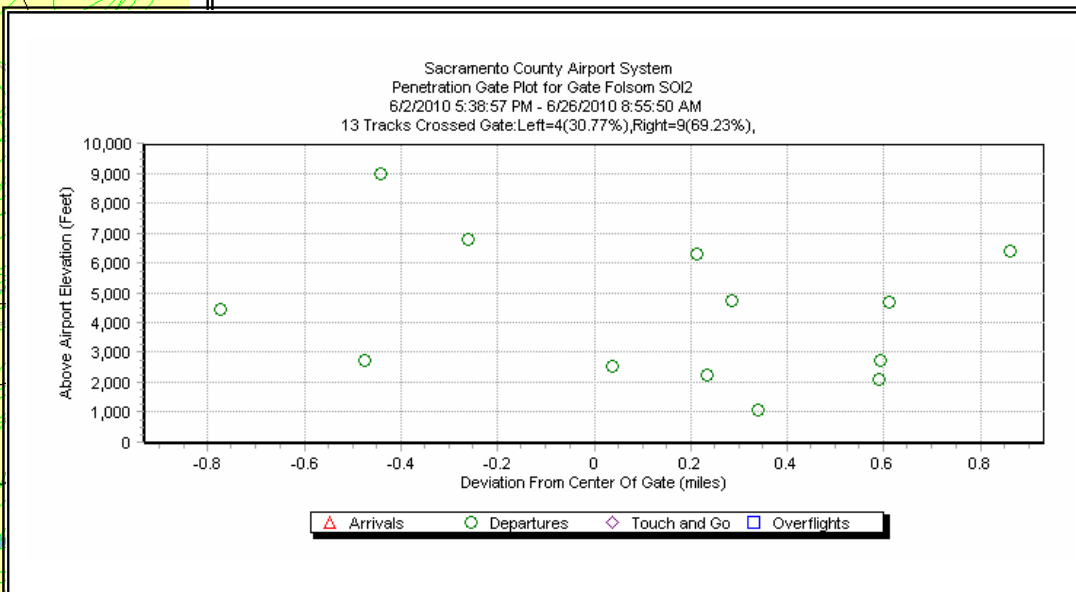
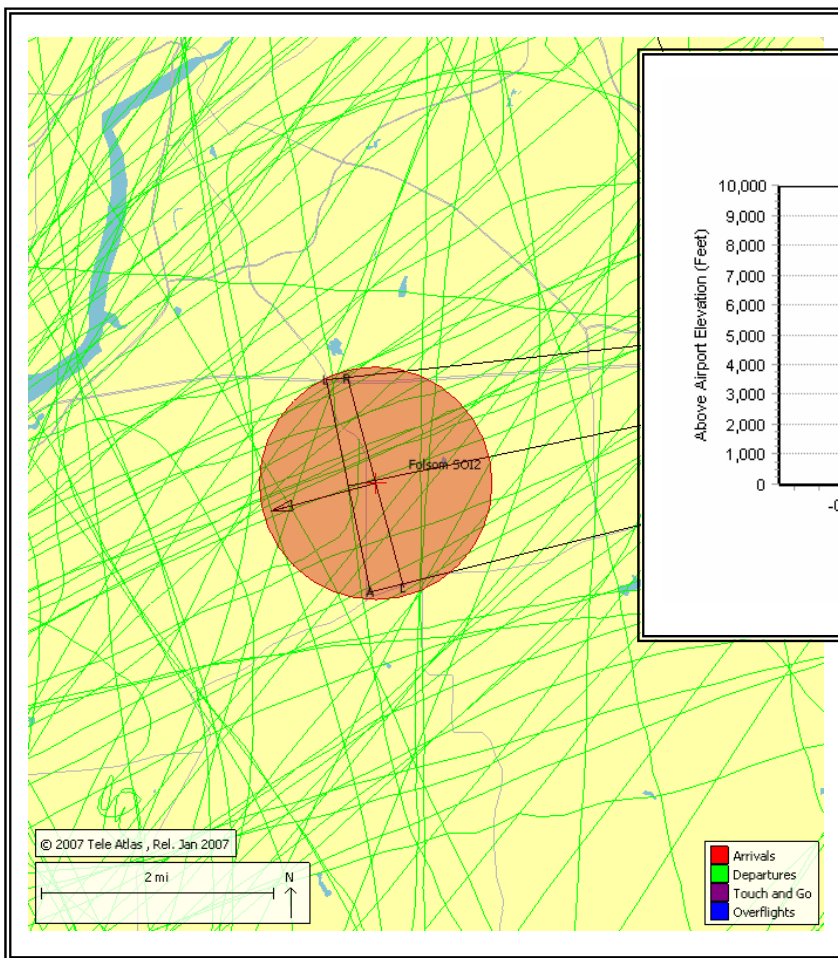


**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
*Flight Track Analysis*



Departure Analysis Penetration Gate 2, June 2010

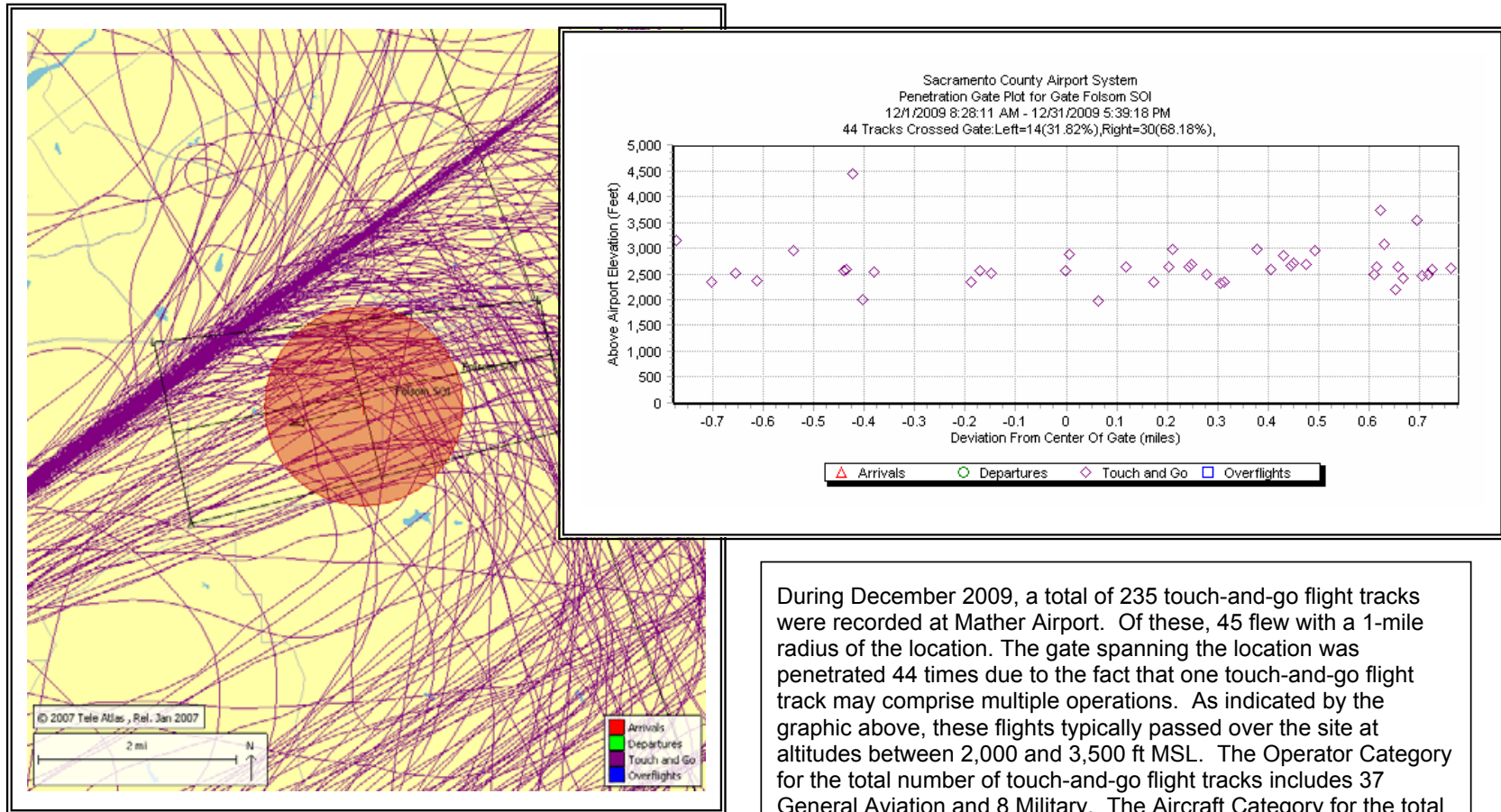


During June 2010, a total of 1,059 departure flight tracks were recorded at Mather Airport. Of these, 26 flew with a 1-mile radius of the parcel; 13 penetrated the gate spanning the location. As indicated by the graphic above, these flights typically passed over the site at a wide variety of altitudes. The Operator Category for the total number of departures includes 1 Cargo, 1 Commercial, 11 General Aviation, and 13 Unknown. The Aircraft Category for the total number of departures includes 5 Business Jets, 1 Jet, 6 Propeller, 1 Regional Jet and 13 Unknown.

Operations departing to the east or north may pass over the location as they proceed on course to their destination.



Touch-and-Go Analysis, Penetration Gate 1, December 2009



The proposed location is in close proximity to the base leg turn for final approach for the left traffic pattern for touch-and-go traffic.

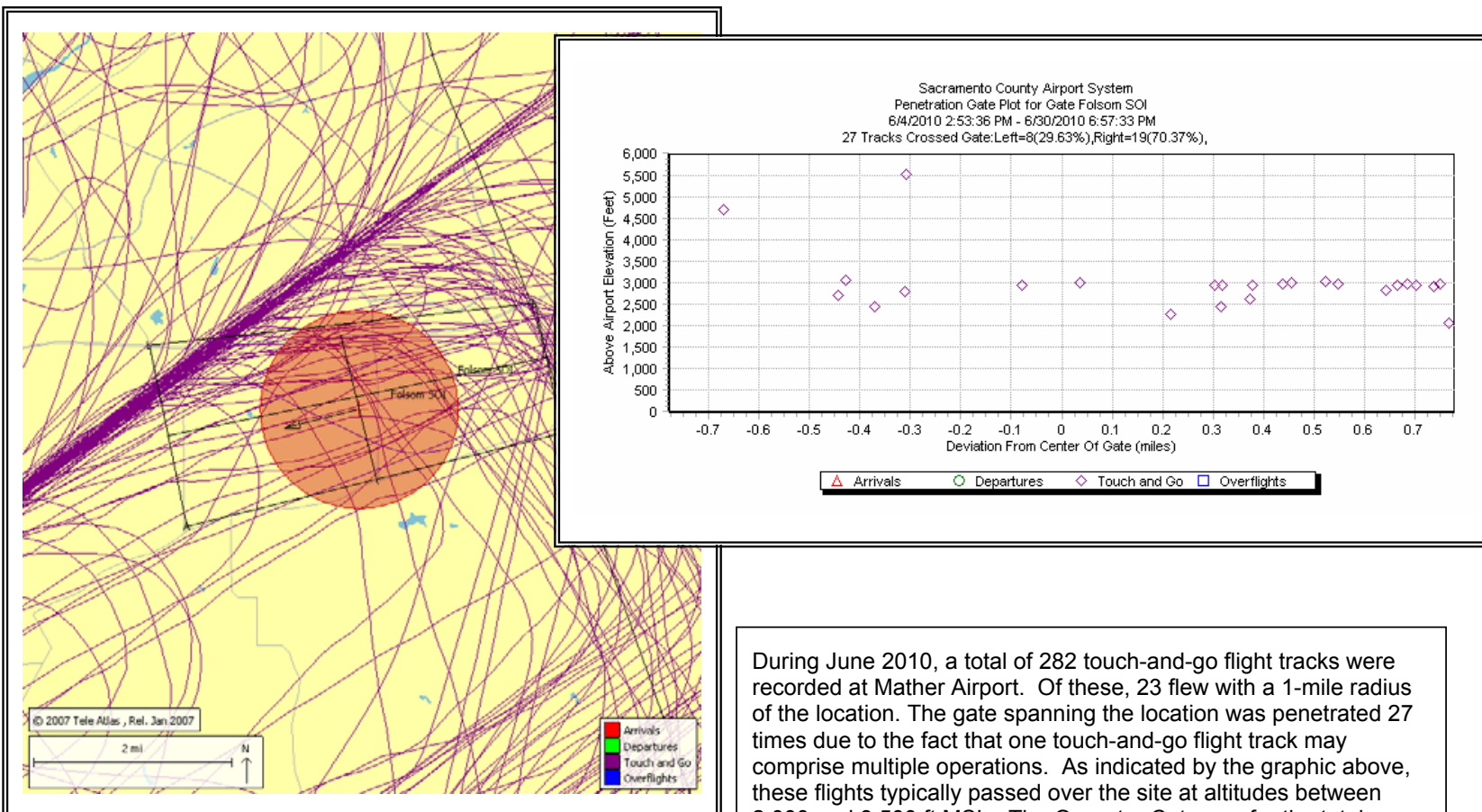
During December 2009, a total of 235 touch-and-go flight tracks were recorded at Mather Airport. Of these, 45 flew with a 1-mile radius of the location. The gate spanning the location was penetrated 44 times due to the fact that one touch-and-go flight track may comprise multiple operations. As indicated by the graphic above, these flights typically passed over the site at altitudes between 2,000 and 3,500 ft MSL. The Operator Category for the total number of touch-and-go flight tracks includes 37 General Aviation and 8 Military. The Aircraft Category for the total number of touch-and-go flight tracks includes 2 Business Jets, 3 Helicopters, 8 Military, 31 Propeller and 1 Turbo-prop.

**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
Flight Track Analysis



Touch-and-Go Analysis, Penetration Gate 1, June 2010



The proposed location is in close proximity to the base leg turn for final approach for the left traffic pattern for touch-and-go traffic.

During June 2010, a total of 282 touch-and-go flight tracks were recorded at Mather Airport. Of these, 23 flew within a 1-mile radius of the location. The gate spanning the location was penetrated 27 times due to the fact that one touch-and-go flight track may comprise multiple operations. As indicated by the graphic above, these flights typically passed over the site at altitudes between 2,000 and 3,500 ft MSL. The Operator Category for the total number of touch-and-go flight tracks includes 5 Commercial, 13 General Aviation, 4 Military and 1 Unknown. The Aircraft Category for the total number of touch-and-go flight tracks includes 3 Business Jets, 1 Jet, 4 Military, 10 Propeller, 4 Turbo-prop and 1 Unknown.

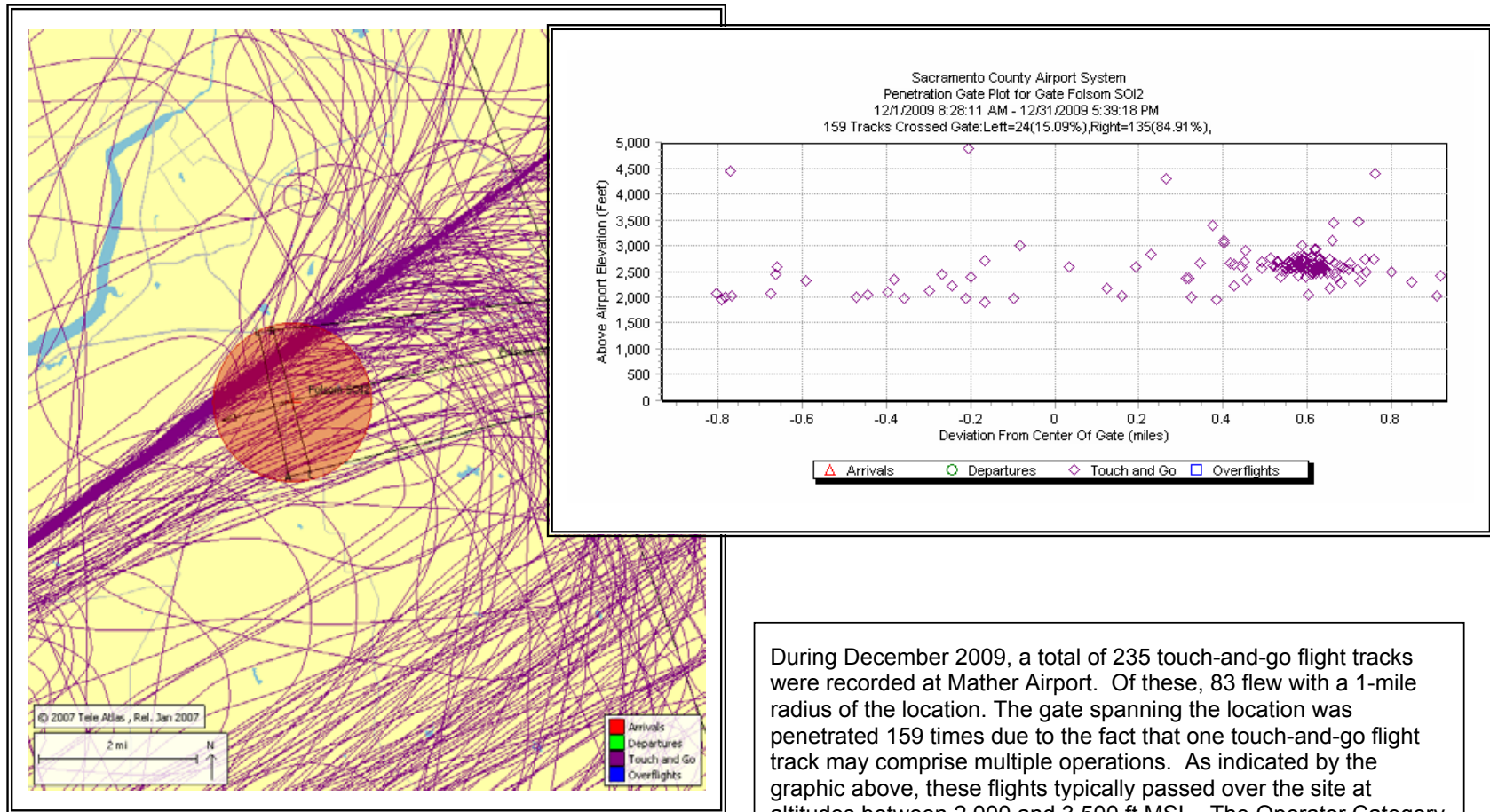


**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
Flight Track Analysis



Touch-and-Go Analysis, Penetration Gate 2, December 2009



The proposed location is in close proximity to the base leg turn for final approach for the left traffic pattern for touch-and-go traffic.

During December 2009, a total of 235 touch-and-go flight tracks were recorded at Mather Airport. Of these, 83 flew with a 1-mile radius of the location. The gate spanning the location was penetrated 159 times due to the fact that one touch-and-go flight track may comprise multiple operations. As indicated by the graphic above, these flights typically passed over the site at altitudes between 2,000 and 3,500 ft MSL. The Operator Category for the total number of touch-and-go flight tracks includes 58 General Aviation, 22 Military and 3 Unknown. The Aircraft Category for the total number of touch-and-go flight tracks includes 5 Business Jets, 5 Helicopters, 22 Military, 46 Propeller, 2 Turbo-prop and 3 Unknown.

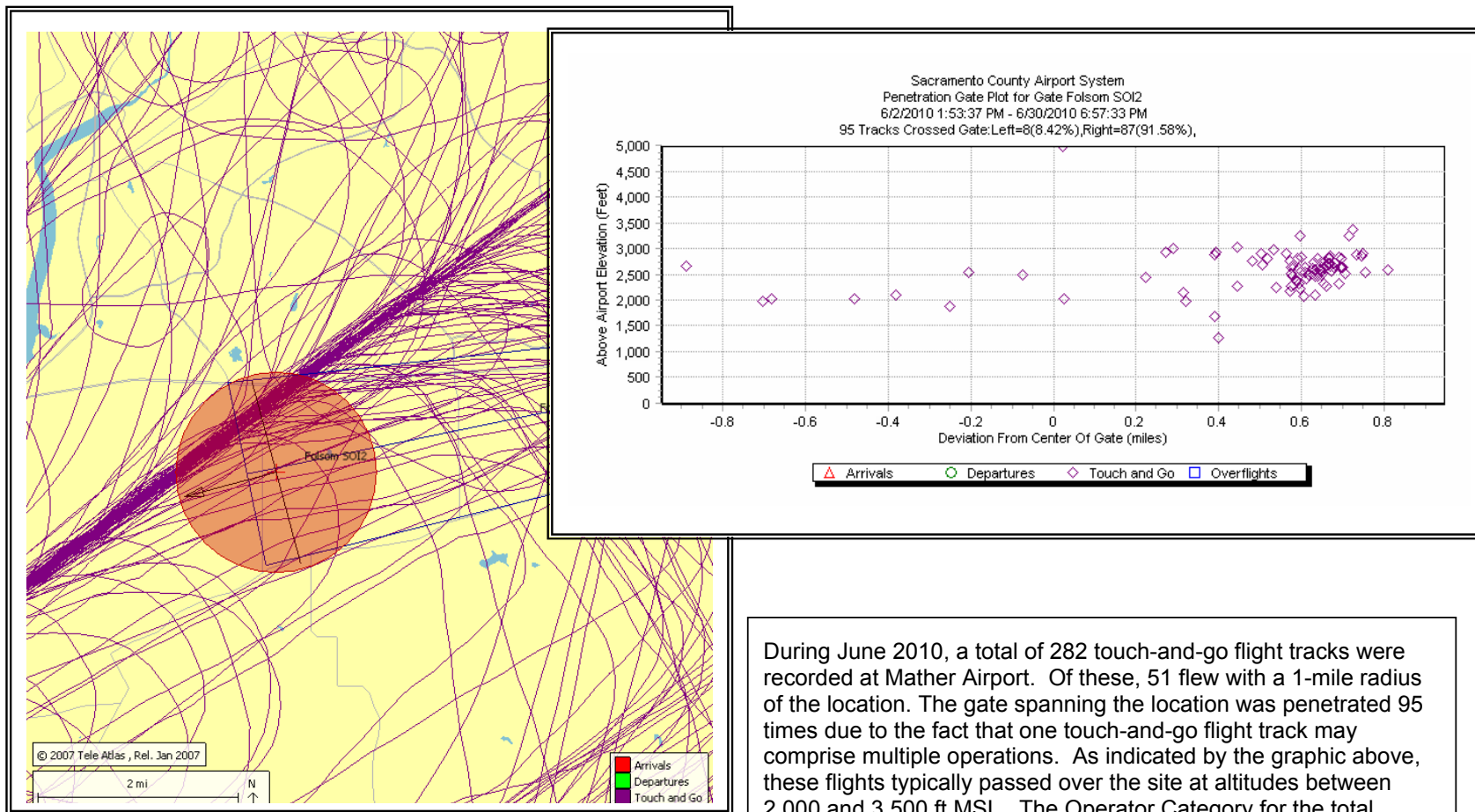
Sac Cnty-2

**Sacramento County Airport System  
Aircraft Noise Information Office**

Mather Airport Flight Altitudes Near Proposed Folsom South of U.S. 50 Specific Plan Project  
Flight Track Analysis



Touch-and-Go Analysis, Penetration Gate 2, June 2010



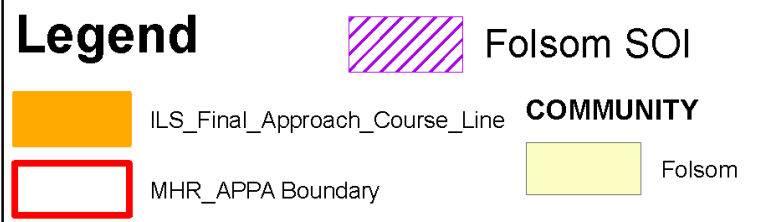
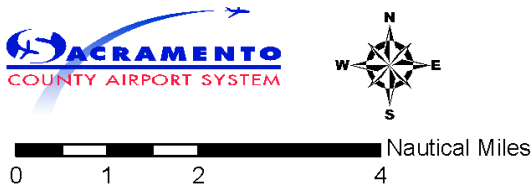
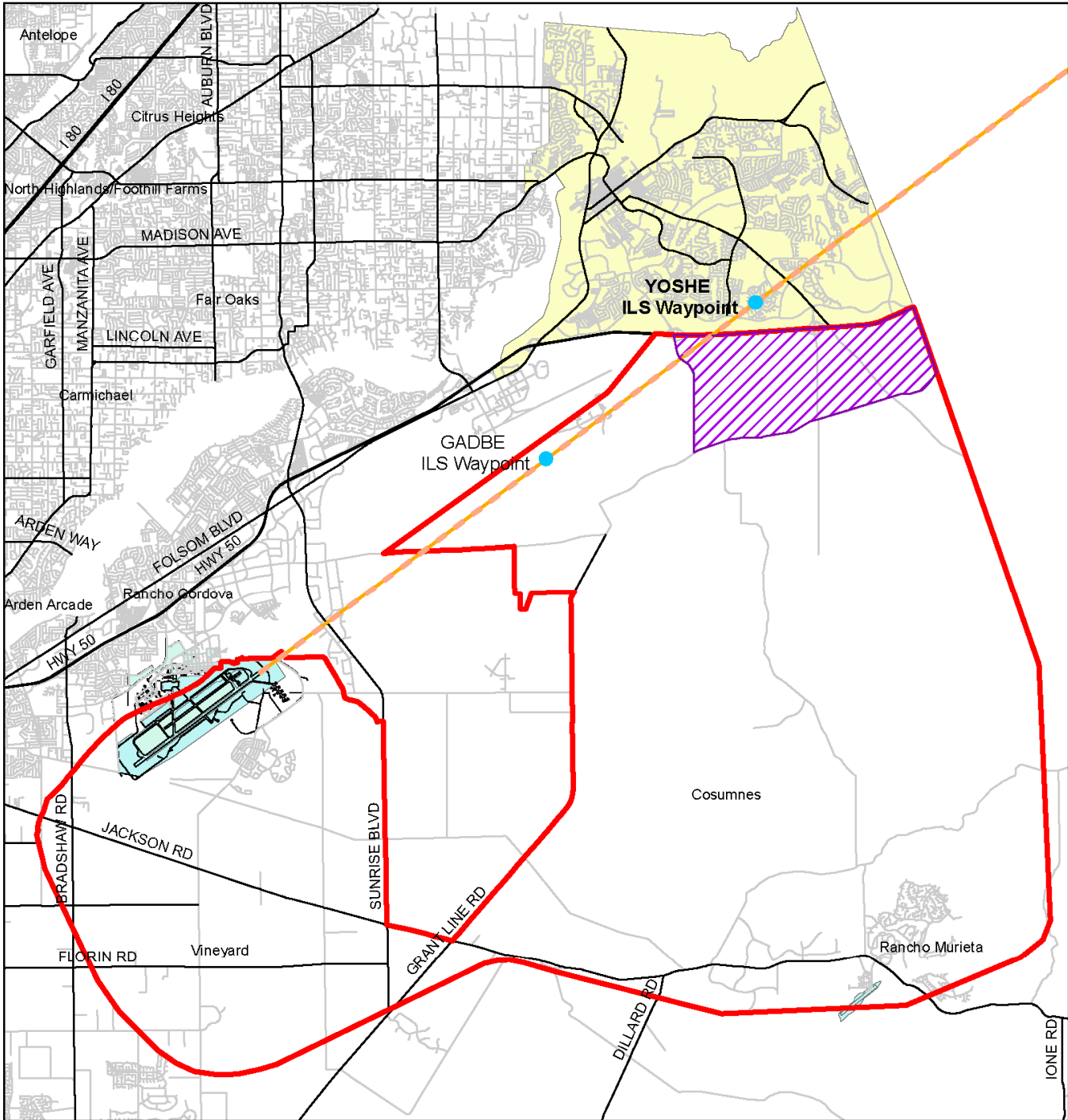
The proposed location is in close proximity to the base leg turn for final approach for the left traffic pattern for touch-and-go traffic.

During June 2010, a total of 282 touch-and-go flight tracks were recorded at Mather Airport. Of these, 51 flew with a 1-mile radius of the location. The gate spanning the location was penetrated 95 times due to the fact that one touch-and-go flight track may comprise multiple operations. As indicated by the graphic above, these flights typically passed over the site at altitudes between 2,000 and 3,500 ft MSL. The Operator Category for the total number of touch-and-go flight tracks includes 11 Commercial, 23 General Aviation, 16 Military and 1 Unknown. The Aircraft Category for the total number of touch-and-go flight tracks includes 5 Business Jets, 3 Jet, 16 Military, 17 Propeller, 9 Turbo-prop and 1 Unknown.

Sac Cnty-2

Exhibit 4

### Mather Airport Planning Policy Area Boundary and Proximity to Folsom South SOI





Sac Cnty-2-1

*The comment provides a brief description of the project and states that the project would place urban uses in a natural resource and conservation area of Sacramento County. The comment further states the County's concern that the DEIR/DEIS inadequately addresses the potential for land use and other conflicts arising from the project.*

The commenter provides a general introduction to specific concerns that are described in later comments in this letter. See responses to comments Sac Cnty-2-1 through Sac Cnty-2-347 for additional, detailed responses to the specific concerns identified by the County in later comments.

Sac Cnty-2-2

*The comment states that omissions in the DEIR/DEIS cause the document to be incapable of providing the public with a meaningful opportunity to review and evaluate the adverse environmental impacts of the project.*

For the reasons specified below in responses to comments Sac Cnty-2-4 through Sac Cnty-2-347, the DEIR/DEIS is sufficient and provides the public and decision makers with adequate information regarding the environmental consequences of the project, as required by CEQA and NEPA.

Sac Cnty-2-3

*The comment states that recirculation of the draft document is required by law to disclose information that is currently absent from the DEIR/DEIS.*

The minor revisions to the DEIR/DEIS contained in Chapter 5, "Errata" of this FEIR/FEIS do not meet the requirements for recirculation provided in State CEQA Guidelines CCR Section 15088.5 or the NEPA requirements for supplementation provided in 40 CFR Section 1502.9(c). See Master Response 12 – DEIR/DEIS Recirculation is Not Required.

Sac Cnty-2-4

*The comment expresses the County's concern regarding the missing analysis in the DEIR/DEIS, in spite of the need for additional information expressed in the County's November 6, 2008 comment letter regarding the Notice of Preparation (NOP) for the project.*

The City acknowledges the County's November 6, 2008 comment letter regarding the NOP. The letter is included in Appendix B of the DEIR/DEIS, and the County's concerns expressed in that November 2008 letter were considered during preparation of the DEIR/DEIS.



*The comments state that the DEIR/DEIS fails to evaluate the potential land use incompatibility between the project and the Prairie City SVRA. The comments further state that this analysis was requested by the County in its comments on the Notice of Preparation. The comments also state that the DEIR/DEIS does not contain an analysis of the effects the project would have on the SVRA, and that this type of land use arrangement has been repeatedly shown to result in complaints by new residents. The comments suggest that the DEIR/DEIS should consider the Prairie City SVRA's General Plan.*

The County's November 2008 comment letter on the NOP is included in Appendix B of the DEIR/DEIS and was considered during preparation of the analysis contained in the DEIR/DEIS. See Master Response 8 – Land Use Incompatibility.

As explained on page 3-3 and 3-4 of the DEIR/DEIS, thresholds of significance provide criteria established by the lead agencies to define at what level an impact would be considered significant in accordance with CEQA. Thresholds may be quantitative or qualitative; they may be based on examples found in CEQA regulations or the State CEQA Guidelines; scientific and factual data relative to the lead agency's jurisdiction; legislative or regulatory performance standards of Federal, state, regional, or local agencies relevant to the impact analysis; City goals, objectives, and policies (e.g., City General Plan); views of the public in the affected area; the policy/regulatory environment of affected jurisdictions; or other factors. Generally, however, the thresholds of significance used in the DEIR/DEIS were derived from Appendix G of the State CEQA Guidelines; a Federal agency's NEPA regulations, where defined; factual or scientific information and data; and regulatory standards of Federal, state, regional, and local agencies. These thresholds also include the factors taken into account under NEPA to determine the significance of the action in terms of the context and the intensity of its effects.

As explained more fully in Master Response 8 – Land Use Incompatibility, an analysis of "land use incompatibility" per se is not required by CEQA. However, both CEQA and NEPA require an analysis of any potential conflict of the project with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect (see State CEQA Guidelines Appendix G Land Use, and 40 CFR Section 1502.16[c]). CEQA also requires that a project's direct and indirect physical impacts on the environment be evaluated (State CEQA Guidelines CCR Section 15126.2[a]).

The only applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect that would apply to development of the project in the vicinity of the Prairie City SVRA relates to potential exceedance of adopted noise ordinances in the City/County general plans, which were evaluated in DEIR/DEIS Section 3A.11, "Noise."

The direct and indirect physical impacts of the project on the environment are evaluated throughout Chapters 3 and 4 of the DEIR/DEIS; see specifically Section 3A.2 "Air Quality" (SPA is more than 1 mile from Prairie City SVRA—no impact from dust); Section 3A.11, "Noise" (noise measurements were taken at southwest corner of the SPA—noise from Prairie City SVRA was indistinguishable from noise generated by roadways, therefore impact is less than significant); Section 3A.12 "Park and Recreation" and associated edits to that section in Chapter 5, "Errata" of this FEIR/FEIS (indirect impacts regarding physical deterioration of off-site recreational facilities at Prairie City

SVRA, among others, were discussed and these indirect impacts were found to be less than significant); and the air quality, noise, and parks and recreation subsections of DEIR/DEIS Chapter 4.1, “Cumulative Impacts.” Therefore, the City and USACE believe that the appropriate analysis required by CEQA and NEPA is included in the DEIR/DEIS.

Sac Cnty-2-11 through  
Sac Cnty-2-16

*The comments state that the DEIR/DEIS fails to evaluate the potential land use incompatibility between the project and the Green Waste Composting Facility (GreenCycle facility). The comments further state that this analysis was requested by the County in its comments on the Notice of Preparation. The comments state that the environmental document for the GreenCycle Project identified no odor impacts on the SPA, but the DEIR/DEIS cumulative analysis identifies potential impacts related to odors from the GreenCycle facility. The comment states that the DEIR/DEIS inappropriately analyzed impacts to the project rather than impacts from the project. The comments state that the DEIR/DEIS should be revised to respond to the CEQA Checklist item that asks whether the project would create objectionable odors affecting a substantial number of people.*

See response to Sac Cnty-2-5 through Sac Cnty-2-10. See also Master Response 8 – Land Use Incompatibility. As shown in Exhibit 4-1 on page 4-8 of the DEIR/DEIS, the City/USACE considered the GreenCycle project in every topic area of the cumulative impact analysis found in Chapter 4, “Other Statutory Requirements” of the DEIR/DEIS. Cumulative impacts are defined in the State CEQA Guidelines (CCR Section 15355) as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” A cumulative impact occurs from “the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. (State CEQA Guidelines CCR Section 15355[b].) The analysis contained on DEIR/DEIS page 4-29 appropriately concluded that “the project’s odor impacts, when considered in combination with odor impacts of the related projects, could result in cumulatively significant impacts.” The Appendix G threshold referred to by the commenter, related to creation of objectionable odors affecting a substantial number of people, is included in the DEIR/DEIS on page 3A.2-23 and is evaluated in Impact 3A.2-6 (pages 3A.2-59 through 3A.2-62). Therefore, no revisions to the DEIR/DEIS are necessary.

Sac Cnty-2-17 through  
Sac Cnty-2-22

*The comments state that the DEIR/DEIS fails to evaluate the potential land use incompatibility between the project and nearby agricultural lands, or to propose feasible mitigation or consider alternatives. The comments further state that the introduction of urban land uses would result in significant land use conflicts and place growth inducement pressure on adjacent lands. The comments also state that the DEIR/DEIS is deficient because it does not evaluate these impacts and provide appropriate mitigation.*

The County’s November 2008 comment letter on the NOP is included in Appendix B of the DEIR/DEIS and was considered during preparation of the analysis contained in the DEIR/DEIS. See Master Response 8 – Land Use Incompatibility. The DEIR/DEIS evaluates impacts related to agriculture throughout Section 3A.10, “Land Use and Agricultural Resources.” Growth-inducing impacts of the project are discussed in Chapter 4, “Other Statutory Requirements” beginning on page 4-65 of the DEIR/DEIS, and include a specific discussion of impacts related to the potential for conversion of

adjacent undeveloped land to urban development on page 4-72. Therefore, no revisions to the DEIR/DEIS are necessary.

Sac Cnty-2-23 through  
Sac Cnty-2-24

*The comments state that potential mitigation for the impact to adjacent agricultural lands could include a requirement to protect additional lands of similar agricultural quality located in the general vicinity of the project. The comments also state that a potential mitigation measure for impacts to adjacent agricultural land uses could be the protection of land via conservation easements of an amount equal to the footprint of the project, similar to a mitigation measure in the Sacramento County EIR for the Teichert Quarry.*

See responses to comments DOC-DLRP-7 and DOC-DLRP-8.

Sac Cnty-2-25

*The comment references the Sacramento County Right to Farm Ordinance and states concern about possible nuisance impacts to property adjacent to agricultural uses.*

Mitigation Measure 3A.2-6 in Section 3A.2 “Air Quality,” on pages 3A.2-61 and 3A.2-62 of the DEIR/DEIS addresses potential impacts to proposed on-site sensitive receptors that might be located adjacent to agricultural uses south of White Rock Road. This mitigation measure provides that deeds to all properties in the SPA that would be located within one mile of an area zoned or used for agricultural use (including livestock grazing) would be accompanied by a written disclosure advising of potential odor impacts of surrounding agricultural operations, and directing the new owner to contact the County of Sacramento for information regarding any such agricultural properties within the County (see the fourth arrow point of Mitigation Measure 3A.2-6).

Sac Cnty-2-26 through  
Sac Cnty-2-28

*The comments state that the DEIR/DEIS is deficient because it fails to consider feasible alternatives such as reduced densities, land use transition, or use of agricultural conservation easements to reduce impacts related to incompatibility with agricultural uses.*

See Master Response 8 – Land Use Incompatibility. See also responses to comments Sac Cnty-2-17 to Sac Cnty-2-22 for a discussion of the impacts relating to the issues noted by the commenter. See also responses to comments DOC-DLRP-7 and DOC-DLRP-8 for a discussion of conservation easements as mitigation for loss of agricultural land. The Resource Impact Minimization Alternative contains a reduced density and is evaluated throughout every topic area of the 3A sections in DEIR/DEIS Chapter 3. The commenter suggests that reduced densities or a transition to “more compatible land uses” would reduce impacts related to incompatibility with surrounding agricultural areas. However, the significant agricultural and land use impacts of the project as identified in the DEIR/DEIS relate only to potential cancellation of Williamson Act contracts and potential inducement of future conversion of adjacent agricultural land uses to urban development (see DEIR/DEIS Section 3A.10, “Land Use and Agricultural Resources”). These impacts have to do with the overall change in land use to urban uses, rather than with “land use conflicts” between specific urban land uses and agricultural land uses (which is not a CEQA impact). Shifting the land use plan to place different urban uses along the edge of the SPA as proposed by the commenter would not reduce the level of impact identified for either potential cancellation of Williamson Act contracts or potential inducement of future conversion of adjacent agricultural land uses to urban development.

- Sac Cnty-2-29 *The comment acknowledges that the DEIR/DEIS states feasible mitigation measures are not available to reduce impacts associated with the cancellation of Williamson Act contracts to a less than significant level.*
- The commenter restates text that is contained in Section 3A.10 of the DEIR/DEIS; the comment is noted.
- Sac Cnty-2-30 through  
Sac Cnty-2-31 *The comments state that conservation easements could be obtained through several groups. The comments further state that the DEIR/DEIS violates CEQA requirements by not including mitigation when feasible options are available.*
- See responses to comments DOC-DLRP-7 and DOC-DLRP-8.
- Sac Cnty-2-32 through  
Sac Cnty-2-33 *The comments state that text in Impact 3A.10-4 discussing that the proposed Teichert Quarry and Walltown Quarry projects would require cancellation of Williamson Act contracts is incorrect. The comments further state that the areas that would operate as quarries are not under Williamson Act contracts.*
- Based on the revised text contained in the Teichert Quarry project DEIR/DEIS, Section 3.2 “Agricultural Resources,” page 3.2-1, which was changed by the County in the FEIR to state that the Teichert Quarry project site is not located on lands currently under a Williamson Act, the City and USACE agree that the text of the Folsom South of U.S. 50 Specific Plan DEIR/DEIS can be changed accordingly. See Chapter 5, “Errata” of this FEIR/FEIS.
- Sac Cnty-2-34 *The comment states that the area south of U.S. 50 is a designated State Mineral Resource Zone (MRZ) by the California Department of Conservation.*
- The commenter restates text that is contained in DEIR/DEIS Section 3A.7, “Geology, Soils, Minerals, and Paleontological Resources”; the comment is noted.
- Sac Cnty-2-35 *The comment states that although the DEIR/DEIS addresses the project’s on-site and off-site impacts on mineral resources, it contains no mention of the project’s impacts on mineral resources on adjacent lands.*
- See Master Response 8 – Land Use Incompatibility. A discussion of the mineral resource classification of lands adjacent to the SPA is provided on page 3A.7-13 of the DEIR/DEIS and is shown in Exhibit 3A.7-3 on page 3A.7-15. The DEIR/DEIS addresses the project’s on-site and off-site impacts on mineral resources, on pages 3A.7-36 and 3A.7-37. Construction of the development proposed on the SPA would be confined to the land within the SPA boundary, as shown in numerous exhibits contained throughout the DEIR/DEIS (for example, see the land use plan for the proposed project in Exhibit 2-3 on page 2-15). Construction of the off-site water facilities required to support development of the SPA would have no impact on mineral resources (DEIR/DEIS Section 3.0 page 3-8). Therefore, construction of the project would have no physical impact on any mineral resources that might be present on any land adjacent to the SPA or the off-site water facilities. Cumulative impacts related to mineral resources are discussed on page 4-37 of the DEIR/DEIS.

Sac Cnty-2-36 through  
Sac Cnty-2-38

*The comments state that the DEIR/DEIS does not acknowledge the State Mining and Geology Board reclassified approximately 1,000 acres of land south of White Rock Road from MRZ-3 to MRZ-2 in 2009. The comments further state that the MRZ-2 classification indicates areas where adequate information exists, that significant mineral deposits are present or a high likelihood for their presence exists.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.7-13 of the DEIR/DEIS has been revised to reflect an MRZ-2 classification on land south of White Rock Road. This change has no effect on the impact conclusions presented in the DEIR/DEIS. The definition of all mineral resource classifications used by the State Mining and Geology Board, including MRZ-2, is provided on page 3A.7-12 of the DEIR/DEIS.

Sac Cnty-2-39

*The comment cites two reports regarding “the Mangini property” and “the Wilson Ranch” that the comment states were submitted to the State Mining and Geology Board in 2009, and the comment references various statistics from those reports regarding the purported value of mineral resources at those locations. The comment also states that one of the reports indicated that “potential urban encroachment in the area constitutes a threat to the intended mining of these resources.”*

The portion of this comment regarding the purported value of the referenced mineral resources is noted; this does not pertain to the environmental analysis contained in the DEIR/DEIS.

The City and USACE understand that the Wilson Ranch property is located south of the SPA, on the south side of White Rock Road, and that Granite Construction is seeking entitlements to operate a mining and aggregate production facility, known as the Walltown Quarry, on the Wilson Ranch property. The proposed Walltown Quarry would be located approximately 1.2 miles south of the SPA. The comment does not identify the location of “the Mangini property” and, therefore, the relevance of mineral resources at that location to the SPA cannot be ascertained. The closest proposed mining project for which a CEQA NOP has been circulated to the public is located approximately 1.2 miles south of the SPA. Because the proposed development on the SPA would not occur on or adjacent to the lands proposed for mining, it is unclear to the City and USACE, nor does the comment specify, exactly how the physical development of the SPA would constitute a physical threat to mining activities that would occur 1.2 miles to the south.

Sac Cnty-2-40 through  
Sac Cnty-2-46

*The comments state that the DEIR/DEIS did not recognize land south of White Rock Road is classified as MRZ-2 rather than MRZ-3, and that the DEIR/DEIS does not acknowledge a significant impact on both known and unknown future mining activities that would occur from implementing the project. The comments further state that a significant impact would occur from placing incompatible land uses in proximity to quarry operations and hauling routes. The comments suggest that the City should acknowledge “the most likely, direct and only logical route for the distribution of the mined material is through the project using Scott Road (AKA: East Bidwell Road).”*

See responses to comments Sac Cnty-2-36 through Sac Cnty-2-38. Regardless of the MRZ classification of lands south of White Rock Road, the closest mining project for which a CEQA NOP has been circulated to the public is approximately 1.2 miles south of SPA. Therefore, physical development of the SPA would have no effect on the physical

ability of any landowner to recover mineral resources from the known proposed quarry projects, nor would the SPA be located in close proximity to mining operations.

CEQA and NEPA require that a cumulative impact analysis consider “reasonably foreseeable” projects. For purposes of this analysis, the City and USACE consider the term “reasonably foreseeable” to mean projects for which a CEQA NOP or NEPA NOI, or projects that require wetland permits of which USACE is aware, have been submitted. The fact that lands south of White Rock Road contain mineral resources does not mean they will ever be mined; to assume that they will be mined at some unknown time in the future, without a project description or any details of the mining methods, would be speculative.

With regards to the quarry truck haul routes, see Master Response 7 – Quarry Truck Cumulative Impact Analysis and Master Response 8 – Land Use Incompatibility.

The City does not agree that the “most likely, direct, and only logical route for the distribution of the mined material is through the project using Scott Road (AKA: East Bidwell Road).” In fact, numerous other routes could be used by quarry trucks to access U.S. 50.

Sac Cnty-2-47 through  
Sac Cnty-2-48

*The comment states that restrictions placed on truck haul routes or other aspects of mining operations could lead to increased pressure to import aggregates from outside of the Sacramento region, which the comment states could in turn result in increased traffic congestion, roadway maintenance, air quality impacts, and construction overruns, all of which the comment suggests are indirect impacts of the project’s mitigation measures.*

The comment cites no evidence supporting the claim that increased importation of aggregates from outside of the Sacramento region would result in increased traffic congestion or increased roadway maintenance. Traffic congestion and roadway maintenance also would increase if the aggregate were mined south of White Rock Road (as already identified in the DEIR prepared by Sacramento County for the Teichert Quarry project). Because it is unclear how this purported increased traffic congestion from importation of aggregate would occur (over and above what already would occur from the increase that would be caused by mining south of White Rock Road), it also is unclear how additional air quality impacts would occur from importation of aggregate (over and above air quality impacts that already would occur from the increased trucks on local roadways that would be caused by mining south of White Rock Road). Although the importation of aggregate in turn could increase the cost of construction, this would not result in “cost overruns” because the cost of the aggregate would be known ahead of time and included in the bids submitted by construction contractors. Therefore, the comment provides no evidence to support the claim that the project’s mitigation measures would result in indirect impacts. See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-49 through  
Sac Cnty-2-54

*The comments state that the County has designated the area south of White Rock Road as a Resource Conservation Area (RCA), and describes the purpose of this designation and its relationship to the Sacramento County General Plan. The comments further state that it is important to protect these areas and provide connectivity of these areas and that the DEIR/DEIS fails to recognize the RCA designation and does not discuss potential impacts to these resources from urban development.*

The County designated RCA is located over 0.5 mile from the SPA's southern boundary. Therefore, urban development in the SPA would not affect the County's ability to manage or conserve biological resource values in the RCA south of White Rock Road. No designated RCAs exist immediately adjacent to the SPA. However, the project's open space design provides multiple connectivity corridors to natural habitats located south of the SPA in unincorporated Sacramento County. Furthermore, the project's open space design preserves the majority of the blue oak woodland and riparian habitats, and stream corridors in the SPA and provides large areas of wetland preservation. Approximately one-third of the SPA would be designated open space. Therefore, the project is consistent with General Plan policies OS-1 and OS-2, which call for protection, as open space, of interconnected areas of natural resource value, including wetland preserves, riparian corridors, woodlands, and floodplains, to accommodate wildlife movement and sustain ecosystems.

Sac Cnty-2-55 through  
Sac Cnty-2-58

*The comments describe the County's recent planning efforts in its Resource Conservation Area relative to the Teichert Quarry project. The comments state that the DEIR/DEIS fails to recognize these ongoing planning efforts and fails to discuss the compatibility of the proposed urban development with these planning efforts.*

The project's open space design provides multiple connectivity corridors to the open space lands south of White Rock Road in unincorporated Sacramento County. The County Planning Department, therefore, has multiple options for linking with the project's open space areas during its ongoing planning efforts. Because the County's planning efforts for these adjacent lands south of White Rock Road are ongoing and not final, the project can only provide opportunities for connectivity and cannot ensure compatibility with a plan that does not yet exist. The County Planning Department staff report and exhibits referenced in the comment do not appear to be available on the County website and this is the first time the City of Folsom has been made aware of the conservation easement proposed to extend from White Rock Road to the southern boundary of the Teichert Quarry project site. In the Teichert Quarry final EIR (page 3.12-30, bullet 4), a 380-acre annual grassland habitat preserve is proposed to be established in the vicinity of the Teichert Quarry project site within the east County RCA, contiguous with the RCA, or in the Deer Creek Hills preserve, but the specific location of the land dedication is not identified. Therefore, it is not possible for the project applicants to design their open space plan to be consistent with the proposed Teichert Quarry conservation land.

Sac Cnty-2-59 through  
Sac Cnty-2-63

*The comments state that the proposed open space is weighted to the north of the SPA. The comments suggest that the DEIR/DEIS should be revised to identify the County's proposed open space connection where Alder Creek crosses White Rock Road, and to clarify how efforts would be made to coordinate consistency with the County's General Plan policies.*

Proposed open space in the SPA is weighted toward the northwestern portion of the site because that is where the highest concentration of high value biological resources are located, including oak woodland, riparian, and aquatic habitats. The project's open space design provides multiple connectivity corridors to natural habitats to the south, including a corridor along Alder Creek. Alder Creek would provide preferable cover and access for wildlife movement across the landscape and connect the habitat that would be preserved with habitat to the south and west of the SPA, and thus, would serve as a movement corridor between Lake Natoma and undeveloped areas south of the SPA into the future. As stated on page 2-24 of the DEIR/DEIS, most of the stream channels and intermittent drainage channels are included in proposed open space corridors. The open space designation includes riparian corridors, landscape parkways 30 feet in width or greater, and wetland and stream and drainage channel habitats. Buffers of at least 75 feet are included in the open space design to protect preserved habitats from adjacent development. The comment provides no evidence or reasoning to conclude that the open space connections to the south of White Rock Road are inadequate. See responses to comments Sac Cnty-2-49 through Sac Cnty-2-54 regarding consistency with County General Plan policies.

Sac Cnty-2-64 to through  
Sac Cnty-2-69

*The comments state that County and Sacramento Area Council of Governments (SACOG) plans identify a regional trail connection where Alder Creek crosses White Rock Road. The comments further state that Exhibit 2-10 illustrates this trail as a "proposed trail" rather than a "Class I" trail. The comments suggest that the DEIR/DEIS should be revised to recognize impacts to this trail connection, including consideration of the width of the open space area where it crosses White Rock Road.*

The commenter is correct that Exhibit 2-10 on page 2-39 of the DEIR/DEIS illustrates this trail as a proposed trail. On page 7-59 of the FPASP (in Appendix N of the DEIR/DEIS), this trail is further defined as a Class I trail. This regional trail connection is included in the project. The City notes that the point at which this trail is planned to pass under White Rock Road of necessity would be less wide than the open space areas away from the roadway because of the engineering requirements for overpass construction that would limit the span of each overpass. The commenter does not specify how the width of the open space area where Alder Creek crosses White Rock Road would have any impacts on this trail connection. No revisions to the DEIR/DEIS are required.

Sac Cnty-2-70 through  
Sac Cnty-2-71

*The comments state that the County concurs with the DEIR/DEIS analysis of solid waste generation rates, and that solid waste generated by the project could be managed within existing capacity.*

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



Sac Cnty-2-72 through  
Sac Cnty-2-75

*The comments state that the DEIR/EIS does not adequately disclose or fully mitigate the impact to Swainson's hawk foraging habitat because the document identifies 2,594 acres of potential foraging habitat for Swainson's hawk and other raptors by using the 1994 California Department of Fish and Game (DFG) Swainson's Hawk Guidelines as the basis for establishing the value of habitat lost.*

See responses to comments Sac Cnty-2-77 and Sac Cnty-2-78.

Sac Cnty-2-76

*The comment states that the DEIR/EIS improperly defers the quantification of the impact to Swainson's hawk foraging habitat.*

See responses to comments Sac Cnty-2-82 and Sac Cnty-2-83 and Tsakopoulos-2-102 and Tsakopoulos-2-103. See also Master Response 9 – Deferred and/or Hortatory Mitigation.

Sac Cnty-2-77

*The comment states that the use of an outdated methodology causes the DEIR/DEIS to grossly underestimate the acreage of impact.*

The County's methodology for determining habitat value does not take into account that portions of the SPA are wooded and, therefore, are not suitable for Swainson's hawk foraging. Under the County methodology, the entire SPA would be considered high value foraging habitat for Swainson's hawk because it is zoned Ag 80. However, Swainson's hawks do not forage in woodland habitats, which make up approximately 642 acres of the SPA. The City believes it is unreasonable to require habitat that is not suitable for Swainson's hawk foraging to be included in the calculation of impacts on Swainson's hawk foraging habitat. Typical habitat is identified as open desert, grassland, or cropland containing scattered large trees or small groves (Polite 2006). Furthermore, based on range maps available on the DFG website, the SPA is just outside the eastern edge of the species' range (Hunting 2006, DFG 2007) and is therefore not in an area that would provide the highest conservation values to the species. The methodology used to determine impacts to Swainson's hawk foraging habitat satisfies the CEQA and NEPA requirements because it is based on established guidelines set forth by DFG, the trustee agency charged with the protection of Swainson's hawk under the California Endangered Species Act (CESA).

Sac Cnty-2-78 through  
Sac Cnty-2-79

*The comment states that since 2006, Sacramento County has used methodology specific to Sacramento County and endorsed by DFG rather than the 1994 Guidelines. The comment further states that this methodology recognizes Swainson's hawk foraging habitat value is greater in large expansive open spaces and agricultural areas and would calculate the level of foraging habitat impact more accurately than analyses using the 1994 guidelines. The comments also state the methodology used by Sacramento County and reference the County's suggested revisions to foraging habitat impact calculations.*

The commenter provides no substantiation for the statement that the 2006 County methodology calculates the level of foraging habitat impact more accurately than the methodology used in the DEIR/DEIS. The County's 2006 methodology for determining impacts on Swainson's hawk foraging habitat applies to unincorporated areas of Sacramento County where a permit from the Department of Environmental Review and Assessment (DERA) would be required. The Folsom South of U.S. 50 Specific Plan project would not require discretionary approval from DERA. Therefore, the methodology for calculating impacts on Swainson's hawk foraging habitat would be

under the discretion of the City of Folsom as long as that methodology was acceptable to DFG. For this project, the City appropriately intends to rely on DFG's 1994 guidelines, established to help DFG, CEQA lead agencies, and project proponents judge the adequacy of mitigation designed to offset adverse impacts on Swainson's hawks throughout the Central Valley. The mitigation measures presented in the 1994 guidelines have been determined to be consistent with policies, standards, and legal mandates of the State Legislature and DFG (DFG 1994). Therefore, unless DFG issued a directive for CEQA lead agencies to stop using the 1994 guidelines in favor of a different methodology, no reason would exist for the City to assume these guidelines were invalid. Therefore, no changes to the text of the DEIR/DEIS are required.

Sac Cnty-2-80

*The comment states that under CDF's preferred methodology for Sacramento County, the entire project site (3,584 acres) is considered foraging habitat that would be lost if the area was urbanized, not just the 2,594 acres identified in the DEIR/DEIS as "grassland habitat."*

The comment presumably intended to state "DFG's preferred methodology" rather than "CDF's preferred methodology." DFG has not advised the City of Folsom to follow a different methodology for evaluating impacts on Swainson's hawk foraging habitat in their role as CEQA lead agency, other than the 1994 guidelines. See responses to comments Sac Cnty-2-77 through Sac Cnty-2-79.

Sac Cnty-2-81

*The comment states that the DEIR/DEIS underestimates the amount of foraging habitat by nearly 1,000 acres.*

See responses to comments Sac Cnty-2-77 through Sac Cnty-2-79.

Sac Cnty-2-82 through  
Sac Cnty-2-83

*The comments state that the mitigation described in the DEIR/DEIS would only partially mitigate based on mitigation ratios to be determined at an unspecified future date based on outdated methodology, and the mitigation fails to require a ratio of 1:1.*

The appropriate mitigation ratios would be based on the locations of active nest sites, as determined during preconstruction nest surveys conducted according to guidelines provided in *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley* (Swainson's Hawk Technical Advisory Committee 2000), as stated on page 3A.3-53 of the DEIR/DEIS. The timing is also specified on page 3A.3-62 of the DEIR/DEIS, and would occur before the approval of grading, improvement, or construction plans and before any ground-disturbing activity in any project development phase that would affect Swainson's hawk foraging habitat. Mitigation at a 1:1 ratio would be required for foraging habitat within 1 mile of active nest sites, consistent with the 1994 guidelines (see DEIR/DEIS page 3A.3-53). Foraging habitat within 5 miles of an active nest but more than 1 mile from an active nest would be mitigated at a ratio of 0.75:1. Foraging habitat greater than 5 miles but less than 10 miles from an active nest would be mitigated at a ratio of 0.5:1.

Sac Cnty-2-84

*The comment suggests that mitigation for Swainson's hawk foraging habitat should be the responsibility of the project applicant rather than the City of Folsom and County of Sacramento.*

As stated on page 3A.3-54 of the DEIR/DEIS, the project applicant(s) of all project phases are responsible for implementing the measures to mitigate impacts on Swainson's hawk foraging habitat.

Sac Cnty-2-85 *The comment suggests that consultation with DFG, if necessary, should be completed as part of the environmental review process before the release of the DEIR/DEIS.*

The DEIR/DEIS specifies that project applicant(s) of all project phases are responsible for implementing mitigation measures (see response to comment Sac Cnty-2-84). The text to which the comment refers states that the agency of jurisdiction would consult with DFG before approving the Swainson's hawk mitigation plan that the applicant(s) would be required to prepare and implement. DFG was provided with a copy of the Notice of Preparation for the DEIR/DEIS and has been contacted by the City. Consultation with DFG is not, however, required to be completed before release of a DEIR/DEIS.

Sac Cnty-2-86 *The comment suggests that if consultation with DFG is included in mitigation, it should be the responsibility of the project applicant, not jurisdiction, to carry out the mitigation.*

See response to comment Sac Cnty-2-85.

Sac Cnty-2-87 through  
Sac Cnty-2-92

*The comments state that the DEIR/DEIS improperly transfers the mitigation responsibility to the City of Folsom and County of Sacramento (on page 3A.3-53 of the DEIR/DEIS). The comments further state that the County of Sacramento is not a party to the application or the approving jurisdiction and would become responsible for failed mitigation. The comments conclude that this is an inappropriate delegation of responsibility.*

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text on page 3A.3-53 of the DEIR/DEIS has been revised to clarify that the project applicant(s) shall fund monitoring through an endowment or other funding mechanism and the monitoring shall be carried out by the third party conservation operator. The City or County shall review the monitoring reports to ensure performance standards and success criteria are met.

Sac Cnty-2-93 through  
Sac Cnty-2-99

*The comments state that the DEIR/DEIS inappropriately lists the Sacramento County Planning and Community Development Department as the enforcement entity for mitigation monitoring. The comments state that the County was not asked and would not accept responsibility for mitigation monitoring, and suggests that the DEIR/DEIS should be modified to delegate mitigation monitoring responsibilities to the City of Folsom.*

As stated on page 3A.3-54 of the DEIR/DEIS, the County would be responsible for enforcing mitigation only on the detention basin site that would be constructed on the west side of Prairie City Road on land that would not be annexed into the City of Folsom and would remain within County jurisdiction.

Sac Cnty-2-100 through  
Sac Cnty-2-103

*The comments state that by misplacing mitigation requirements with Sacramento County and other agencies rather than the project proponents, responsibility would be deferred and would make the mitigation unenforceable. The comments state that Mitigation Measure 3A.2-1h is unenforceable because of inappropriate deferral of responsibility, and that the DEIR/DEIS should be revised so that the project proponents and/or lead agency are listed as the entities responsible for enforcing mitigation.*

Mitigation Measure 3A.2-1h (on page 3A2-40 of the DEIR/DEIS) concerns future project-level analysis of PM<sub>10</sub> emissions for off-site elements. The implementation portion of the measure states, "Project-level analysis shall be performed by the

responsible lead agency...and funded by the project applicant(s).” The enforcement portion of the measures lists Sacramento County Planning and Community Development Department as the enforcement agency for all off-site improvements within Sacramento County (i.e., the detention basin west of Prairie City Road, which would not be annexed into the City of Folsom), and Caltrans as the enforcement agency for the U.S. 50 interchange improvements. The DEIR/DEIS appropriately identifies the project applicant(s) as being responsible for implementing mitigation measures; however, the approving jurisdictions are responsible for ensuring that the applicant(s) do indeed implement the mitigation as required. Without responsible and trusted agency oversight to enforce the mitigation, no way would exist to ensure that the mitigation was carried out as specified in the DEIR/DEIS.

This mitigation measure specifically addresses off-site improvements within Sacramento County; thus the DEIR/DEIS properly identifies Sacramento County as the appropriate enforcement agency for work on land that would not be annexed into the City of Folsom and that would be performed within Sacramento County. For improvements related to the U.S. 50 interchange, the DEIR/DEIS correctly identifies Caltrans as the appropriate enforcement agency.

Sac Cnty-2-104 through  
Sac Cnty-2-105

*The comment states that the DEIR/DEIS places numerous mitigation requirements on the applicants of non-related projects, such as quarry operators, for impacts caused by the project, and that mitigation for project impacts is the responsibility of the project applicant, not unrelated parties*

See Master Response Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-106

*The comment states that the City of Folsom would have no direct jurisdiction over the quarry projects because the quarry projects would be located within the unincorporated area of Sacramento County.*

The commenter restates text that is contained in the DEIR/DEIS; the comment is noted.

Sac Cnty-2-107

*The comment states that because the City would have no direct jurisdiction over the quarry projects, mitigation measures proposed in this DEIR/DEIS affecting the quarry-related activities would be unenforceable.*

See Master Response Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-108 through  
Sac Cnty-2-110

*The comment states that State CEQA Guidelines CCR Section 15126.4(a)(2) requires mitigation measures to be fully enforceable through permit conditions, agreements, or other legally binding instruments; that State CEQA Guidelines CCR Section 15126.4(4) requires that mitigation measures be consistent with applicable constitutional requirements, including an essential nexus or rough proportionality; and the mitigation measures in the DEIR/DEIS regarding the quarry operators do not appear to meet either of these criteria.*

See Master Response Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-111 through  
Sac Cnty-2-112

*The comment states that State CEQA Guidelines CCR Section 15126.4(a)(1)(A) requires that mitigation measures be included by the applicant in the project or as conditions of approval by the approving agency, and mitigation cannot be arbitrarily placed on outside parties.*

See Master Response Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-113

*The comment states that “improper delegation of mitigation measures is pervasive throughout the DEIR/DEIS.”*

The commenter does not include specific details or locations in the DEIR/DEIS regarding the context of the statement, thus the City is unable to respond with specificity. The City and USACE do not believe that the DEIR/DEIS contains improper delegation of mitigation measures. See also responses to comments Sac Cnty-2-87 through Sac Cnty-2-110 and Master Response 9 – Deferred and/or Hortatory Mitigation.

Sac Cnty-2-114

*The comment suggests that the DEIR/DEIS should be revised to include enforceable mitigation measures that would place full responsibility for project impacts on the project applicant(s).*

The City and USACE believe that mitigation requirements have been correctly placed on project applicant(s). With regard to mitigation measures pertaining to quarry trucks, see Master Response Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-115 through  
Sac Cnty-2-120

*The comments suggest that the DEIR/DEIS should establish mitigation ratios for valley needlegrass grasslands and hold the applicants to the ratios, unless otherwise determined by DFG. The comment states that it would be inappropriate to rely on future consultation with DFG and the City of Folsom, and if consultation was required to determine mitigation, it should be done before the release of the DEIR/DEIS.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, page 3A.3-75 of the DEIR/DEIS has been revised to state that the project applicant(s) shall compensate for any loss of valley needlegrass grassland resulting from project implementation at a minimum 1:1 replacement ratio.

Sac Cnty-2-121 through  
Sac Cnty-2-123

*The comments reference the DEIR/DEIS’ identification of the significant impact that development will have on scenic resources, as stated in Mitigation Measure 3A.1-1. The comments restate the DEIR/DEIS requirement for a 50-foot landscape corridor along U.S. 50, except adjacent to the regional mall, where the buffer would be 25 feet wide. The comments also state that no justification exists and no analysis is provided in the DEIR/DEIS for this reduced landscape corridor adjacent to the proposed regional mall.*

The economic and social benefits of the regional mall to the City and the requirement of an adequate tax base to support the City’s sphere of influence would override aesthetic concerns. An urban freeway intersection is not intended to feature undeveloped open space. Visual access to the regional retail center would be essential to the success of the center. A reduced buffer in this area also would be necessary to accommodate right-of-way requirements for the U.S. 50 interchange. As the DEIR/DEIS indicates on pages

3A.1-24 and 3A.1-25, over 2,000 acres of undeveloped land would be converted to urban development; the impact is identified as significant and unavoidable.

Sac Cnty-2-124 through  
Sac Cnty-2-125

*The comment states that it is unclear if the DEIR/DEIS found that the regional mall would be less visually intrusive than the remainder of development and therefore would require a smaller corridor. The comment states that additional clarification is required.*

See responses to comments Sac Cnty-2-121 through Sac Cnty-2-123.

Sac Cnty-2-126

*The comment states that the DEIR/DEIS fails to include reasonably foreseeable quarry truck traffic in the noise modeling for future (2030) noise scenarios.*

Table 4-8 (page 4-49) in the DEIR/DEIS shows the potential noise level increases that would be caused by increased quarry truck traffic.

Sac Cnty-2-127 through  
Sac Cnty-2-128

*The comment states that the City has been involved in numerous meetings related to the Teichert Quarry Project and Walltown Quarry Project, and has been repeatedly advised that these projects would use Scott Road and/or Prairie City Road through the plan area to access U.S. 50.*

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

Sac Cnty-2-129 through  
Sac Cnty-2-130

*The comments state that the quarry projects have been under CEQA review and NOPs were available for the quarry projects before the NOP was issued for the Folsom South of U.S. 50 Specific Plan DEIR/DEIS, and therefore the quarry projects should be considered as reasonably foreseeable projects and analyzed as part of the environmental baseline of the proposed project.*

The environmental baseline for this project properly consists of the environmental conditions that were present on the ground at the time the NOP and the NOI for this project were released. This baseline is consistent with the guidance set forth in State CEQA Guidelines CCR Section 15125, which provides that the environmental baseline is normally the conditions as they exist at the time of publication of the notice of preparation. Although the NEPA regulations do not establish a fixed point in time for the environmental baseline of a Federal project, courts have upheld the position that the NEPA environmental baseline consists of existing conditions at a fixed point in time. See *American Rivers v. Federal Energy Regulatory Commission*, 187 F.3 1007 (9<sup>th</sup> Cir. 1999). The NEPA lead agency should describe the point in time that was selected for the baseline; in this case, it is the date of publication of the NOI. Thus, the proposed quarry projects should not be included as part of the environmental baseline for this project because they did not exist at time of release of the NOP/NOI. Rather, they properly belong in the cumulative impact analysis as “reasonably foreseeable projects” required under both CEQA and NEPA. See DEIR/DEIS Chapter 4, “Other Regulatory Requirements.”

Sac Cnty-2-131

*The comment suggests that the noise discussion should address impacts associated with introducing new noise-sensitive land uses where exposed to future traffic noise.*

Impact 3A.11-7 (beginning on page 3A.11-50 of the DEIR/DEIS) fully analyzes impacts associated with compatibility of proposed on-site land uses with the ambient noise environment, including future vehicle traffic on area roadways.

Sac Cnty-2-132

*The comment states that impacts associated with introducing new noise-sensitive land uses where exposed to future traffic noise has not been acknowledged and mitigated.*

Impact 3A.11-7 (beginning on page 3A.11-50 of the DEIR/DEIS) addresses traffic impacts at new noise-sensitive receptors located within the SPA. A significant impact was concluded, based on the analysis conducted, as stated on page 3A.11-50. Mitigation measures have been recommended to reduce future traffic noise levels at proposed new noise-sensitive receptors within the SPA in Mitigation Measure 3A.11-4, beginning on page 3A.11-51 of the DEIR/DEIS.

Sac Cnty-2-133

*The comment states that omission of impacts associated with introducing new noise-sensitive land uses where exposed to future traffic noise warrants recirculation.*

See response to comment Sac Cnty-2-131. The DEIR/DEIS recommends implementation of Mitigation Measure 3A.11-4, beginning on page 3A.11-51 of the DEIR/DEIS, to reduce impacts related to exposing new noise-sensitive land uses to future traffic noise. Therefore, the issues raised by the commenter have been addressed, and no recirculation is warranted.

Sac Cnty-2-134 through  
Sac Cnty-2-143

*The comments reference Federal Aviation Administration (FAA) Advisory Circular 150/5200-33B1 that addresses hazardous wildlife attractants near airports and requires airport operators, including the County Airport System, to discourage land uses that could cause wildlife movement within a 5-mile airport radius. The comments state that the SPA does not lie within a 10,000-foot or 5 mile separation criteria distance from Mather Airport (MHR). The comments state that, however, the project site underlies the final approach course for runway 22L. The comments state that aircraft could be as low as 1,000 feet above the ground surface in this approach course, and that records indicate the most damaging bird strikes occur below 3,000 feet above the ground surface. The comments state that the DEIR/DEIS does not assess the potential attraction of hazardous wildlife to MHR or its surrounding airspace.*

Guidance Circular 150/5200-33B1 published by the FAA indicates that the potential for hazardous wildlife attraction should be considered within 10,000 feet or 5 miles of airports. Based on these criteria, which were considered by the City and USACE, an evaluation of hazardous wildlife attraction is not required; as admitted by the commenter, the SPA is more than 10,000 feet and more than 5 miles from MHR.

No information is provided by the commenter to suggest that the use of these FAA criteria to rule out consideration of hazardous wildlife attraction is not appropriate; furthermore, Sacramento County did not suggest that this analysis should be considered in its comment letter submitted in response to the NOP circulated for this project in fall 2008. No revisions to the DEIR/DEIS are required.

Sac Cnty-2-144 through  
Sac Cnty-2-145

*The comment states the County Airport System's request that the DEIR/DEIS address the proximity of project alternative sites and measures that will be incorporated into the project to avoid adversely affecting Mather Airport aircraft operations.*

See responses to comments Sac Cnty-2-134 through Sac Cnty-2-143.

Sac Cnty-2-146 through  
Sac Cnty-2-147

*The comments state that the Off-site Water Facility Alternatives 4 and 4a as described in the DEIR/DEIS call for the development of a Folsom Boulevard Water Treatment Plant (WTP) within 5 miles of Mather Airport (MHR). The comments also state that WTPs and similar open water facilities are designated by the Federal Aviation Administration (FAA) as potential hazardous wildlife attractants.*

Under Off-site Water Facility Alternatives 4 and 4A, the WTP would be located approximately 4.6 miles northeast of MHR. This distance is just within the approach, departure, and circling airspace for MHR. However, as noted in Chapter 2, "Minor Modifications to the Proposed Project" and as shown in Chapter 5, "Errata" of this FEIR/FEIS, the City has determined that the WTP would be placed in the SPA. Guidance Circular 150/5200-33B1 published by the FAA indicates that the potential for hazardous wildlife attraction should be considered within 10,000 feet or 5 miles of airports. Based on these criteria, which were considered by the City and USACE, an evaluation of hazardous wildlife attraction is not required; as stated by the commenter, the SPA is more than 10,000 feet and more than 5 miles from MHR. Therefore, no additional analysis of hazardous wildlife attractants is required. See also responses to comments Sac Cnty-2-134 through Sac Cnty-2-143.

Sac Cnty-2-148 through  
Sac Cnty-2-150

*The comment refers to the DEIR/DEIS discussion on page 3A.11-27 that exposure to aircraft noise would not be analyzed because the nearest 60 dB community noise equivalent level (CNEL) noise contour from Mather Airport would be 5,000 feet away from the project boundary. However, an analysis of single-event aircraft noise from Mather Airport is presented and discussed under Impact 3A.11-6 on page 3A.11-40 of the DEIR/DEIS; therefore, the text in the DEIR/DEIS is contradictory.*

As stated on page 3A.11-27 of the DEIR/DEIS, "the nearest 2005 60-dB CNEL noise contour attributable to Mather Airport would be approximately 5,000 feet to the west of the nearest SPA boundary line. Because the SPA would not be located in an area exposed to excessive aircraft-generated noise levels (e.g., not within the 60 dB day-night average sound level ( $L_{dn}$ )/CNEL contour of any airport), there would be no impact related to aircraft noise, and therefore this issue is not discussed further in this EIR/EIS." As shown in Chapter 5, "Errata" of this FEIR/FEIS, this text has been revised to indicate that the noise analysis from airports that was not carried forward in the DEIR/DEIS relates to the potential for project implementation to exceed adopted noise standards as a result of placing different types of land uses in close proximity to one another (i.e., Impact 3A.11-7). Impact 3A.11-6 relates to single-event aircraft overflight noise.

Sac Cnty-2-151

*The comment states agreement with conclusions in the DEIR/DEIS that current and forecast aircraft noise associated with Mather Airport would not exceed any thresholds within the SPA.*

The comment restates text from DEIR/DEIS Section 3A.11; the comment is noted.



- Sac Cnty-2-152 *The comment expresses the County's concern that since current City residents have expressed noise concerns about Mather Field, noise-sensitive receptors in the SPA could be exposed to single-event aircraft noise levels that would generate future complaints.*
- The DEIR/DEIS discusses potential effects from single-event aircraft noise in Impact 3A.11-6, and finds that the impact is less than significant.
- Sac Cnty-2-153 *The comment states that having noise-sensitive receptors in the SPA being exposed to aircraft noise that future residents and the City would find objectionable could result in expanded and unreasonable criticism of continued or increased aircraft operations at Mather Airport.*
- The DEIR/DEIS discusses single-event aircraft noise in Impact 3A.11-6. The impact was determined to be less than significant. The DEIR/DEIS does not indicate that the City would find noise from single-event aircraft to be objectionable.
- Sac Cnty-2-154 *The comment suggests that at a minimum, the DEIR/DEIS should require acoustical insulation of all noise sensitive developments to the State of California Division of Aeronautics Title 21 Noise Standards interior noise standard of a CNEL of 45 dB as mitigation for single-event aircraft noise.*
- As discussed in Impact 3A.11-6 (page 3A.11-49), the DEIR/DEIS determined that the impact from single-event aircraft noise would be less than significant; therefore, no mitigation measures are required.
- Sac Cnty-2-155 *The comment suggests that the DEIR/DEIS should require an acoustical analysis before construction, demonstrating to the City that an interior noise level of 45 dB could be achieved for noise-sensitive receptors to provide mitigation for single-event aircraft noise.*
- As discussed in Impact 3A.11-6 (page 3A.11-49), the DEIR/DEIS determined that the impact from single-event aircraft noise would be less than significant; therefore, no mitigation measures are required.
- Sac Cnty-2-156 through  
Sac Cnty-2-162 *The comments provide various pieces of information related to the operations at Mather Airport, including an exhibit showing a flight track analysis performed by Sacramento County.*
- The City and USACE note that Exhibit 4 attached to Sacramento County's comment letter shows a different (i.e., larger) Sacramento County Mather Airport Planning Area Policy (MAPA) Boundary than what is depicted in the currently adopted and publically available 2005 MAPA. Furthermore, the County of Sacramento General Plan Noise Element, page 39, provides a codified map of the MAPA. As shown in the County General Plan Noise Element exhibit, the SPA does not lie within the MAPA. Finally, the City and USACE note that the City of Folsom is not within Sacramento County's MAPA Policy Boundary. As part of the project, the SPA would be annexed into the City of Folsom. Therefore, the SPA also would not be located within Sacramento County's MAPA Policy Boundary, and Sacramento County would not have land use planning jurisdiction or approval over the SPA. The comment raises no specific issues regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS.

Sac Cnty-2-163 through  
Sac Cnty-2-164

*The comment states that the County's aircraft noise complaint records show that overflights do not need to occur directly overhead to be objectionable to residents living in the area, and that the County Airport System regularly receives aircraft noise complaints from residents living 1 to 3 miles from the Mather Airport's Runway 22L Instrument Landing System final approach course centerline.*

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

Sac Cnty-2-165 through  
Sac Cnty-2-166

*The comment states that "it is appropriate for the DEIR to conclude that the less than significant aircraft noise exposure will be considered objectionable by residents throughout the SPA and to recommend mitigation measures that will reduce or eliminate those anticipated effects."*

The comments suggest that although the impact has been determined to be less than significant, a conclusion which the commenter agrees with as stated in comments Sac Cnty-2-178 through Sac Cnty-2-180, mitigation should still be included for this impact in the DEIR/DEIS. Neither CEQA nor NEPA require mitigation for less-than-significant impacts. (See State CEQA Guidelines CCR 15126.4(a)(1) ["An EIR shall describe feasible measures which could minimize significant adverse impacts ..."] and Section 15126.4(a)(3) ["Mitigation measures are not required for effects which are not found to be significant."] .) Therefore, no changes to the DEIR/DEIS are necessary.

Sac Cnty-2-167 through  
Sac Cnty-2-174

*The comments provide details of various factors used to determine the location by which arriving aircraft intercept MHR Runway 22L Instrument Landing System final approach course. The comments references the conclusion of the DEIR/DEIS that overflights would not result in interior noise levels that create sleep disturbances, and acknowledge that although it would be unlikely that aircraft overflights would generate interior noise levels greater than the American National Standards Institute (ANSI) standard threshold used to determine significance (i.e., 55 dB with windows and doors closed), the City and the County Airport System have received numerous complaints from Folsom residents who reside at greater distance from Mather Airport but who are in the same relative proximity, i.e., 1 to 3 miles, of the Instrument Landing System final approach course. The comments further state that the residents who have complained of aircraft overflight noise assert their sleep is disturbed by aircraft approaching Mather Airport, even though they live outside the 60 dB CNEL noise contour for the airport.*

See response to comment Sac Cnty-2-154.

Sac Cnty-2-175

*The comment states that ANSI's methodology for predicting nighttime awakenings includes equations and recommendations for both disturbances where people are familiar with the ambient noise environment and the effects of new sounds to an area (such as a new airport or runway).*

See response to comment Sac Cnty-2-154. See also Master Response 11 – Disagreement Regarding the Conclusions of the DEIR/DEIS.

- Sac Cnty-2-176 *The comment states that unless noise-sensitive receptors in the SPA were acoustically insulated, a portion of residents in the proposed SPA would not be familiar with the noise environment and would experience the effects of new sounds (such as aircraft) to which they were unaccustomed.*
- See response to comment Sac Cnty-2-154. See also Master Response 11 – Disagreement Regarding the Conclusions of the DEIR/DEIS.
- Sac Cnty-2-177 *The comment references City of Folsom General Plan Policy 30.4 that is included in the DEIR/DEIS, and states that this policy also says, “The potential for sleep disturbance is usually of primary concern, and should be evaluated on a case-by-case basis.”*
- The Mather Airport noise contours are discussed in the DEIR/DEIS on page 3A.11-10 thru 3A.11-11. As stated in the third paragraph on page 3A.11-11, the SPA is not located within the currently adopted 60 and 65 dB CNEL noise contours of the ALUCP for Mather Airport. The nearest 60 dB CNEL noise contour would be approximately 5,000 feet to the west of the nearest SPA boundary line. Furthermore, an analysis of single-event aircraft noise levels is discussed on page 3A.11-49 of the DEIR/DEIS. The analysis determined that sleep disturbances would be less than significant based on the Harris Miller Miller & Hanson 2002 report referenced within the impact discussion and FAA requirements for interior noise levels to achieve 55 dB, the maximum interior noise level that would not create significant sleep disturbance. See also Master Response 11 – Disagreement Regarding the Conclusions of the DEIR/DEIS.
- Sac Cnty-2-178 *The comment states that the County Airport System supports the City’s conclusions in the DEIR/DEIS that the SPA is not located in the adopted 60 or 65 dB CNEL contours of the Mather Airport Land Use Compatibility Plan or the revised contours included in the Mather Master Plan.*
- The comment restates text contained in DEIR/DEIS Section 3A.11; the comment is noted.
- Sac Cnty-2-179 *The comment supports the conclusion in the DEIR/DEIS that cumulative noise exposure in terms of  $L_{dn}$ /CNEL is within acceptable limits per Federal Aviation Administration and NEPA guidelines.*
- The comment restates text contained in DEIR/DEIS Section 3A.11; the comment is noted.
- Sac Cnty-2-180 *The comment supports the conclusion in the DEIR/DEIS that no impact would occur related to aircraft noise because the SPA would not be located in a place exposed to excessive aircraft-generated noise levels.*
- The comment restates text contained in DEIR/DEIS Section 3A.11; the comment is noted.

Sac Cnty-2-181

*The comment states that, taking into account the well-documented historic aircraft noise complaints by City residents regarding aircraft overflight, it would be reasonable to conclude that given the SPA's proximity to the Runway 22L Instrument Landing System final approach course, concern would be expressed by new residents in the SPA, even though aircraft noise exposure would not exceed Federally or State-established significance thresholds.*

The Mather Airport noise contours are discussed in the DEIR/DEIS on page 3A.11-10 thru 3A.11-11. As stated in the third paragraph on page 3A.11-11, the SPA is not located within the currently adopted 60 and 65 dB CNEL noise contours of the ALUCP for Mather Airport. The nearest 60 dB CNEL noise contour would be approximately 5,000 feet to the west of the nearest SPA boundary line. Furthermore, an analysis of single-event aircraft noise levels is discussed on page 3A.11-49 of the DEIR/DEIS. The analysis determined that sleep disturbances would be less than significant based on the Harris Miller Miller & Hanson 2002 report referenced within the impact discussion and FAA requirements for interior noise levels to achieve 55 dB, the maximum interior noise level that would not create significant sleep disturbance. As noted in the comment, aircraft noise exposure would not exceed Federal or state established significance thresholds. Furthermore, the commenter himself agrees with the CEQA and NEPA significance conclusions contained in the DEIR/DEIS; see comments Sac Cnty-2-178 through Sac Cnty-2-180. See also Master Response 11 – Disagreement Regarding the Conclusions of the DEIR/DEIS.

Sac Cnty-2-182 through  
Sac Cnty-2-184

*The comment states that Sacramento County Board of Supervisor's resolution 2006-1378 established the Mather Airfield Airport Planning Policy Area. Resolution 2006-1378 prohibits new residential development within the 60 CNEL noise exposure contour for Mather Airport. The comment states that resolution 2006-1378 requires new residential development within the Mather Airfield Airport Planning Policy Area boundary but outside the 60 CNEL to meet certain conditions (listed in the comment) before any approval by Sacramento County.*

The County of Sacramento General Plan Noise Element page 39 provides a codified map of the MAPA. The Map shows the adopted 1997 airport CNEL noise contours and shows a 3,000-foot buffer from the 60 dB CNEL noise contour to the policy area boundary. Development of noise sensitive uses within the 3,000-foot buffer would require the conditions outlined in comments Sac Cnty-2-182 thru Sac Cnty-2-184 to be included in the DEIR/DEIS as a mitigation measure. However, measuring from the closest point of the 1997 Mather Airport 60 dB CNEL noise contour, the nearest boundary of the SPA is over 18,000 feet away. In addition, when applying the same 3,000-foot buffer to the adopted 2005 Mather Airport 60 dB CNEL noise contour, the nearest boundary of the proposed project is over 4,000 feet away. Therefore, the SPA lies over 1,000 feet outside of the MAPA and over 18,000 feet away from the closest point of the Mather Airport 60 dB CNEL noise contour, and would not be required to meet the conditions outlined in the MAPA. Therefore, this impact was determined to be less than significant and no mitigation measures are required. Exhibit 4 attached to Sacramento County's comment letter shows a different (i.e., larger) MAPA boundary than what is depicted in the currently adopted and publically available 2005 MAPA. Furthermore, the County of Sacramento General Plan Noise Element, page 39, provides a codified map of the Mather Airport Policy Area. As shown in the County General Plan Noise Element exhibit, the SPA does not lie within the codified Mather Airport Planning Area. Finally, the City and USACE note that the City of Folsom is not within Sacramento County's MAPA Policy

Boundary. As part of the project, the SPA would be annexed into the City of Folsom. Therefore, the SPA also would not be located within Sacramento County's MAPA Policy Boundary, and Sacramento County would not have land use planning jurisdiction or approval over the SPA.

Sac Cnty-2-185 through  
Sac Cnty-2-186

*The comment states that the SPA is located in an unincorporated area of Sacramento County and is entirely within the MAPA, as shown in Exhibit 4 attached to the comment letter, and therefore under the No Project Alternative, the project would be required to meet the conditions referenced in comment Sac Cnty-2-184.*

The SPA does not lie within the codified MAPA boundary shown in the adopted Sacramento County General Plan Noise Element. Exhibit 4 attached to Sacramento County's comment letter shows a different (i.e., larger) MAPA boundary than what is depicted in the currently adopted and publically available 2005 MAPA. However, regardless of these circumstances, under the No Project Alternative, the project would not be developed and the SPA would not be annexed into the City of Folsom. Therefore, under the No Project Alternative, Sacramento County would retain its land use planning jurisdiction and approval authority over the approximately 3,500-acre project site.

Sac Cnty-2-187

*The comment encourages the City to require all residential units planned in the SPA to be regulated under all Mather Airfield Airport Planning Policy Area conditions (referenced in comment Sac Cnty-2-184), to facilitate home buyer awareness, minimize the impact of aircraft overflights that might be experienced by residents within the SPA, and protect the public's current and future investment in an economic resource (Mather Airport).*

As stated in Sac Cnty-2-180, the County agrees with the DEIR/DEIS' conclusion that the impact is less than significant. Therefore, no mitigation measures are required.

Sac Cnty-2-188 through  
Sac Cnty-2-190

*The comment states that without adopting the referenced conditions established by Sacramento County Board of Supervisors resolution 2006-1378 regarding the Mather Airport Policy Area (in comment Sac Cnty-2-184), the County would have to conclude that the City determines any current and future aircraft noise exposure [impacts] within the City limits but beyond any airport's 60 CNEL contour to be considered less than significant and does not warrant consideration of any form of noise abatement or mitigation on the part of Sacramento County.*

See responses to comments Sac Cnty-2-182 through Sac Cnty-2-184. The impact is less than significant; therefore, no mitigation measures are required.

Sac Cnty-2-191

*The comment states that although the DEIR/DEIS analyzes several water supply options, these all rely on water to be conveyed to the site via SCWA capacity in the FRWA (Freeport Project) infrastructure.*

See Master Response 20 – Formulation of Off-Site Water Facility Alternatives and Water Supply Options. To clarify, the DEIR/DEIS includes three tiers of water supplies that were considered as part of the City's overall evaluation of the "Water" Project. The Off-site Water Facility Alternatives (described in Section 2.6, "Water Alternatives" of the DEIR/DEIS) all share a common water source (i.e., NCMWC) that would be diverted using the existing Freeport Project and were selected for consideration under both CEQA and NEPA. Water supplies considered, including other water sources, but not carried

forward for analysis under CEQA/NEPA are described in Section 2.8, “Water Alternatives Considered and Eliminated from Further Consideration” of the DEIR/DEIS. Furthermore, other water supply options considered by the City to satisfy the requirements of the *Vineyard* decision are described in Section 3A.18.5 beginning on page 3A.18-23 of the DEIR/DEIS and are qualitatively evaluated, consistent with the requirements of CEQA. Many of the water supplies considered by the City would not require the use of the Freeport Project and instead would require the construction of new infrastructure and/or the use of the Folsom South Canal.

Sac Cnty-2-192

*The comment indicates that the existing agreement between SCWA and the City does not represent a commitment by either party and is intended only to frame future negotiations between them.*

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

Sac Cnty-2-193 through  
Sac Cnty-2-194

*The comments state that SCWA has prepared a separate comment letter, detailing the agency’s concerns with the DEIR/DEIS analysis and the assumption that a water supply delivery agreement is in place that would serve the project.*

The SCWA comment letter was received. As discussed in response to comment Sac Cnty-2-192, the DEIR/DEIS states that a Delivery Agreement has not been executed. However, both the draft and final MOU outline the terms of use that provide the basis for analyzing potential impacts associated with the Off-site Water Facility Alternatives. A firm commitment by the City or SCWA cannot be obtained until after completion of the environmental review processes.

Sac Cnty-2-195

*The comment affirms the DEIR/DEIS discussion that LAFCo Resolution 1196 establishes conditions ensuring SPA annexation by the City would include adequate services.*

The conditions required under LAFCo’s Resolution 1196 are provided on pages 1-4 through 1-7 of the DEIR/DEIS.

Sac Cnty-2-196 through  
Sac Cnty-2-197

*The comment states that the DEIR/DEIS fails to identify any plan for providing adequate services and does not show that the level of funding and infrastructure needed to support the finding that development in the SPA would be financially feasible.*

As part of the specific plan planning process, the City described the planned layout and phasing for the public infrastructure that would be required to service the SPA in the DEIR/DEIS, to the extent those details were available. These facilities are specifically described in Chapter 2, “Alternatives” on pages 2-24 through 2-37 and pages 2-75 through 2-93 of the DEIR/DEIS. Although the draft Financing Plan (released in June 2010) indicates that substantial infrastructure costs would be associated with the project, the plan concludes that backbone infrastructure and public facility improvements would

be financially feasible, based on the availability of local, state, and Federal funding sources (EPS 2010).

Sac Cnty-2-198 through  
Sac Cnty-2-199

*The comment states that because of the extensive roadway, sewer, open space, and water infrastructure necessary to develop the project, it is unclear how the project could proceed without having a financial impact on other areas in the City of Folsom or surrounding jurisdictions. The comment also suggests that the DEIR/DEIS should be revised to include an analysis of the potential financial impacts on other areas in the City of Folsom or surrounding jurisdictions.*

See responses to comments Sac Cnty-2-196 and Sac Cnty-2-197, LAFCo-16 through LAFCo-28, and LAFCo-32. Furthermore, the means by which a project will be financed does not constitute a physical impact on the environment; therefore, such an analysis is not required under CEQA.

Sac Cnty-2-200

*The comment references an itemized list of errors and deficiencies in the DEIR/DEIS related to traffic impacts and states that they must be corrected to adequately disclose the project's potential impacts to surrounding jurisdictions.*

This comment provides a general introduction to detailed comments; specific responses are provided in responses to comments Sac Cnty-2-202 through Sac Cnty-2-282.

Sac Cnty-2-201

*The comment states that some of the corrections noted in comment Sac Cnty-2-200 will result in substantial new information that must be incorporated into a recirculated DEIR/DEIS.*

The minor revisions to the DEIR/DEIS (contained in Chapter 5, "Errata" of this FEIR/FEIS) that are proposed in responses to comments Sac Cnty-2-202 through Sac Cnty-2-282 do not constitute significant new information requiring recirculation, as described in State CEQA Guidelines CCR Section 15088.5. The revisions noted in Chapter 5, "Errata" also do not meet the NEPA requirements for supplementation provided in 40 CFR Section 1502.9(c). See Master Response 12 – DEIR/DEIS Recirculation is Not Required.

Sac Cnty-2-202 through  
Sac Cnty-2-204

*The comments reference Mitigation Measure 3A-15-4i on page ES-154 of the DEIR/DEIS that concludes "the project shall pay its fair share toward the urban interchange at the White Rock Road/Grant Line Road intersection" and states that this mitigation measure is consistent with the Sacramento County General Plan Update. The comments ask that this mitigation measure be included in the public facilities financing plan.*

The Draft Public Facilities Financing Plan (PFFP) (EPS 2010), Executive Summary, page 5 states that the project would pay its fair share of specific off-site improvements, one of which is "White Rock Road, Rancho Cordova city limits to Prairie City Road." The intersection referenced by the commenter falls within the limits of this segment identified in the PFFP. Therefore, the City does not believe that the mitigation measure suggested by the commenter is necessary.

Sac Cnty-2-205

*The comment suggests that City of Folsom Intersections 27 through 30 in Table 3A.15-1 on p. 3A.15-3 of the DEIR/DEIS be considered Sacramento County intersections under existing conditions.*

Although City of Folsom Intersections 27 through 30 are under Sacramento County's jurisdiction under both Existing No Project and Cumulative No Project conditions, they may be under City of Folsom jurisdiction under both Existing Plus Project and Cumulative Plus Project conditions as the City may annex them as part of annexing and developing the SPA. An impact analysis requires that the No Project and Plus Project conditions be analyzed with the same methodologies and impact thresholds. The City of Folsom's LOS threshold of impacts LOS C is stricter than Sacramento County's LOS E or D policy. For these reasons, it is appropriate to analyze these intersections with City of Folsom methodologies and impact thresholds.

Sac Cnty-2-206 through  
Sac Cnty-2-207

*The comments note that in Table 3A.15-1 on p. 3A.15-4 of the DEIR/DEIS, segments of Grant Line Road are listed as evaluated under both Sacramento County and City of Rancho Cordova roadway segments.*

As requested by the commenter and as shown in Chapter 5, "Errata" of this FEIR/FEIS, Table 3A.15-1 has been revised to indicate that the segments of Grant Line Road are now only listed under Sacramento County for analysis, as opposed to both Sacramento County and Rancho Cordova

*The comments also suggest that segments of Grant Line Road that are partially in the City of Rancho Cordova should be analyzed using the City of Rancho Cordova more stringent LOS criteria.*

Two of the subject segments are on the boundary of Rancho Cordova (west side of the roadway). For these segments, changing the LOS criteria from Sacramento County's LOS E threshold to the City of Rancho Cordova's LOS D threshold would not result in any new impacts under Existing Plus Project conditions. The segment of Grant Line Road between White Rock Road and Douglas Road is only approximately 30% in the City of Rancho Cordova, and therefore, it remains classified as a Sacramento County segment for analysis purposes.

All of the Grant Line Road segments would be affected under Cumulative Plus Project conditions; therefore, as stated in mitigation measure 3A.15-4j on page 3A.15-104 of the DEIR/DEIS, the project would pay a fair share toward the widening of Grant Line Road. City of Rancho Cordova staff did not ask that any of the affected Grant Line Road segments be evaluated as City of Rancho Cordova roadway segments.

Sac Cnty-2-208 through  
Sac Cnty-2-214

*The comments state that normally SR-16 is evaluated as a local road rather than a state highway. The comments suggest that a LOS impact threshold of LOS D should be used outside of the County's Urban Service Boundary (USB) and LOS E should be used inside of the USB.*

State Route 16 (Jackson Highway) was evaluated as a Sacramento County roadway segment. As shown in Chapter 5, "Errata" of this FEIR/FEIS, Tables 3.15-18 and 3.15-27 of the DEIR/DEIS have been revised to show the LOS deficiencies on SR-16 outside the USB (east of Grant Line Road) based on a standard of LOS D.



Sac Cnty-2-215 through  
Sac Cnty2-218

*The comments suggest that the Sacramento County unsignalized intersection impact criteria be revised to include meeting signal warrants and that a signal warrant analysis be performed on Sacramento County unsignalized intersections.*

As requested by the commenter and as shown in Chapter 5, “Errata” of this FEIR/FEIS, the third and fourth bullet items for unsignalized intersections have been revised to satisfy signal warrants. Furthermore, a signal warrant analysis at all affected Sacramento County unsignalized intersections has been completed, in accordance with the Sacramento County Traffic Impact Analysis Guidelines, and the results are provided in Chapter 5, “Errata” of this FEIR/FEIS, in Table 3.15-17A. As shown in Table 3.15-17A, the results of the analysis indicate that signal warrants would be met at both Scott Road (South)/White Rock Road and Grant Line Road/White Rock Road intersection locations.

Sac Cnty-2-219

*The comment asks if the project is fully paying for and constructing the Rowberry Overcrossing, Prairie City Road along project frontage, and White Rock Road along project frontage and new interchanges (Oak Avenue Parkway and Empire Ranch Road) that are included in the Plus Project condition.*

Section 3A.15 “Traffic and Transportation” of the DEIR/DEIS, page 3.15-28, states that the projects listed by the commenter are considered part of the proposed project; it is therefore the responsibility of the project applicant(s) to construct improvements that are above and beyond those already assumed in the City of Folsom Capital Improvement Program (CIP). For example, the Oak Avenue interchange at U.S. 50 is in the City’s CIP, but the project applicant(s) would be responsible for modifications at the interchange to provide access to the SPA. The project applicant(s) would construct each of the improvements, but funding may be shared with other stakeholders, or the project applicant(s) may fund construction and receive fee credits for those portions of the improvements which were the responsibility of the City.

Sac Cnty-2-220

*The comment asks when the new facilities described in the Existing Scenarios Roadway Network on page 3A.15-28 (Rowberry Overcrossing, Prairie City Road along project frontage, and White Rock Road along project frontage) and new interchanges (Oak Avenue Parkway and Empire Ranch Road) that are included in the Plus Project conditions will be constructed.*

Timing of construction would depend on development of the specific land uses that would benefit from and would also provide funding for each improvement. Development is market-driven, and therefore subject to volatility. Any estimate of construction timing at this point would be highly speculative.

Sac Cnty-2-221

*The comments asks what the impacts would be on County roadways until all the improvements described on Page 3A.15-28 are constructed.*

The comment suggests the possibility of an interim impact on County roads pending the construction of certain roadway and interchange improvements. However, no evidence, data, or facts are provided to indicate an interim impact, and speculation that an impact might occur is not evidence of an environmental impact. (See CEQA Guidelines Section 15384(b) [argument, speculation, and unsubstantiated opinion are not substantial evidence of an environmental impact].) Nonetheless, Impact 3A.15-1 of the DEIR/DEIS (discussed at pages 3A.15-47 to 3A.15-49 of the DEIR/DEIS) acknowledges that implementation of the project would have a significant impact on area roadways, including those outside the City’s jurisdiction, which could result in an unacceptable

level of service on such roadways. As mitigation for this impact, the City would require the applicant to perform certain improvements within the SPA and the project vicinity. The City would also participate in good faith to reach fair share funding agreements or other arrangements with other local agencies, including the County of Sacramento, to mitigate the impacts. (See DEIR/DEIS at pages 3A.15-47 to 3A.15-49; *id.* at pages ES-131 to ES-132 [summarizing mitigation].) However, even with the proposed mitigation, and in light of the fact that the City does not have jurisdiction over roadways outside the City's jurisdictional boundaries (such as County roadways), the impact to area roadways would remain significant and unavoidable. (See DEIR/DEIS at pages 3A.15-48 to 3A.15-49.) Nonetheless, the DEIR/DEIS concludes that these other agencies should cooperate with the City in implementing the mitigation. (*Id.*)

Sac Cnty-2-222 through  
Sac Cnty-2-223

*The comment states that the EIR does not indicate that the improvements listed on page 3A.15-28 will be fully funded and constructed by the project, and that the DEIR should analyze impacts of the project without the facilities listed on page 3A.15-28 unless they are fully constructed by the project.*

See response to Sac Cnty-2-219

Sac Cnty-2-224 through  
Sac Cnty-2-226

*The comments repeat comments Sac Cnty-2-206 and Sac Cnty-2-207.*

See responses to comments Sac Cnty-2-206 and Sac Cnty-2-207.

Sac Cnty-2-227

*The comment states that with regards to project participation in funding for transportation improvements, as discussed on page 3A.15-47 paragraph b of the DEIR/DEIS, if the project results in a direct impact then the project should be 100% responsible for the mitigation measure, as opposed to fair share participation, for those improvements that would be outside of the project boundaries.*

The City does not agree that the commenter's suggested methodology is appropriate for projects of regional significance and cross-jurisdictional fair share allocations, such as the FPASP. The range of development that contributes to these impacts is extensive, and to place the financial burden for such extensive regional transportation improvements on one development would be financially impractical and inequitable. The City believes that the methodology suggested by the commenter would be better suited for localized impacts associated with development on a much smaller scale. See also responses to comments Sac Cnty-2-229 and Sac Cnty-2-230.

Sac Cnty-2-228

*The comment states that with regard to the discussion on page 3A.15-48 paragraph c, [related to City pursuit of agreements with any jurisdictions outside of the City of Folsom that would be affected by traffic from the project] County staff are willing to work with the City regarding cross-jurisdictional infrastructure mitigation measures.*

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

Sac Cnty-2-229 through  
Sac Cnty-2-230

*The comment recommends that the City of Folsom collect fair share fees or 100% fees prior to issuance of building permits for mitigation measures related to Sacramento County facilities, and the County requests that Folsom transfer collected fees to Sacramento County at the time improvements to affected Sacramento County transportation facilities are implemented.*

The City and Sacramento County are currently in discussions regarding the Sacramento County Transportation Development Fee and its relationship to the regional transportation impacts of the SPA, including off-site improvements, internal improvements of regional significance, and the as-yet-to-be determined quarry truck routing improvements. The discussions between Sacramento County and the City will result in an agreed-upon methodology for determining fair share, but the City contends that the actual calculation of fair share should not occur until the time the transportation improvement is needed. CEQA does not require the calculation of specific fair-share percentages for mitigation measures, particularly given the programmatic nature of this EIR. The City has discussed the approach described in this response with Sacramento County transportation staff, and they support the approach advocated by the City herein.

Sac Cnty-2-231 through  
Sac Cnty-2-232

*The comment states that City and County staff can work together on a funding agreement for cross-jurisdictional transportation improvements, and that the City should coordinate with County staff.*

The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. City staff would work with Sacramento County Department of Transportation and Infrastructure Financing Section staff to develop funding agreements if and when the SPA is annexed into the City of Folsom.

Sac Cnty-2-233 through  
Sac Cnty-2-234

*The comments suggest that because the intersection of Hazel Avenue/Gold Country Boulevard degrades from LOS E under Cumulative No Project Alternative conditions to LOS F under Cumulative Plus Centralized Development Alternative, an impact would occur and a mitigation measure should be proposed.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the typographical error in Table 3.15-26 of the DEIR/DEIS has been revised to include the correct LOS (E) associated with the Reduced Hillside Development Alternative (with a volume to capacity ratio of 1.00). Accordingly, no impact would occur and no mitigation measure would be required.

Sac Cnty-2-235 through  
Sac Cnty-2-237

*The comments repeat comments Sac Cnty-2-206 and -207.*

See responses to comments Sac Cnty-2-206 and Sac Cnty-2-207.

Sac Cnty-2-238 through  
Sac Cnty-2-240

*The comments repeat comments Sac Cnty-2-206 and -207. The comments suggest that because Prairie City Road is on the County's USB border, a LOS D threshold should be used instead of LOS E.*

See responses to comments Sac Cnty-2-206 and Sac Cnty-2-207. Furthermore, using a LOS D threshold instead of a LOS E threshold on Prairie City Road would not result in a change in the impact conclusion.

Sac Cnty-2-241

*The comment suggests that the Mitigated Roadway Network version of the Sacramento County roadway segment LOS table should show the Mitigated Roadway Network number of lanes.*

As shown in Chapter 5, "Errata" of this FEIR/FEIS, Table 3.15-36 in the DEIR/DEIS has been revised to reflect the information requested by the commenter.

Sac Cnty-2-242 through  
Sac Cnty-2-244

*The comments suggest that the discussion on p. 3A.15-133 of the DEIR/DEIS should also state that the Mitigated Roadway Network adds traffic to unwidened roads that operate at deficient LOS.*

This issue is addressed in detail on page 3A.15-121 in the Mitigated Network Analysis Conclusion section of the DEIR/DEIS.

Sac Cnty-2-245

*The comment states that the Mitigated Network would create a new impact at the intersection of Hazel Avenue/Gold Country Boulevard.*

The DEIR/DEIS states that the Mitigated Roadway Network does not mitigate the impact to the intersection of Hazel Avenue/Gold Country Boulevard (page 3A.15-133 of the DEIR/DEIS). The Sacramento County roadway segment of Hazel Avenue between Curragh Downs and U.S. 50, including the Gold Country Boulevard intersection, is evaluated in DEIR/DEIS Impact 3A.15-41.

Sac Cnty-2-246 through  
Sac Cnty-2-250

*The comments reference the DEIS/DEIR statement (on p. 3A.15-134–135 and in Exhibit 3A.15-111) that the quarry truck distribution assumed in the study is logical but is not acceptable to the City of Folsom. The comments ask why the DEIS/DEIR assumes the truck distribution used is logical. The comments reference the Draft East Sacramento Region Aggregate Mining Region Truck Traffic Study that shows Oak Avenue Parkway is not competitive to Scott Road or Prairie City Road and only 2% of the quarry trucks would use it. The comments suggest that the DEIR/DEIS should use the Draft East Sacramento Region Aggregate Mining Region Truck Traffic Study distribution or justify any differences.*

The DEIR/DEIS assumed the truck traffic distribution from the Teichert Quarry EIR, which indicated a reasonable percentage of quarry trucks would flow to U.S. 50. The proposed routing of those trucks (how the trucks would get to U.S. 50) is the element that is not acceptable to the City of Folsom. Therefore, the DEIR/DEIS anticipates that through truck traffic would be prohibited from Scott Road (E) and other roadways would need to be used to reach U.S. 50. The routing concept in the DEIR/DEIS represents one possible scenario that would not use Scott Road (E). The ongoing East Sacramento Region Aggregate Mining Truck Management Plan effort has evaluated a number of different truck routing concepts but no concept has been selected as the preferred routing

plan. Therefore, the use of different truck routing assumptions from those used in this DEIR/DEIS would be speculative. See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-248

*The comment states that the Draft East Sacramento Region Aggregate Mining Truck Management Plan indicates that Oak Avenue Parkway would not be a competitive route for quarry truck traffic, compared to Scott Road and Prairie City Road.*

At the time of preparation of the DEIR/DEIS, the only publically available document that addressed quarry truck traffic in eastern Sacramento County was the Teichert Quarry DEIR. Therefore, the DEIR/DEIS appropriately relied on the information in that document as the basis of analysis of relevant roadway impacts.

The Draft East Sacramento Region Aggregate Truck Management Plan is the product of an on-going collaboration of local agencies and aggregate entities that strive to develop a comprehensive and mutually acceptable solution to the routing and distribution of aggregate from the Teichert quarry and other planned quarry applications. Although the work of this group ultimately may result in a routing plan that differs from that shown in either the Teichert DEIR or the FPASP (Appendix N of the DEIR/DEIS), at the time the DEIR/DEIS was prepared, the truck management plan was (and is) still a work in progress that has not been adopted. The plan has not been approved by Sacramento County or any other stakeholder and has not been evaluated for CEQA compliance. Furthermore, the ongoing East Sacramento Region Aggregate Mining Truck Management Plan effort has evaluated a number of different truck routing concepts but no concept has been selected as the preferred routing plan. Therefore, the plan was not considered in the DEIR/DEIS analysis of potential impacts, nor can it play a role in the mitigated transportation network. See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-249

*The comment states that the Draft East Sacramento Region Aggregate Mining Truck Management Plan projects that no more than 2% of quarry trucks would use Oak Avenue Parkway.*

See response to comment Sac Cnty-2-248. See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-250

*The comment states that the DEIR/DEIS needs to be consistent with the findings of the Draft East Sacramento Region Aggregate Mining Truck Management Plan or provide sufficient justification for assumptions that contradict said plan.*

See response to comment Sac Cnty-2-248. See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-251 through

Sac Cnty-2-252

*The comments state that the following comments are a continuation of the previous comments, and suggest that the City staff should coordinate with Southeast Connector JPA staff regarding the number of access points and signal spacing on White Rock Road.*

The City of Folsom is a member of the Capital SouthEast Connector JPA and routinely coordinates with JPA staff on design issues. The conceptual transportation plan for the FPASP was developed consistent with the objectives of the Capital SouthEast Connector, and City staff would continue to refine the transportation system as the Capital SouthEast Connector further develops.

Sac Cnty-2-253

*The comment states that the project should be conditioned to install frontage improvements on Prairie City Road using a 6-lane (98-foot) thoroughfare standard with a public utility easement.*

The FPASP transportation system was designed with Smart Growth principles in mind. One key element of Smart Growth is to minimize the width of major roads so that less of an impediment to non-motorized transportation uses is created by (1) constructing narrower lanes to promote lower vehicle speeds and (2) constructing narrower widths resulting in shorter crossing distances. To that end, lane widths on arterial roads were designed to an 11-foot standard, with additional width for lanes adjacent to raised curbs; this results in a 100-foot-wide right-of-way north of Easton Valley Parkway. The project also includes an open space easement along the east side of Prairie City Road between White Rock Road and U.S. 50; this easement could also be designated as a utility easement. For the reasons stated above, the changes requested by the commenter are not appropriate.

Sac Cnty-2-254

*The comment states that the multiuse pedestrian and bicycle trail on the Folsom SPA frontage should be installed in the public utility easement referenced in Comment 2-253.*

The commenter is suggesting that Prairie City Road be designed to a 98-foot thoroughfare standard with a public utility easement adjacent to it. The FPASP calls for a 100-foot cross-section (wider than that requested by the commenter) and has an open space area adjacent to it that would likely also serve as a public utility easement, but it is on the east (i.e., SPA) side of the road. The commenter appears to be suggesting that the FPASP should include construction of a multi-purpose trail on the west side of the road and connect it with the trail being planned by Easton/Glenborough. This would be an off-site improvement, and would be on property currently owned by Aerojet, which is beyond the scope of this project.

Sac Cnty-2-255

*The comment states that, as an example, a proposed 8-foot-wide multiuse trail on the Easton frontage of Prairie City Road would be built in a public utility easement.*

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

Sac Cnty-2-256

*The comment states that a 5-foot-wide bicycle lane should be provided on Prairie City Road.*

The proposed cross sections for Prairie City Road already feature a 5-foot-wide bicycle lane in both directions (see FPASP page 7-20, Figure 7.8, "Prairie City Road Corridor-Urban").

Sac Cnty-2-257

*The comment recommends that City staff coordinate with County staff regarding the proposed cross section improvements for Prairie City Road.*

If the project is adopted, the City would coordinate the design of improvements to Prairie City Road with County staff and other relevant stakeholders.

Sac Cnty-2-258 *The comment states the same comments provided previously regarding Prairie City Road also apply to White Rock Road.*

See responses to comments Sac Cnty-2-253 through Sac Cnty-2-257.

Sac Cnty-2-259 through  
Sac Cnty-2-260

*The comments state that City staff should coordinate with County staff regarding the Prairie City/Easton Valley intersection improvements, and provide a summary of information contained in the FPASP regarding planned improvements to East Valley Parkway. The comments also state that the Easton Valley Parkway cross sections should be aligned for a smooth transition through the intersection when traveling east-west.*

If the project is approved, the City would coordinate the design of improvements to East Valley Parkway with County staff and other relevant stakeholders. The commenter restates text contained in the FPASP, which requires no response. The City agrees that the Easton Valley Parkway cross-sections should be aligned for a smooth transition through the intersection when traveling in an east-west direction.

Sac Cnty-2-261

*The comment recommends that the City of Folsom coordinate with the Sacramento County Department of Transportation and Sacramento County Regional Parks regarding connections of Class I trails with projects west of the SPA.*

The City notes that the FPASP, page 7-59, "Bike Lane and Class 1 Trail Exhibit," depicts a Class I trail connection along the Alder Creek corridor within the SPA, which would align with a similar proposed trail to the west in the Glenborough project. Section 7.9.5 on page 7-58 of the FPASP (Appendix N of the DEIR/DEIS) has been revised to indicate that following annexation, the City would coordinate with neighboring jurisdictions on the design of, and cost-sharing for, all regional trail connections that connect with the SPA.

Sac Cnty-2-262 through  
Sac Cnty-2-263

*The comment notes that the Easton project will include a trail undercrossing at Prairie City Road to connect with the City of Folsom's SPA and that cost sharing of the Prairie City trail undercrossing needs to be coordinated by the Easton and FPASP development planners and their respective municipalities.*

See response to comment Sac Cnty-2-261.

Sac Cnty-2-264

*The comment states that right-turn only driveways should not be allowed on Prairie City Road, Scott Road and White Rock Road.*

The comment fails to cite a specific rationale, standard, or basis for denying right-turn only driveway access to these arterial roadways. City of Folsom standards allow driveway access onto arterial roadways when there are no public road access points convenient to the development associated with the driveway.

Sac Cnty-2-265

*The comment states that access to Prairie City Road, Scott Road, and White Rock Road should be limited to signalized intersections with a minimum spacing of 1,200 feet.*

The City of Folsom normally spaces intersections at one-quarter mile (1,200 feet) along major arterials but exceptions are occasionally made where geometric or topographic constraints cause intersections to be spaced closer than the normal spacing. In those

circumstances, the City considers interconnection and signal coordination to maintain traffic flow.

Sac Cnty-2-266

*The comment states that landscape medians should be installed on Prairie City Road, Scott Road, and White Rock Road.*

As shown in Figures 7.7 through 7.12 of the FPASP (Appendix N of the DEIR/DEIS), landscape medians are included on all major arterial roads in the SPA, including Prairie City Road, Scott Road, and White Rock Road.

Sac Cnty-2-267 through

Sac Cnty-2-269

*The comment states that the DEIR/DEIS did not evaluate safety impacts on Prairie City Road, which is necessary because Prairie City Road has existing horizontal and vertical curve alignment deficiencies and needs to be upgraded to correct these deficiencies.*

The project includes a major widening of Prairie City Road from its current two-lane, rural configuration to a four- or six-lane urban arterial. The design speed of this facility would likely be in excess of 45 miles per hour, which would require broad horizontal curves and low vertical curves, along with wider travel lanes and paved shoulders/bicycle lanes—all of which would eliminate the existing horizontal and vertical curve deficiencies on Prairie City Road.

Sac Cnty-2-270 through

Sac Cnty-2-271

*The comment states that phasing triggers should be developed related to the timing of infrastructure improvements, and that the project should be conditioned to limit development until new freeway interchanges are open.*

The primary funding source for major infrastructure improvements is anticipated to be developer impact fees, which could only be collected as development in the SPA is approved. Therefore, limitations on development would be counterproductive to the goal of collecting sufficient funds for the timely construction of needed improvements.

Sac Cnty-2-272 through

Sac Cnty-2-273

*The comment states that the project's public facilities financing plan (PFFP) should assume that fees will be collected to mitigate project impacts on facilities outside of the City's jurisdiction, and that fees collected for off-site roadway improvements will be transferred to the County for implementation.*

Page 5 of the Draft PFFP (EPS 2010) states that project would pay its fair share towards off-site roadway improvements identified in the Sacramento County Transportation Development Fee.

Sac Cnty-2-274 through

Sac Cnty-2-275

*The comment states that the Sacramento County General Plan Update designates a need for an urban interchange at the intersection of Prairie City Road and White Rock Road, and that the City of Folsom should preserve right of way for a future urban interchange at the intersection of Prairie City Road and White Rock Road.*

The City of Folsom is a participant in the Capital SouthEast Connector JPA and will preserve all necessary right-of-way for the ultimate roadway and intersection geometry along the portion of the corridor adjacent to the City of Folsom.



- Sac Cnty-2-276 *The comment states that the project should contribute its fair share towards the funding of an urban interchange at the intersection of Prairie City Road and White Rock Road.*
- Mitigation Measure 3A.15-4m (DEIR/DEIS pages 3A.15-107 and 3A.15-108) states that the project would pay a fair share towards improvements on White Rock Road between Prairie City Road and Grant Line Road but does not specifically address the intersection of White Rock Road and Prairie City Road. It is likely that the six lanes would continue through the intersection for distance east of Prairie City Road long enough for full lane utilization. To mitigate this impact to U.S. 50 under cumulative conditions, Mitigation Measures 3A.15-4q, 3A.15-4r, and 3A.15-4s (DEIR/DEIS pages 3A.15-111 through 3A.15-114) state that the project would pay a fair share towards improvements on White Rock Road and Grant Line Road as part of the Capital SouthEast Connector to convert those roadways to expressways. The Capital SouthEast Connector has not yet been defined or designed; however, it is likely that it would include conversion of the intersection of White Rock Road and Prairie City Road into an interchange. It is not possible to calculate a fair share of the interchange improvement at this point in time. See also responses to comments Sac Cnty-2-229 and Sac Cnty-2-230.
- Sac Cnty-2-277 *The comment states that the right-of-way footprint of the Prairie City/White Rock urban interchange needs to be coordinated with Sacramento County DOT and SE Connector JPA staff.*
- See response to comment Sac Cnty-2-257.
- Sac Cnty-2-278 *The comment states that the project should pay its fair share towards the mitigated transportation network, above and beyond the mitigation measures listed in the DEIS/DEIR.*
- The project would be responsible for paying for transportation improvements required to mitigate project-related impacts. The project also would contribute to the cost of the mitigated network, through developer impact fees that ultimately would be spent on major road improvements in and around the SPA (see FPASP, Appendix N of the DEIR/DEIS). See also response to comment Sac Cnty-2-229.
- Sac Cnty-2-279 *The comment states that the project should contribute its fair share towards regional roadway infrastructure.*
- See response to comment Sac Cnty-2-273.
- Sac Cnty-2-280 *The comment states that the project should pay a fair share of the costs for regional road improvements through the Sacramento County Transportation Development Fee program.*
- See response to comment Sac Cnty-2-273.
- Sac Cnty-2-281 *The comment states that quarry truck access to U.S. 50 should not be restricted on Prairie City Road, Scott Road, or White Rock Road because of their designations as 6-lane thoroughfares in the draft Sacramento County General Plan.*
- Implementation of the project would include annexation of the SPA into the City of Folsom, at which time the City's roadway designations would be applied to these roadways within city limits. On annexation, County designations would cease to apply to

the portions of these roadways that would be within city limits. See also Master Response 7 - Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-282

*The comment suggests that the fair share percentages for all mitigation measures should be identified, to later be used to compute fair share payments to Sacramento County.*

See responses to comments Sac Cnty-2-229 and Sac Cnty-2-230.

Sac Cnty-2-283 through  
Sac Cnty-2-285

*The comments state that the discussion of toxic air contaminant (TAC) exposure under “Other Statutory Requirements – Cumulative Impacts” on page 4-23 of the DEIR/DEIS concludes that exposure to mobile-source TAC emissions from U.S. 50 would be significant and unavoidable, with or without additional quarry truck trips and despite implementation of all feasible mitigation measures identified in Section 3A.2, “Air Quality” of the DEIR/DEIS. The comments further state that this contradicts the conclusions regarding TAC exposure discussed in the Air Quality section of the DEIR/DEIS, which found impacts associated with TAC emissions from U.S. 50 to be less than significant. The comments suggest that the DEIR/DEIS should be revised so that the conclusions are consistent.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the inconsistencies noted by the commenter between Section 3A.2, “Air Quality” and Section 4.1, “Cumulative Impacts” of the DEIR/DEIS have been corrected. The conclusion of “less than significant” for U.S. 50 impacts remains unchanged in Section 3A.2, and this conclusion is stated again in Section 4.1. Any reference to the cumulative impacts of additional quarry trucks on sensitive receptors within the SPA have been removed from Section 3A.2 and are now discussed solely in Section 4.1.

Sac Cnty-2-286 through  
Sac Cnty-2-288

*The comment states that throughout the analysis related to toxic air contaminants (TAC), the DEIR/DEIS cites methodologies put forward by the Sacramento Metropolitan Air Quality Management District for disclosing impacts for projects located near major roadways, but the comment claims that the analysis deviates substantially from those methodologies.*

See Master Response 6 – Quarry Trucks and TAC Exposure.

Sac Cnty-2-289

*The comment states that the DEIR/DEIS focuses on impacts associated with Scott Road, although the screening thresholds of the Sacramento Metropolitan Air Quality Management District methodologies (Recommended Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways, January 2010) would screen out Scott Road from in-depth analysis.*

See Master Response 6 – Quarry Trucks and TAC Exposure.

Sac Cnty-2-290

*The comment states that no in-depth analysis exists for U.S. 50, which does not “screen out” under the methodologies.*

As stated on page 3A.2-55 of the DEIR/DEIS, U.S. 50 is more than 500 feet from any sensitive receptor in the SPA and would, therefore, “screen out.” Thus, the impact associated with off-site mobile-source TAC emissions in the SPA would be direct and less than significant. Furthermore, no indirect impact would occur.

Sac Cnty-2-291 through  
Sac Cnty-2-293

*The comment states that the DEIR/DEIS intentionally manipulates the adopted methodologies, unjustly inflates impacts associated with the quarry projects within Sacramento County that are currently under consideration, and is inappropriate within the context of a CEQA analysis.*

See Master Response 6 – Quarry Trucks and TAC Exposure.

Sac Cnty-2-294 through  
Sac Cnty-2-296

*The comments quote text on page 4-23 of the DEIR/DEIS and state the analysis offers no substantiation that the Teichert Quarry Draft Environmental Impact Report (Teichert Quarry DEIR) did not fully analyze potential impacts of TAC-emitting truck traffic at off-site sensitive receptors, including those planned in the SPA. The comments further state that this is purely conjecture and not relevant to the impacts of the City's project. The comments suggest that the statement on page 4-23 of the DEIR/DEIS should be removed.*

The Teichert Quarry DEIR (August 2008) was reviewed and summarized in the DEIR/DEIS. According to the discussion on pages 3.3-25 to 3.3-27 of the Teichert Quarry DEIR, the inhalation cancer risk caused by diesel particulate matter (DPM) from *on-site quarry activities* is 5.92 per million, based on Gaussian-plume dispersion modeling from the source (the quarry) and a resulting ambient concentration at the maximally exposed individual resident (MEIR) of 0.04 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ). The chosen location of the MEIR appeared to be in the center of the proposed Teichert Quarry project site, and the Teichert Quarry DEIR concluded that the cancer risk from DPM was less than significant, based on a threshold of 10 in a million.

The Teichert Quarry DEIR cancer risk analysis did not account for quarry trucks that would be hauling material and emitting DPM directly adjacent to sensitive receptors located within 50 feet of White Rock Road, Prairie City Road, and Oak Avenue Parkway. The mobile source modeling of heavy duty diesel trucks traveling directly adjacent to sensitive receptors in the SPA appears to have been omitted in the Teichert Quarry DEIR.

Pages E-130 to E-132 in Appendix 6 of the Teichert Quarry DEIR state that the inhalation cancer risk caused by DPM is 8.53 per million, based on an ambient concentration at the MEIR of  $0.03 \mu\text{g}/\text{m}^3$ , which appears to be inconsistent with the values reported in the body of the same document.

Sac Cnty-2-297 through  
Sac Cnty-2-298

*The comment states that in its analysis of TACs on Scott Road, the DEIR/DEIS concludes a potentially significant impact would exist to sensitive receptors located within 400 feet of the roadway segments when quarry trucks were included in the traffic mix, but that the DEIR/DEIS relies on inappropriate adaptations of screening methodologies and not on a formal HRA as required under SMAQMD's Protocol.*

See Master Response 6 – Quarry Trucks and TAC Exposure. SMAQMD only recommends a site-specific HRA when project risk is greater than the existing evaluation criterion.

Sac Cnty-2-299 through  
Sac Cnty-2-300

*The comments state that the preparers of the DEIR/DEIS have not included a formal HRA, nor have they reported the results of either the HRA conducted for the Teichert Quarry DEIR or the HRA conducted by Granite Construction Company and peer reviewed by SMAQMD (summary provided to the City of Folsom and SPA property owners through their participation in East County Quarry Truck Management study meetings).*

See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

The Granite/Walltown HRA referred to by the commenter is a “white paper” summary, rather than the actual HRA, and although it is dated April 16, 2010, it was not provided to the project applicants until after the Folsom South of U.S. 50 Specific Plan DEIR/DEIS was circulated. Although the April 16, 2010 “HRA” contains a summary of the results, it does not specify the numbers of trucks that were modeled or the distribution of the truck trips; therefore, the City cannot determine with certainty whether or not it agrees with the conclusions of the document.

The Granite/Walltown HRA reported cancer risks caused by incremental increases in mobile source traffic generated by the quarries, near the intersection of Scott Road and White Rock Road. The reported cancer risks (Table A-1, page 11) ranged from 0.1 to 21.2 in a million. Although SMAQMD does not have a threshold of significance, the reported risks caused by mobile sources associated with the quarries cannot be dismissed as less than significant.

As stated in the Granite HRA, an appropriate cancer risk threshold of significance might range from 1 to 100 in a million (EPA) or 10 to 100 in a million (AB 2588 and Proposition 65). Because the Granite HRA reports values higher than 10 in a million (the AB 2588 public notice threshold and Proposition 65 notification threshold), the combined quarry risk might not be less than significant, even if modeling results varied between Cal3QHC and Cal3QHC-R (variability results from differences in wind speeds and directions at near-receptor proximities).

Finally, the City notes that a HRA was not performed for the Folsom South of U.S. 50 Specific Plan as related to U.S. 50 because the proposed on-site receptors would be located more than 500 feet from the highway, which exceeds the recommended screening distance.

Sac Cnty-2-301 through  
Sac Cnty-2-302

*The comments state that the two HRAs conducted for the quarry projects found the maximum incremental cancer risk in the SPA area from quarry diesel trucks to be far below the 296 in a million threshold of significance established in the DEIR/DEIS (Cumulative Mitigation Measure AIR-1). The comments further state that the impacts from toxic air contaminants are less than significant.*

SMAQMD has not established a threshold of significance for cancer risk caused by mobile sources. Cumulative Mitigation Measure AIR-1 states, “If the incremental increase in cancer risk determined by in the HRA exceeds 296 in one million (**or a different threshold of significance recommended by SMAQMD or ARB at the time, if any**), then project design mitigation should be employed...” [emphasis added] (see page 4-25 of the DEIR/DEIS). See also responses to comments Sac Cnty-2-299 and Sac Cnty-2-300; Master Response 7 – Quarry Truck Cumulative Impact and Mitigation

Approach; and edits to Cumulative Mitigation Measure AIR-1 contained in Chapter 5, “Errata” of this FEIR/FEIS.

Sac Cnty-2-303 through  
Sac Cnty-2-304

*The comments state that by choosing to ignore the results of the HRAs and instead relying on a makeshift analysis which deviates substantially from adopted protocol, the DEIR/DEIS preparers appear to have deliberately manipulated the facts to suit their own agenda to shift the burden of mitigation from the SPA land owners and project applicants to the quarry operators.*

See responses to comments Sac Cnty-2-297 through Sac Cnty-2-302 and Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-305

*The comment suggests that as required by CEQA, reasonable mitigation should include responsible community design that avoids placing incompatible uses next to major travel corridors.*

See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach. Cumulative Mitigation Measure AIR-1-Land, on page 4-24 of the DEIR/DEIS, would reduce the impact of exposure of sensitive receptors to operational emissions of TACs from quarry truck traffic to a less-than-significant level for all of the project’s five action alternative land use plans, evaluated in the DEIR/DEIS. The commenter does not, in fact, suggest mitigation; the commenter suggests that a new alternative should be designed that would favor quarry truck trips through the SPA. The DEIR/DEIS contains five “Land” alternatives that consider different land use configurations, densities, and amounts of preservation of biological and cultural resources, in addition to the required No Project/No Action Alternative. All six “Land” alternatives are evaluated at a similar level of detail throughout the DEIR/DEIS, as required under NEPA. The DEIR/DEIS also contains 10 Off-site Water Facility alternatives, in addition to the required No Project/No Action Off-site Water Facility Alternative. All 11 “Water” alternatives are evaluated at a similar level of detail throughout the DEIR/DEIS. Therefore, the City believes that these alternatives constitute a reasonable range of alternatives to the project, or to the location of the project, that could feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project. (State CEQA Guidelines CCR Section 15126.6[a] and [f].) DEIR/DEIS Section 2.3.7, “Land Alternatives Considered and Eliminated from Further Consideration,” discusses additional alternatives that were considered and rejected during the review process, including off-site alternatives. For a full discussion of these additional alternatives, refer to page 2-65 of the DEIR/DEIS.

An EIR need not consider all potential alternatives to the project but merely a reasonable range. (CEQA Guidelines section 15126.6[a].) The DEIR/DEIS analyzes a reasonable range of alternatives and need not include multiple variations of the alternatives that it does consider, including, for example, an alternative designed to favor quarry trucks through the SPA. (See *Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* [1982] 134 Cal.App.3d 1022 [EIR was not required to study what project opponents characterized as an “obvious alternative” when document already analyzed reasonable range of alternatives].) The commenter suggests that the DEIR/DEIS analyze an alternative to quarry truck haul routes but an EIR is not required to consider alternatives to a component of a project and should instead focus on alternatives to the project as a whole. (*California Native Plant Society v. City of Santa Cruz* [2009] 177 Cal.App.4th 957, 993 [EIR upheld despite opponents’ claim that City should have evaluated an off-site alternative to one of the trails in the plan].)

- Sac Cnty-2-306 *The comment states that the DEIR/DEIS puts forward two mitigation measures for TAC that are inappropriate.*
- It is unclear from the comment which TAC mitigation measures are considered to be inappropriate. See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-307 *The comment states that the DEIR/DEIR does not identify any facts to support the contention that mitigation for TAC exposure would be necessary.*
- See responses to comments Sac Cnty-2-297 through Sac Cnty-2-302, and Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-308 through  
Sac Cnty-2-309 *The comments state that the DEIR/DEIS recommends “draconian” measures aimed not at the project under analysis but at unrelated projects and specifically requires the costs of said mitigation for project impacts to be borne by quarry operators who are not involved with the project.*
- See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-310 *The comment references Cumulative Mitigation Measure Air-1 in the DEIR/DEIS and states that the City could designate truck routes through newly annexed City areas, forcing trucks previously using the existing roadways to reroute around the new development, brought to the area by the project.*
- See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-311 *The comment states that this mitigation is to occur as a future recommendation by the City’s traffic department to the City Council, at the time of future discretionary actions that precede site development.*
- The comment restates text contained in the DEIR/DEIS; the comment is noted.
- Sac Cnty-2-312 through  
Sac Cnty-2-317 *The comments state that Cumulative Mitigation Measure AIR-1-Land on page 4-24 of the DEIR/DEIS is invalid because it would rely on voluntary actions which might never occur and presupposes the results of future CEQA analyses. The comments further state that the mitigation measure would create impacts not evaluated in the DEIR/DEIS, including increased TAC, ROG, oxides of nitrogen (NO<sub>x</sub>), and GHG emissions. The comments also state that this mitigation measure would shift truck traffic to other communities, which could have other traffic, noise, or air quality impacts. The comments conclude that shifting an impact from one location to another would not be mitigation.*
- See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-318 *The comment states that Cumulative Mitigation Measure AIR-1-Land on page 4-24 of the DEIR/DEIS could impede extraction of mineral resources from nearby proposed quarries. The comment further states that this impact is not analyzed in the DEIR/DEIS.*
- See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach and responses to comments Sac Cnty-2-40 through Sac Cnty-2-48.

Sac Cnty-2-319 through  
Sac Cnty-2-322

*The comments reference the CEQA requirement that significant effects of mitigation measures be disclosed. The comments state that the DEIR/DEIS requires analysis of the effects of Cumulative Mitigation Measure AIR-1-Land, including increased emissions, increased truck traffic and noise in other jurisdictions, and impeding extraction of mineral resources. The comments further state that the proposed analysis would likely disclose new or substantially more severe significant impacts, requiring recirculation of the DEIR/DEIS.*

See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-323 through  
Sac Cnty-2-328

*The comments state that proposed mitigation potentially requiring payment for increased setbacks, roadside tree plantings, HEPA filtration systems, is infeasible and improper. The comments further state that the City would be placing responsibility for project impacts on an outside party, and it would be the responsibility of the City to design a land use plan with appropriate built-in health and safety measures. The comments suggest that if these measures are not included in the plan, the City should impose them as mitigation measures on the project.*

See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-329 through  
Sac Cnty-2-334

*The comments state that proposed mitigation measures are unenforceable because a future city council could choose not to apply truck route restrictions, and quarry operations could choose not to pay. The comments further state that the impacts would then remain unmitigated and other feasible options, including setbacks and community design, would be available. The comments state that CEQA requires feasible mitigation measures to be included when they are available, and suggest that the DEIR/DEIS must be modified to include such measures.*

See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-335 through  
Sac Cnty-2-336

*The comment states that the preparers of the DEIR/EIS choose to focus exclusively on the pollution from quarry truck trips while ignoring the pollution that would be generated by U.S. 50, an acknowledged source of TAC emissions, or that of the construction-related truck traffic that would be generated by the project's development.*

Emissions from U.S. 50 were analyzed and found to be less than significant for the Proposed Project Alternative and all action alternatives because no residential land uses, schools, or other sensitive land uses would be developed within 500 feet of U.S. 50 (Section 3A.2, "Air Quality," Impact 3A.2-4 page 3A.2-55). Therefore, an HRA for the project related to emissions from vehicle traffic on U.S. 50 was not required.

Sac Cnty-2-337 through  
Sac Cnty-2-338

*The comment states that the noise analysis suffers from similar inadequacies as the Toxic Air Contaminants comments in that the DEIR/DEIS fails to acknowledge the project would create an impact by bringing sensitive receptors into an area with high future traffic noise levels.*

The commenter does not provide specifics as to the perceived inadequacies of the noise analysis within the comment. However, Impact 3A.11-4 (beginning on page 3A.11-36 of

the DEIR/DEIS) discusses future traffic noise levels at proposed noise-sensitive receptors in the SPA. Impact 3A.11-7 (beginning on page 3A.11-50 of the DEIR/DEIS) discusses land use compatibility for future project-generated noise sensitive receptors. Mitigation Measure 3A.11-4 (on page 3A.11-51 of the DEIR/DEIS) recommends noise reduction techniques for future noise sources that might affect future project-generated noise sensitive receptors. See also responses to Sac Cnty-2-335 and Sac Cnty-2-336.

Sac Cnty-2-339

*The comment states that the DEIR/DEIS focuses on only one component of future noise (quarry truck traffic).*

The DEIR/DEIS includes an impact discussion related to future roadway traffic apart from the quarry truck traffic (refer to Impact 3A.11-7 on page 3A.11-50).

Sac Cnty-2-340

*The comment states that the DEIR/DEIS attempts to shift impact and mitigation responsibility away from the current project and to quarry operators.*

The proposed aggregate mining projects within Sacramento County would substantially increase traffic noise levels along designated aggregate haul routes. The proposed haul routes would be adjacent to proposed noise-sensitive receptors within the SPA. The environmental documentation prepared for the proposed aggregate mining projects within Sacramento County did not include an analysis of increased truck traffic noise levels at reasonably foreseeable future noise sensitive receptors along haul routes. Because the noise impacts at the SPA would be caused by the quarry trucks, the City believes that the quarry project applicants should be responsible for mitigating the impacts of their projects. Recommendations included in Mitigation Measure 3A.11-4 (on page 3A.11-51 of the DEIR/DEIS) provide techniques for reducing exterior and interior noise levels at proposed noise-sensitive receptors in the SPA. Cumulative Mitigation Measure Noise-1-Land (on page 4-51 of the DEIR/DEIS and modifications thereto contained in Chapter 5, “Errata” of this FEIR/FEIS) provides additional mitigation measures to reduce quarry haul truck noise levels. Because the Teichert EIR did not address the significance of traffic noise level increases at proposed sensitive receptors in the SPA resulting from proposed aggregate mining projects, and because it cannot be concluded from review of the Teichert EIR that input assumptions for its analysis considered heavy truck percentage variables, additional recommendations to reduce noise from quarry applicants involving the cooperation of the City of Folsom and the quarry project applicants are considered feasible. See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.

Sac Cnty-2-341 through

Sac Cnty-2-342

*The comment states that the DEIR/DEIS fails to examine the most reasonable project alternative for dealing with any potential noise and air quality impacts, which would involve formulating a land use plan that would not attempt to place sensitive receptors immediately adjacent to Scott Road.*

The commenter does not provide a specific suggestion for the reconfiguration or redesign of the project that would reduce or eliminate impacts to noise or air quality. The commenter also does not explain how any reconfiguration or redesign would actually reduce or eliminate impacts and meet project objectives. The DEIR/DEIS analyzed a reasonable range of alternatives consistent with CEQA and NEPA (see response to comment Sac Cnty-2-305).



- Sac Cnty-2-343 *The comment states that the DEIR/DEIS recommends infeasible mitigation by pre-supposing a future City Council decision to designate truck routes through newly annexed areas, thereby forcing trucks to reroute around the new development.*
- The SPA would be annexed into the City of Folsom; therefore, it is within the City’s purview to make a potential determination regarding truck routes through its jurisdictional boundaries. See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-344 *The comment states that the recommended cumulative noise mitigation measure in the DEIR/DEIS is flawed for the same reasons listed by the previous comments regarding cumulative TACs.*
- See responses to comments Sac Cnty-2-283 through Sac Cnty-2-336. The cumulative noise mitigation measures presented in the DEIR/DEIS (as modified in Chapter 5, “Errata” of this FEIR/FEIS) are considered feasible by the City/USACE and provide recommendations for substantially reducing traffic noise levels (e.g., sound walls, berms, quiet pavement, and increased building noise insulation). See also Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-345 *The comment states that other recommended cumulative noise mitigation in the DEIR/DEIS constitute reasonable, effective, and enforceable mitigation for noise attenuation if placed as conditions of approval on the project [rather than on the quarry operators].*
- See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-346 *The comment states that the City oversteps its authority and renders recommended cumulative noise mitigation infeasible and unenforceable by specifying the cost of improvements be borne by the quarry operators.*
- See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-347 *The comment states that it is not the responsibility of outside parties to mitigate for any impacts of the City’s plan to develop in the SPA.*
- See Master Response 7 – Quarry Truck Cumulative Impact and Mitigation Approach.
- Sac Cnty-2-348 *The comment states that the DEIR/DEIS is inadequate for the reasons detailed in the comment letter.*
- The DEIR/DEIS adequately analyzes the environmental impacts of the project, as required by CEQA and NEPA. See responses to comments Sac Cnty-2-1 through Sac Cnty-2-347.
- Sac Cnty-2-349 *The comment states that the nature of the inadequacies can be remedied through additional analysis.*
- The DEIR/DEIS provides adequate analysis, in compliance with CEQA and NEPA. See responses to comments Sac Cnty-2-1 through Sac Cnty-2-347.

Sac Cnty-2-350

*The comment states that recirculation of the DEIR/DEIS is required, per State CEQA Guidelines CCR Section 15088.5.*

The minor revisions to the DEIR/DEIS (contained in Chapter 5, “Errata” of this FEIR/FEIS) do not meet the requirements for recirculation provided in State CEQA Guidelines CCR Section 15088.5 or the NEPA requirements for supplementation provided in 40 CFR Section 1502.9(c). See also Master Response 12 – DEIR/DEIS Recirculation is Not Required.

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Department of Water Resources  
Keith DeVore, Director



Including service  
Elk Grove and Rancho Cordova

SACRAMENTO COUNTY  
**WATER AGENCY**

September 9, 2010

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Community Development Department  
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Folsom, CA 95630

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U.S. Army Corps of Engineers, Sacramento District  
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Sacramento, CA 95814

SUBJECT: Folsom Sphere of Influence Draft Environmental Impact Report Comments

Dear Ms. de Pardo and Ms. Gibson:

The Sacramento County Water Agency (SCWA) appreciates the opportunity to comment on the Folsom Sphere of Influence Draft Environmental Impact Report (DEIR). SCWA comments on the DEIR focus largely on the nature of the Memorandum of Understanding (MOU) between SCWA and the City of Folsom (SCWA-Folsom MOU). This agreement is not a water supply delivery agreement and, therefore, should not be characterized as one. SCWA requests that this MOU be represented accurately and consistently throughout the document and appendices.

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Comments:

1) **DEIR Appendix M.** On December 15, 2009, the SCWA Board of Directors authorized the Director of Water Resources to enter into an MOU with the City of Folsom (SCWA-Folsom MOU) that frames future negotiations between the two entities over the possibility of Folsom utilizing a portion of the SCWA capacity in the Freeport Regional Water Authority (FRWA) pipeline to transport Natomas Central Mutual Water Company (NCMWC) water to the Folsom Sphere of Influence (Folsom SOI) area. Although the MOU has been signed by SCWA as of the date of this letter, the executed MOU has not been returned to SCWA. The comments included in this letter are made under the assumption that the MOU has been or will be executed in the near future. Furthermore, the draft MOU included in Appendix M of the DEIR is not the same SCWA-Folsom MOU that was approved by the SCWA Board of Directors, or the City of Folsom on December 15, 2009.

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*"Managing Tomorrow's Water Today"*



2) **DEIR Sect 2.** All alternatives discussed in Chapter 2 rely on water supplies from NCMWC delivered through the FRWA pipeline capacity. The SCWA-Folsom MOU (included in Appendix M of the DEIR) does not represent a commitment from either party and is intended only to frame future negotiations between the two entities. Furthermore, the information pertaining to the costs for the capital water infrastructure necessary to serve the Folsom SOI lacks sufficient detail to demonstrate that all identified financial obligations have been addressed. This information will be a necessary component of future discussions between SCWA and Folsom regarding the purchase of capacity.

3) **DEIR Sect 2.7, Page 2-95.** The DEIR states that construction of selected Off-Site Water Facility Alternative components would begin in early 2011. While some qualifiers are provided, this seems to be an overly optimistic schedule given that critical analysis on the use of SCWA facilities have not yet been identified and negotiations for capacity and other financial considerations with SCWA have not yet begun.

4) **DEIR Sect 2.8.1, Page 2-102.** The section states in pertinent part: *“Secondly, in preliminary negotiations with EBMUD, EBMUD has been adamant that any capacity allocated to the City within the Freeport Project must be replaced or augmented throughout the remainder of EBMUD’s portion of the Freeport Project, which extends south to the Mokelumne River. This arrangement would be required to ensure that EBMUD’s service area is not adversely impacted by a loss in conveyance capacity. Based on the City’s initial investigation, the level of improvements necessary to augment the capacity purchased by the City would render this alternative cost prohibitive. For these reasons, this ‘Water’ alternative was not carried forward for further analysis in this EIR/EIS.”* SCWA has the same requirements as EBMUD; however, the EBMUD alternative has been eliminated because it is considered cost-prohibitive. Under the terms defined in the SCWA-Folsom MOU, the City would be required to provide SCWA (at City’s cost) with an alternate supply of water equivalent to any capacity in the FRWA facilities purchased by City. As the DEIR/DEIS recognizes this as the preferred alternative (pending successful negotiations), the potential source or sources of this replacement water supply should be identified, and these costs should be factored into the financial analysis.

5) **DEIR Sect 3A.18-21.** The DEIR states that the use of the FRWA facilities to convey 6.5 mgd plus appropriate peaking factor to the Folsom SOI area would not increase SCWA’s permitted diversion capacity, and for this reason, no physical changes to the FRWA diversion, pump structure, and conveyance pipeline would occur. The impacts to SCWA for conveying the full 6.5 mgd have not been determined, and it is not known if physical changes in the FRWA intake and/or conveyance pipelines would be required to convey the full amount of water.

6) **DEIR Sect 3A.18.5.** The DEIR evaluates three potential options in the event that surface water from NCMWC is not available due to required actions by the Bureau of Reclamation or by SCWA. These alternatives include: Option 1 - Groundwater from the Central Sacramento Groundwater Basin; Option 2 - Other Senior Sacramento River Water Rights Holders; and Option 3 - Conservation of Existing City Supplies and Water System Retrofit.

Comments on Option 1:

- i. This option proposes to export groundwater for use outside of the groundwater basin. The impact of such an export should be considered as part of the Final EIR/EIS. The question of exporting water for use outside of the basin should be vetted with the Sacramento Central Groundwater Authority. 13 cont.  
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- ii. Groundwater pumping in this area was significantly limited by concerns expressed by both Aerojet and the California Department of Public Health. Limitations to groundwater pumping in this area should be evaluated when considering this option. 15
- iii. The *Groundwater Withdrawal* section (p. 3A.18-31) of this option states that: “SCWA currently pumps, on average, 131,000 AFY” of groundwater from the Central Basin. This statement is incorrect. SCWA pumps considerably less than this amount. This section goes on to state that: “SCWA anticipates diverting up to 90,000 AFY of surface water during normal years, thereby reducing its groundwater pumping to 41,000 AFY.” This statement is also incorrect. The conclusions drawn from these erroneous statements are also incorrect. Footnote 2 on the same page indicates that SCWA has 68,600 AFA in CVP water; SCWA CVP entitlements total 45,000 AFA (“Fazio Water” – 15,000 AFA and SMUD Assignment water – 30,000 AFA). Footnote 2 also refers to SCWA’s appropriative water right as being 12,000 AFA, referring to the long-term average use of this particular water supply. 16  
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- iv. The *Drawdown in Adjacent Wells* section (p. 3A.18-32) does not consider potential impacts which may occur in the North Vineyard Well Field and, respectively, the surrounding private wells that are part of the North Vineyard Well Protection Program. This should be identified as part of the identified potentially significant impact. 19
- v. The *Alteration of Surface Water Hydrology* section (pp. 3A.18-32 and 34) focuses on potential impacts to the American River and indicates that because the distance between the proposed well sites and the river is in excess of 5 miles that the resulting impact would be less-than-significant. The section fails to mention any potential impacts that may occur to the Cosumnes River. 20  
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Comments on Option 2:

vi. The only difference between this alternative and the preferred alternative is the source of surface water. Issues associated with the purchase of capacity in the FRWA remain the same. 22

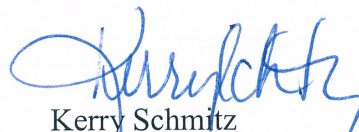
7) **DEIR Sect 3B.16.3, Page 3B.16-8.** The section states in pertinent part: *“Potential impacts to SCWA as a result of a reduced conveyance capacity within the Freeport Project would be minimized through compliance with the conditions contained within the MOU between the City and SCWA as provided in Appendix M-III. Even though the MOU is a non-binding agreement, without it the Off-site Water Facility Alternatives could not occur. For this reason, direct and indirect operational impacts to SCWA would be less than significant.”* 23

The potential impacts to SCWA for the proposed conveyance of 5,600 AFY to the Folsom SOI area have not been determined. The statement that compliance with the conditions of the non-binding MOU (SCWA-Folsom Agreement) will minimize impacts to SCWA operations doesn't accurately represent the purpose of the MOU, which is to establish principles to govern possible future negotiations between the two entities. The Folsom SOI EIR should acknowledge that negotiations may lead to a smaller negotiated capacity or no capacity at all. 24  
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8) **Folsom Specific Plan Area SB 610 Water Supply Assessment.** Section 3.6.1, Facility Costs, states that anticipated potable water improvements included in the Draft PFFP (Public Facilities Financing Plan) are an off-site transmission main, an on-site water treatment plant, storage tanks, booster stations, distribution mains, and laterals. Additionally, the Draft PFFP includes the cost associated with the City of Folsom acquiring conveyance capacity in the FRWA facilities. According to sections 3.7 and 3.8 (see also section 7.3) of the SCWA-Folsom MOU, all costs associated with the provision of an alternate source of water (including any necessary facilities) will be the responsibility of the City. It is not clear from the PFFP if these costs are covered and, if they are, how much capital is provided to meet this commitment. 26

Thank you for this opportunity to comment. If you have any questions on the information provided, please contact me at (916) 874-4681.

Sincerely,

  
Kerry Schmitz  
Principal Civil Engineer

- cc: Nav Gill – Sacramento County Chief Operations Officer
- Rob Leonard – Sacramento County Director of Economic Development
- Keith DeVore, Herb Niederberger, Darrell Eck, Forrest Williams – SCWA
- Ken Payne – City of Folsom
- Tom Gohring – Water Forum

SCWA-1

*The comment states that the MOU between the City and SCWA is not a water supply delivery agreement and, therefore, should not be characterized as one.*

Although the DEIR/DEIS uses the term “Delivery Agreement” to describe the proposed final agreement between the City and SCWA, the discussion on page 2-82 of the DEIR/DEIS also describes the existing MOU between the City and SCWA as a separate document. The City acknowledges that the MOU frames the negotiations between the City and SCWA in the development of the ultimate Delivery Agreement but is not a water supply delivery agreement in itself. The DEIR/DEIS accurately describes the MOU.

SCWA-2

*The comment states that on December 15, 2009, the SCWA Board of Directors authorized the Director of Water Resources to enter into an MOU with the City to frame future negotiations between the two entities over the possibility of the City using a portion of SCWA’s capacity within the “Freeport Project,” in the FRWA pipeline to transport NCMWC water to the Folsom SPA.*

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

SCWA-3

*The comment states that although the MOU was signed by SCWA as of the date of SCWA’s comment letter [December 15, 2009], the executed MOU was not returned to SCWA.*

The City has executed the MOU and returned the document to SCWA. The executed final MOU is contained in FEIR/FEIS Appendix T. The executed final MOU is consistent with the assumptions on which the City and USACE based their analysis of the project’s impacts, particularly regarding the capacity that the City would use in the Freeport Project under a Delivery Agreement negotiated and executed pursuant to the MOU. Both the discussion on page 2-82 of the DEIR/DEIS and Section 4.1 of the final MOU describe the capacity that the City would purchase as 6.5 mgd with consideration of additional limited capacity for peaking.

SCWA-4

*The comment states that the draft MOU included in Appendix M of the DEIS/DEIR is not the same SCWA-Folsom MOU that was approved by the SCWA Board of Directors or the City of Folsom on December 15, 2009.*

The comment is correct that the draft MOU, included in Appendix M3 of the DEIS/DEIR, is an older draft of the MOU that does not reflect negotiations between the City and SCWA through late 2009. As discussed in response to comment SCWA-3, the executed final MOU is consistent with the assumptions on which the City and USACE based their analysis of the project’s impacts, particularly regarding the capacity that the City would use in the Freeport Project under a Delivery Agreement negotiated and executed pursuant to the MOU. The executed final MOU is contained in FEIR/FEIS Appendix T



SCWA-5

*The comment states that the MOU between SCWA and the City does not represent a commitment from either party and is intended only to frame future negotiations between the two entities.*

The comment correctly states the MOU's purpose. As Sections 2, 11, and 12 in both the draft MOU (in Appendix M3 of the DEIR/DEIS) and the final executed MOU (Appendix T of the FEIR/FEIS) state, the MOU does not represent a binding commitment by the City or SCWA. The description of the MOU on page 2-82 of the DEIR/DEIS regarding a potential Delivery Agreement between the City and SCWA is consistent with the terms of both the draft MOU and the executed MOU. As stated in Section 4.1 in both the draft MOU and the final executed MOU, those terms provide the basis for the City's and USACE's analysis of the potential impacts associated with implementing the project. See also response to comment SCWA-4.

SCWA-6

*The comment states that information pertaining to the costs for the capital water infrastructure necessary to serve the SPA lacks sufficient detail to demonstrate that all identified financial obligations have been addressed.*

The City notes that this comment does not pertain to the environmental analysis contained in the DEIR/DEIS and therefore the City has no obligation to respond to this comment (State CEQA Guidelines, CCR Section 15088[c]). Nevertheless, responses to specific comments are provided as follows. The City and SCWA must discuss further financial terms before executing any binding agreement under which the City would acquire capacity in the Freeport Project's facilities, as referenced in the final MOU.

SCWA-7

*The comment states that cost information will be a necessary component of future negotiations between SCWA and the City regarding the purchasing of capacity.*

See response to comment SCWA-6. As referenced in Section 4.1 in both the draft MOU contained in Appendix M3 of the DEIR/DEIS and the final MOU executed by the City and SCWA, the DEIR/DEIS's analysis is based on the terms of the MOU executed by the City and SCWA and, therefore, is not dependent on future discussions between the City and SCWA.

SCWA-8

*The comments states that a construction start date of early 2011 for selected Off-site Water Facility Alternative components, discussed on page 2-95 in the DEIR/DEIS, appears overly optimistic because critical analysis on the use of SCWA facilities have not yet been identified and negotiations for capacity and other financial considerations with SCWA have not yet begun.*

At the time the DEIR/DEIS was prepared, 2011 was considered appropriate to use for characterizing potential impacts resulting from the construction of the selected Off-site Water Facility Alternative. However, even if the start of construction was delayed until 2012 or 2013, the impacts discussed in the DEIR/DEIS for the Off-site Water Facility Alternatives would remain the same.

SCWA-9

*The comment references text on page 2-102 in the DEIR/DEIS, stating that the use of a portion of EBMUD's capacity within the Freeport Project would require that the City replace any loss in conveyance capacity. The comment further states that SCWA has the same requirements as EBMUD, and notes that the EBMUD alternative was eliminated because it was considered cost-prohibitive.*

As the City's execution of the MOU between the City and SCWA indicates, the City acknowledges that: (1) its project would affect the amount of capacity in the Freeport Project facilities available to SCWA and, therefore, to SCWA's operations; and (2) further discussions between the City and SCWA are needed to address that issue. The discussion on page 2-102 of the DEIR/DEIS, however, notes that issues distinct to EBMUD's variable annual water demands, its particular use of the Freeport Project facilities, and its extension of its facilities to the Mokelumne River indicated that using a portion of EBMUD's capacity in the Freeport Project was not a viable option. This comment does not indicate that the City's use of a portion of SCWA's Freeport Project capacity would create the same issues for SCWA as would arise for EBMUD if the City were to use a portion of EBMUD's capacity.

SCWA-10

*The comment states that, under the term defined in the MOU between the City and SCWA, the City would be required to provide SCWA with an alternate supply of water equivalent to any capacity in the Freeport Project purchased by the City.*

As noted in comment SCWA-4, the draft MOU included in Appendix M3 of the DEIR/DEIS is not the executed final MOU that the City and SCWA signed. A key difference between the draft MOU and the executed final MOU is the deletion of draft MOU language on which this comment, specifically the language in Sections 3.7 and 7.3 of the draft MOU. Those draft MOU sections indicated that the City would provide SCWA with a water source equaling the amount of water that SCWA could have conveyed through Freeport Project capacity that the City would use. Those terms are not included in the executed final MOU.

The executed final MOU is contained in FEIR/FEIS Appendix T. The replacement resolves the issue raised by the comment. The replacement of the draft MOU with the executed final MOU does not affect the DEIR/DEIS's analysis of the project's impacts because the assumptions on which that analysis is based are consistent with the terms of the draft MOU that remain the same in the executed final MOU.

SCWA-11

*The comment suggests that because the City's preferred alternatives rely on the use of FRWA facilities, the potential source or sources of replacement water supply should be identified and the associated costs factored into the financial analysis.*

See response to comment SCWA-10.

SCWA-12

*The comment references the DEIR/DEIS statement in Section 3A.18–21 that the use of the FRWA facilities to convey 6.5 mgd plus appropriate peaking factor to the SPA would not increase SCWA’s permitted diversion capacity, and for this reason, no physical changes to the FRWA diversion, pump structure, and conveyance pipeline would occur. The comment indicates that SCWA has not assessed the full impacts on the Freeport Project’s facilities of the City’s proposed use of a portion of those facilities’ capacity and that it is not known whether the City’s use of that portion of capacity would require any physical changes to those facilities.*

As indicated by the City’s execution of the MOU with SCWA, the City and SCWA would have further discussions concerning the City’s proposed use of a portion of the Freeport Project’s capacity. However, as discussed in Section 4.1 in both the draft MOU contained in Appendix M3 of the DEIR/DEIS and the executed final MOU contained in FEIR/FEIS Appendix T, the DEIR/DEIS’ analysis is based on the terms of the MOU and, in particular, on the City’s fundamental proposal that the diversions of its proposed water supply would occur within the Freeport Project’s capacity without any expansion. This comment does not indicate that the City’s resulting analytical assumptions were incorrect or that the DEIR/DEIS’ impact analysis is not supported by existing facts. To the extent that further discussions between the City and SCWA under the MOU, or related facilities analyses, indicate that physical changes to the Freeport Project’s facilities would be necessary to implement the project, then supplemental or project-specific CEQA/NEPA analysis might be required at that time. At present, however, it would be speculative to attempt to analyze any impacts from physical changes to the Freeport Project’s facilities that have not been identified to date.

SCWA-13

*The comment states that the DEIR/DEIS evaluates three potential water supply options in Section 3A.18.5, and that Option 1 proposes to export groundwater for use outside the groundwater basin. The comment suggests that the FEIR/FEIS should include consideration of the impact of such an export.*

As discussed in Section 4.2 of the draft MOU included in Appendix M3 of the DEIR/DEIS, in preparing the DEIR/DEIS, the City examined water supply options in addition to its project because the proposed water supply would not be completely secure. As expressed in MOU Section 4.2, such a water supply option analysis is required by the California Supreme Court’s interpretation of CEQA in *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412. The water supply options reviewed in the DEIR/DEIS are not the City’s proposed water supply and, therefore, the City does not “propose...to export groundwater for use outside of the groundwater basin.”

Consistent with *Vineyard*, the DEIR/DEIS analyzes (at a general level) the impacts to the relevant groundwater basin that would occur if the City were to implement Water Supply Option 1, as discussed on pages 3A.18-31 through 3A.18-35 of the DEIR/DEIS. The comment suggests that some additional impact could occur because some of the City’s place of use for that pumped water would be outside of that basin. The comment, however, does not provide any information to indicate that using the water in that location would cause any impacts different than, or in addition to, the impacts caused by pumping the water for use in the basin. In addition, the place where the City would use pumped groundwater under this water supply option would be a tributary to the relevant groundwater basin, so percolation of pumped groundwater could return to that basin under this water supply option.

Furthermore, as discussed on pages 3A.18-35 and 3A.18-36 of the DEIR/DEIS, this water supply option would be consistent with the County's groundwater ordinance. Also, as discussed on pages 3A.16-1 to 3A.16-2, treated wastewater generated by the use of water in the SPA would be discharged to the Sacramento River from SRCSD's regional WWTP. SRCSD also treats and discharges municipal and industrial wastewater generated from within the Central Sacramento Groundwater Basin, so the location at which groundwater pumped by the City would return to the environment would be the same as if that water had been applied to municipal and industrial use in the basin.

SCWA-14

*The comment states that the concept proposed under Water Supply Option 1 should be vetted with the Sacramento Central Groundwater Authority because it would involve exporting groundwater outside the basin.*

See response to comment SCWA-13. In addition, as part of the City's evaluation of Water Supply Option 1, the CSCGMP (2006), was referenced to assess whether sufficient groundwater supplies were available without exceeding the basin's safe yield. Based on information contained in the CSCGMP, sufficient groundwater supplies would appear to be available for the SPA through 2030. However, because of supply concerns beyond 2030 in conjunction with a potential for migration of groundwater contaminants as a result of additional pumping, NCMWC's CVP supply would remain the City's preferred water supply. If, for whatever reason, the City elected to pursue Water Supply Option 1 in the future, the City would conduct supplemental CEQA/NEPA review and would coordinate its revised water supply proposal with the Sacramento Central Groundwater Authority.

SCWA-15

*The comment states that groundwater pumping in the vicinity of the well sites for Water Supply Option 1 should consider pumping restrictions, reflecting concerns expressed by both Aerojet and CDPH.*

As discussed in response to comment SCWA-13, Water Supply Option 1 is not the City's proposed water supply and is included in the DEIR/DEIS to comply with the *Vineyard* decision. Furthermore, the City agrees that, if it were to decide to implement this water supply option in the future, it would need to conduct supplemental CEQA/NEPA analysis of impacts, including further evaluation and modeling of the necessary groundwater pumping and addressing the water quality concerns identified in this comment. Those concerns are discussed on pages 3A.18-29 through 3A.18-31 of the DEIR/DEIS and were concluded to be a significant and unavoidable impacts of Water Supply Option 1.

SCWA-16

*The comment states that the groundwater withdrawal discussion on page 3A.18-31 of the DEIR/DEIS incorrectly indicates that SCWA currently pumps, on average, 131,000 AFY of groundwater from the Central Sacramento Groundwater Basin although it actually pumps considerably less.*

As discussed in response to comment SCWA-13, Water Supply Option 1 is not the City's proposed water supply and is included in the DEIR/DEIS to comply with the *Vineyard* decision. USACE and City note SCWA's clarification. To identify pumping rates for SCWA, the DEIR/DEIS relies on the CSCGMP (2006), which was considered the best available informational source when the DEIR/DEIS was prepared. Because the current estimates provided in the DEIR/DEIS overestimate groundwater use by SCWA, the supporting impact conclusions for Water Supply Option 1 may overstate the actual impact. However, because the comment does not provide any alternate estimates to replace those provided in the DEIR/DEIS, in conjunction with the conservative nature of

the estimates used, the analysis of groundwater impacts for Water Supply Option 1 sufficiently discusses the potential impacts to groundwater resources.

SCWA-17

*The comment states that the groundwater withdrawal discussion (on page 3A.18-31 of the DEIR/DEIS) incorrectly states SCWA anticipates diverting up to 90,000 AFY of surface water during normal years, thereby reducing groundwater pumping to 41,000 AFY. The comment further states that, as a result, the supporting conclusions also are incorrect.*

As discussed in response to comment SCWA-13, Water Supply Option 1 is not the City's proposed water supply and is included in the DEIR/DEIS to comply with the *Vineyard* decision. The surface and groundwater estimates referenced in the comment are based on values provided in the CSCGMP (2006). The estimates provided in the CSCGMP were the best available information when the DEIS/DEIR was prepared. Although the comment states that the estimates provided in the DEIR/DEIS are incorrect, the comment does not provide any revised estimates. In the absence of any additional data from SCWA, the City considers the discussion and conclusions on the topic of groundwater withdrawal on pages 3A.18-31 and 3A.18-32 of the DEIR/DEIS to be valid and adequate for the consideration of potential impacts as required per the Court's decision in the *Vineyard* case.

SCWA-18

*The comment references surface water supplies for SCWA in footnote number 2 on page 3A.18-31 of the DEIR/DEIS.*

The commenter does not describe any requested changes or inaccuracies with regards to the footnote number 2 on page 3A.18-31 of the DEIR/DEIS. The comment is noted. These figures contained in footnote number 2 were obtained from the CSCGMP (2006).

SCWA-19

*The comment states that the discussion regarding drawdown of adjacent wells on page 3A.18-32 of the DEIR/DEIS does not consider potential impacts to the North Vineyard Well Field or private wells that are part of the North Vineyard Well Protection Program.*

As discussed in response to comment SCWA-13, Water Supply Option 1 is not the City's proposed water supply and is included in the DEIR/DEIS to comply with the *Vineyard* decision. The discussion on page 3A.18-32 of the DEIR/DEIS accurately characterizes the potential impacts that could occur at adjacent wells in conjunction with this water supply option. Whether or not these impacts would extend to the North Vineyard Well Field is uncertain. As required per the Court's decision in the *Vineyard* case, the discussion adequately covers the potential impacts that could occur to adjacent private wells that might or might not be participating in the North Vineyard Well Protection Program. For these reasons, the discussion provided on page 3A.18-32 of the DEIR/DEIS is considered sufficient to describe the anticipated level of impact to adjacent wells, including those that are part of the North Vineyard Well Protection Program.

SCWA-20

*The comment states that the discussion on page 3A.18-32 of the DEIR/DEIS focuses on potential impacts to the American River as a result of Water Supply Option 1 and that a less than significant determination was concluded based on the proximity of the well sites from the river.*

The comment summarizes text on page 3A.18-32 of the DEIR/DEIS; the comment is noted.

SCWA-21

*The comment states that the discussion under “Alteration of Surface Water Hydrology” on page 3A.18-32 of the DEIR/DEIS fails to mentioned impacts to the Cosumnes River.*

As discussed in response to comment SCWA-13, Water Supply Option 1 is not the City’s proposed water supply and is included in the DEIR/DEIS to comply with the *Vineyard* decision. The DEIR/DEIS indicates that, even implementing this water supply option, pumping from the groundwater basin would be within the basin’s safe yield until at least 2030. Accordingly, this water supply option, if actually implemented, would not affect flows in the Cosumnes River. Although the DEIR/DEIS indicates post-2030 cumulative conditions could cause total pumping to exceed the basin’s safe yield, it would be speculative to analyze any possible related impacts to the Cosumnes River at this point without having any indication of the extent of such a potential exceedance. Furthermore, if the City were to actually seek to implement this water supply option, the City would conduct supplemental CEQA/NEPA analysis to address any resulting indirect impacts to the Cosumnes River.

SCWA-22

*The comment states that Water Supply Option 2 shares similar issues to that of the preferred alternative, related to the purchase of capacity within the Freeport Project.*

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

SCWA-23

*The comment states that potential impacts to SCWA as a result of the City’s purchase of capacity within the Freeport Project have not been determined.*

As the City’s execution of the final MOU indicates, the City acknowledges that further analysis would be necessary to determine precisely how the City’s proposed purchase of capacity in the Freeport Project would affect SCWA’s operations and facilities (see Sections 7.2–7.6 in the final MOU, in Appendix T of the FEIR/FEIS). As contemplated in Section 4.1 of the MOU, however, the DEIR/DEIS analyzes the environmental impacts that would occur if the City were to purchase 6.5 mgd of capacity, with consideration of an appropriate peaking factor. The primary resulting environmental impact would be to groundwater supplies in the South American Subbasin, and the DEIR/DEIS analyzes this in Impact 3B.17-2 on pages 3B.17-10 through 3B.17-13. In addition, the DEIR/DEIS’ cumulative impact analysis identifies potential cumulative effects to groundwater resources after 2030, on pages 4-42 through 4-44. The comment does not indicate that the analysis of the City’s proposed purchase of capacity in the Freeport Project is inadequate because the MOU lacks sufficient detail for a CEQA/NEPA analysis. To the extent that further discussions between the City and SCWA under the MOU would result in further actions or improvements to address any impacts on SCWA caused by the City’s acquisition of capacity in the Freeport Project, then a supplemental or more specific CEQA/NEPA analysis of those actions or improvements might be necessary.

SCWA-24

*The comment states that assuming compliance with the MOU will minimize impacts to SCWA operations does not accurately characterize the purpose of the MOU.*

Section 2 of both the draft MOU provided in Appendix M3 of the DEIR/DEIS and the final MOU provided in Appendix T of the FEIR/FEIS states: “The purpose of this MOU is to establish principles and parameters to govern any negotiations between the parties for the City’s purchase of a portion of the Agency’s [SCWA’s] capacity in the FRWA [Freeport Project] Facilities in order to convey Natomas Water to supply the area

encompassed by the SOI.” The MOU then describes various issues that the City and SCWA plan to discuss to address the impacts that the City’s purchase of capacity would have on SCWA (see the final MOU, Sections 3.7, 3.8, 4.4.2 [Agency Criteria], 7.1-7.6). Any Delivery Agreement negotiated between the City and SCWA under the MOU would be consistent the MOU’s terms and accordingly would address the impacts on SCWA of the City’s purchase of capacity in the FRWA facilities.

The discussion in Impact 3B.16-3 on page 3B.16-7 of the DEIR/DEIS, therefore, accurately characterizes the impact to SCWA and the manner in which the City would address that impact. However, the City agrees that the discussion should be clarified to reference the fact that the MOU’s terms would be reflected in a Delivery Agreement between the City and SCWA. As shown in Chapter 5, “Errata” of this FEIR/FEIS, the second paragraph on page 3B.16-8 has been revised to reflect this circumstance.

SCWA-25

*The comment suggests that the DEIR/DEIS should acknowledge that future negotiations between the City and SCWA could result in a smaller negotiated capacity or no capacity (e.g. within the Freeport Project) at all.*

Initially, the DEIR/DEIS’s identification of the amount of Freeport Project capacity that the City proposes to purchase complies with Section 4.1 of both the draft MOU in Appendix M3 of the DEIR/DEIS and the final MOU in Appendix T of this FEIR/FEIS. In Section 4.1, the City and SCWA agreed that the City would include, “as a project component in the City’s EIR for the SOI,” the City’s purchase of 6.5 mgd of capacity in the Freeport Project, with an appropriate peaking factor. If this capacity is less, it is still covered by the analysis. In addition, the DEIR/DEIS addresses the possibility that the City would not acquire capacity in the Freeport Project in other ways. The DEIR/DEIS includes an evaluation of the No Project Alternative, which could occur if the City was unable to negotiate the Delivery Agreement with SCWA that would be required for all of the Off-site Water Facility Alternatives. Section 3A.18 of the DEIR/DEIS (beginning on page 3A.18-23) also evaluates other water supply options required by the court’s decision in the *Vineyard* case, to account for uncertainties related to SCWA’s approval of the Delivery Agreement.

SCWA-26

*The comment seeks clarification as to the costs considered in the PFFP and, in particular, how much capital would be provided to cover costs associated with the provision of an alternate water source and any associated facilities.*

See response to comment SCWA-10. As discussed in the response to that comment, the final MOU (included in Appendix T to this FEIR/FEIS) does not contain certain proposed terms that were contained in the draft MOU (included in Appendix M3 of the DEIR/DEIS). The proposed terms that were not included concerned an alternate source of water (in sections 3.7, 3.8, and 7.3 of the draft MOU). Because this comment relies on those proposed terms in the draft MOU and those terms were excluded from the final MOU, this comment does not reflect project components that the City is required to analyze in the DEIR/DEIS.



Sac City

DEPARTMENT  
OF UTILITIES  
  
ENGINEERING  
SERVICES DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

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September 10, 2010  
DS:jp

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

Dear Ms. Furness de Pardo,

Subject: Comments - Sphere of Influence South of Highway 50 Specific Plan Project Draft  
Environmental Impact Report/Environmental Impact Statement (DEIR)

The City of Sacramento Department of Utilities (Sacramento) appreciates the opportunity to provide  
the following comments on the above DEIR:

1. The Natomas Central Mutual Water Company (NCMWC) has in the past submitted comments to  
the Sacramento Local Agency Formation Commission describing the financial detriment suffered  
by NCMWC as agricultural land within its service area urbanizes, due to the fact that such  
development shrinks the agricultural base that financially supports NCMWC's operations.  
Sacramento understands this impact, and shares a common interest in preserving the viability of  
NCMWC and the agricultural and habitat lands it provides irrigation water service to. Revenue  
from the proposed assignment to Folsom of a portion of NCMWC's CVP water entitlement can  
and should be used by NCMWC to offset any adverse financial impacts incurred by NCMWC due  
to urbanization in its service area and to maintain reasonable rates for NCMWC's irrigation water  
service customers. | 1 2 3 4
2. Sacramento supports the DEIR's determination to omit from further consideration any direct  
diversion of surface water from the Lower American River (DEIR, at p. 2-100), in favor of the  
DEIR's proposed use of Freeport Regional Water Project (FRWP) facilities to divert the portion of  
NCMWC's CVP water entitlement proposed for assignment to Folsom. Use of the FRWP  
diversion avoids any direct impact of the proposed diversions on Folsom Reservoir or the Lower  
American River; however, it is not clear from our review of the DEIR whether the proposed  
diversions could affect overall CVP operations (due to the amount and/or timing of the diversions) | 5 6 7 8






so as to create potentially significant indirect impacts on Folsom Reservoir or the Lower American River. The DEIR should specifically evaluate and identify any such indirect impacts, particularly during dry periods when such impacts would be most pronounced.

- 3. In addition to its analysis of Folsom’s proposed water supply (DEIR, at pp. 3A 18-1 and following), the DEIR should identify any potential impacts of the proposed diversions on the water supplies utilized by other water purveyors in the Sacramento region, including senior water right holders, such as Sacramento, whose diversions would take priority, in the event of a water shortage, over Folsom’s diversion of the portion of NCMWC’s CVP water entitlement proposed for assignment.

Please contact Jim Peifer if you have any questions at (916) 808-1416.

Sincerely,



Dan Serry  
Supervising Engineer

Sac City-1 through  
Sac City-2

*The comments state that the City of Sacramento appreciates the opportunity to provide comments on the DEIR/DEIS. The comments further state that in the past NCMWC has submitted comments to LAFCo describing financial distress suffered by NCMWC as a result of urban development shrinking the agricultural base that supports NCMWC's operations.*

The City is aware of NCMWC's financial difficulties and likely interest in the potential water assignment to the project. The existing conditions described in Section 3B.10, "Land Use and Agricultural Resources" of the DEIR/DEIS (see pages 3B.10-4 through 3B.10-7), generally support the City of Sacramento's statement regarding the agricultural base that supports NCMWC's service area.

Sac City-3

*The comment states that the City of Sacramento shares a common interest in preserving the viability of NCMWC and the agricultural and habitat lands which it serves.*

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

Sac City-4

*The comment states that revenue from the proposed water assignment for the project could and should be used by NCMWC to offset any adverse financial impacts incurred because of urbanization within NCMWC's service area and to maintain reasonable rates for NCMWC's irrigation water service customers.*

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

Sac City-5

*The comment states the City of Sacramento's support for water supply alternatives discussed on page 2-100 of the DEIR/DEIS that do not consider any direct diversion of surface water from the Lower American River.*

The City of Sacramento's position in relation to new, direct diversions of surface water from the Lower American River is noted. As discussed on page 2-100 of the DEIR/DEIS, the primary reason the City did not carry alternatives forward using un-appropriated water were in support of the City of Folsom's objective of securing a water supply consistent with the WFA.

Sac City-6 through  
Sac City-7

*The comment states the City of Sacramento's preference for the City's proposed use of the Freeport Regional Water Project (Freeport Project) for the diversion of water purchased under NCMWC's CVP settlement contract. The comment further states that the City's use of the Freeport Project would avoid any direct impact of the proposed diversion on Folsom Reservoir or the Lower American River.*

The comment is generally correct. The City does not expect any adverse direct or indirect impacts to the Lower American River hydrology as a consequence of the water assignment.

Sac City-8

*The comment states that the DEIR/DEIS is not clear as to whether the water assignment, diversion, and use of the Freeport Project could affect overall CVP operations.*

Impact 3B.9-4 on pages 3B.9-28 through 3B.9-30 of the DEIR/DEIS provides specific analysis of the water assignment's potential impacts to overall CVP operations. Table 3B.9-3 on page 3B.9-29 of the DEIR/DEIS outlines the changes in quantities delivered to the City (via Freeport) and NCMWC under existing conditions and to be delivered as a result of the water assignment. As shown, the major change to CVP operations would be the change in the delivery schedule for the 8,000 AFY of "Project" water from agriculture to M&I. As discussed, this change would result in a smaller, more consistent diversion year-round, as opposed to larger diversion during July and August. As shown in Chapter 5, "Errata" of this FEIR/FEIS, text in Table 3B.9-3 on page 3B.9-29 has been revised to provide additional details regarding changes to storage with Shasta Reservoir, a CVP facility.

Sac City-9

*The comment asks for clarification as to whether the water assignment could create potentially significant, indirect impacts to Folsom Reservoir or the Lower American River.*

The water assignment could indirectly impact Folsom Reservoir and/or the Lower American River in one of two ways, each covered in different sections of the DEIR/DEIS. First, the water assignment could indirectly impact Folsom Reservoir if it required Reclamation to release additional water to counteract the movement of X-2 within the Delta. However, as analyzed in Impact 3B.9-2 on page 3B.9-24 of the DEIR/DEIS, the changes in river conditions as a result of the assignment would be negligible and substantially less than the 1% change in Delta outflow that would be required to change the position of X-2. As a result, this impact is appropriately concluded to be less than significant.

Second, the water assignment would carry the potential to indirectly impact the Lower American River as a result of irrigation return flows that would be indirectly discharged to the Lower American River by Alder and Buffalo Creeks. Potential water quality effects as a result of these discharges are discussed in Impact 3A.9-3 on pages 3A.9-39 through 3A.9-42 of the DEIR/DEIS. As discussed on page 3A.9-42 of the DEIR/DEIS, with the implementation of Mitigation Measure 3A.9-3, this indirect impact would be less than significant.

Sac City-10 through  
Sac City-11

*The comments suggest that DEIR/DEIS should specifically evaluate and identify any indirect impacts to Folsom Reservoir or the Lower American River, particularly during dry periods.*

See response to comment Sac City-8. As discussed on page 3B.9-28 of the DEIR/DEIS, the impact analysis already considers the changes associated with the water assignment in the context of minimum flows within the Sacramento River, which are indicative of drier periods.

Sac City-12

*The comment suggests that in addition to the City's proposed water supply, the DEIR/DEIS should identify any potential impacts of the proposed diversion of the water assignment on water supplies used by other water purveyors in the Sacramento Region.*

The water assignment would involve the City purchasing up to 8,000 AFY of "Project" water under NCMWC's settlement contract, which was renewed by Reclamation for an additional 40 years in 2005. This supply was covered under an EIS for NEPA compliance, and the Notice of Determination subsequently was approved in 2005. Furthermore, the water assignment would be diverted within the permitted capacity of the Freeport Project, which has already undergone NEPA review; thus, no net increase in diversion capacity would occur along the Sacramento River. Based on these considerations, the water assignment would not infringe on existing water supplies for other water purveyors. These effects were also considered in the cumulative analysis on pages 4-40 through 4-41 of the DEIR/DEIS.

Sac City-13 through  
Sac City-14

*The comments suggest that the DEIR/DEIS should evaluate the impact of senior water right holders, whose diversions would take priority on the project water supply in the event of water shortages. The comments also provide contact information for questions on the comment letter.*

Under Article 5(a) of NCMWC's settlement contract, the maximum reduction in "Project" Water would be 25%. Based on this shortage provision, the City is proposing the purchase of up to 8,000 AFY of "Project" water from NCMWC in anticipation of reductions in supplies during dry years. This shortage provision in NCMWC's settlement contract forms the basis of the DEIR/DEIS' assumption in terms of the maximum curtailment that could occur under an M&I schedule. Presumably, when the shortage provision was in effect, other senior water right holders would continue to receive their full allocations. Absent any speculation on the City's behalf, the impact on the project's water supply during dry conditions would be that the City's water supply could experience reductions of up to 25% although other senior water right holders would continue to receive their full entitlement. This issue is discussed further on pages 3A.18-12 through 3A.18-14 of the DEIR/DEIS.

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John P. Fraser – *President*  
Division 2

George W. Osborne – *Director*  
Division 1

Bill George – *Director*  
Division 3



Harry J. Norris – *Vice President*  
Division 5

George A. Wheelodon – *Director*  
Division 4

Jim Abercrombie  
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Thomas D. Cumpston  
*General Counsel*

In Reply Refer To: ECL0910-854

September 10, 2010

Via Electronic Mail to [gdepardo@folsom.ca.us](mailto:gdepardo@folsom.ca.us)  
Via U.S. Mail

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

Subject: Comments on Folsom South of U.S. 50 Specific Plan Project Draft EIR/EIS

Dear Ms. Furness de Pardo:

Thank you for the opportunity to review and comment on the joint Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Folsom South of U.S. 50 Specific Plan Project (Project). As the draft EIR/EIS states, a portion of the specific plan area (SPA) lies within the El Dorado Irrigation District (EID) service area and this portion is proposed to be served water and wastewater services by EID. Therefore, EID is a California Environmental Quality Act (CEQA) responsible agency for the Project (§ 21069 CEQA Statutes and §15381 CEQA Guidelines). As such, EID requests that the following comments and clarifications be incorporated into the Final EIR/EIS so that EID can utilize this document to satisfy its CEQA requirements when considering any discretionary action related to the Project (§ 21153(c) and § 21167.3 CEQA Statutes; § 15050(b), 15086(c), 15096(d)and (f), and 15204 CEQA Guidelines).

1

Page ES-2 - Since a portion of the SPA is proposed to be served water and wastewater services from EID, the City of Folsom or its agent (City) must request a Facility Improvement Letter (FIL) from EID to determine the capacity of existing infrastructure near the proposed SPA. Within three years of receipt of the FIL, the City must submit a Facility Plan Report (FPR) to EID for approval. When approved, the FPR will specify those specific infrastructure improvements that are necessary to provide water and wastewater services to the portion of the SPA proposed to be served by EID.

2

Since this specific review and approval process is a reasonably foreseeable action at the time of CEQA environmental review and EID proposes to utilize this document to satisfy its CEQA requirements, these actions should be explicitly identified in the EIR/EIS. Additionally, EID should be added as an agency that must provide approval over a portion of the Project. Until approval of the FPR, the City should address any water and wastewater infrastructure necessary to serve this portion of the SPA on a programmatic basis under CEQA as described on page 1-9 of the EIR/EIS.

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Page 1-15 – EID should be added as an agency involved with *Regional and Local Actions/Permits* for the Project. Specifically, since a portion of the SPA lies within EID’s service area, one or more agreements between the City and EID will be required to address retail and/or wholesale water and wastewater services provided by each agency. These agreements should be expressly identified as one of the discretionary actions included within the Project and analyzed correspondingly in the EIR/EIS.

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Page 2-13 – Any development agreements entered into between the City and project applicant(s) pursuant to California Government Code Section 65864 et seq. at the time of specific plan adoption must not conflict with EID policies and procedures for approval of water and wastewater infrastructure or service within the portion of the specific plan area to be served by EID.

7

Page 2-26 – EID has not determined the location of any on-site water facilities including water mains, storage tanks, and booster pump stations within the portion of the SPA to be served by EID. The location of any such infrastructure would be approved through EID’s FIL/FPR process outlined above. As such, the location of EID water facilities, conceptual or otherwise, should be removed from Exhibit 2-7. Additionally, the references to Exhibits 2-6 and 2-7 on this page should note that EID has not approved any locations of any on-site or off-site water or wastewater facilities, conceptual or otherwise. The last paragraph of the *Sewer* section on this page indicates that several pump stations would be included with the Project. It is not clear whether this statement references only that portion of the SPA proposed to be served by the City of Folsom Wastewater Division or the entirety of the SPA. However, EID’s design and construction standards require that when multiple projects or multiple phases of a project will connect over a period of time, such as build out of the SPA, that a lift station design be reasonably staged. Additionally, the 189 acre portion of the SPA to be served by EID first must consider all potential gravity options for the sewer collection system prior to approval of pumped systems.

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Page 2-37 – The *Off-site “Land Improvements”* section should also note EID off-site sewer facilities to be addressed on a programmatic basis.

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Page 2-101 – It is unclear how the 32,000 acre-feet amount through two contracts with U.S. Bureau of Reclamation (Reclamation) was derived. The latest summary of EID’s water supply is provided in the EID 2009 Water Resources and Service Reliability Report, which is available on EID’s website. The third paragraph of this page states that the Reclamation water supply contract through Public Law 101-514 was intended to serve areas within El Dorado County and not Sacramento County. To clarify, this contract was intended to serve Georgetown Divide Public Utility District and EID through subcontracts with El Dorado County Water Agency and a portion of EID’s service area is located within Sacramento County as stated in the EIR/EIS. The *Non-Potable Water Supplies* section of this page should reflect that the City has also considered EID as a potential source of non-potable water supply.

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Page 3A.16-1 – It appears the reference to Exhibit 2-9 at the top and bottom of this page for location of off-site sewer connection north of U.S. 50 should instead be Exhibit 2-8. As described above for water infrastructure, the location of any wastewater infrastructure within the

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Letter No.: ECL0910-854  
To: Gail Furness de Pardo



September 10, 2010  
Page 3 of 3



portion of the SPA to be served by EID would be approved through EID's FIL/FPR process outlined above. As such, the location of EID wastewater facilities, conceptual or otherwise, should be removed from Exhibit 2-8.

17 cont.

Page 3A.16-3 –The most recent expansion of the EDHWWTP also included construction of two equalization tanks along the northern portion of the facility. These improvements should also be noted in the EIR/EIS. The last paragraph of the *Wastewater Treatment* section on this page describes some of EID's recycled water facilities and some of this information is not accurate. Since this Affected Environment section should simply describe existing conditions related to wastewater treatment, EID requests that all language after the first sentence of the paragraph be removed from the EIR/EIS.

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If you have any questions regarding these comments or clarifications, please contact me at (530) 642-4082.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Corcoran", with a long horizontal flourish extending to the right.

Daniel Corcoran  
Environmental Division Manager

cc: Brian Mueller, Director of Engineering  
Cindy Megerdigian, P.E., Water/ Hydro Engineering Manager  
Elizabeth Wells, P.E., Wastewater/ Recycled Water Engineering Manager





- EID-1 *The comment states that a portion of the SPA lies within the El Dorado Irrigation (EID) service area, making EID a responsible agency under CEQA, and requests that its comments and clarifications be incorporated into the FEIR/FEIS so that EID can utilize the document to satisfy its CEQA requirements when considering any discretionary action related to the project.*
- The comment correctly states that part of the SPA lies within EID’s service area and that EID is a responsible agency under CEQA. See response to comment EID-3.
- EID-2 *The comment states that the City or its agent must submit a Facility Improvement Letter to determine capacity of existing infrastructure near the SPA, and then submit a Facility Plan Report (FPR) for EID approval within 3 years. The comment further states that the FPR would specify those specific improvements necessary to provide water and wastewater services.*
- The comment describes the process for EID approval of water and wastewater facility design for the portion of the SPA that lies within the EID service area, as described in the DEIR/DEIS; the comment is noted.
- EID-3 *The comment states that the specific review and approval process should be explicitly identified in the FEIR/FEIS because EID intends to use the document to satisfy CEQA requirements during its own review process.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, Section 1.6.3 of the DEIR/DEIS has been revised to reflect the requirement for future approvals by EID.
- EID-4 *The comment states that EID should be added to the list of agencies that must provide approval over a portion of the project.*
- See response to comment EID-3.
- EID-5 *The comment states that the City should address any water and wastewater infrastructure necessary to serve the portion of the project site within EID’s service area on a programmatic basis until the Facility Plan Report is approved by EID.*
- See Master Response 10 – Programmatic Nature of EIR/EIS Analysis. As discussed in Section 1.4.3, “Program Environmental Impact Report/Environmental Impact Statement,” on page 1-9 of the DEIR/DEIS, the majority of environmental impacts are analyzed on a programmatic basis. Although some impacts are analyzed with greater specificity, utilities is not one of those topic areas.
- EID-6 *The comment states that at least one agreement addressing retail and/or wholesale water and wastewater services would be required. The comment further states that these agreements should be expressly identified as a discretionary action, included within the project and analyzed in the FEIR/FEIS.*
- See response to comment EID-3. Although edits reflecting the fact that EID would be a discretionary agency have been made in Chapter 5, “Errata” of this FEIR/FEIS, there is no requirement under CEQA or NEPA for the City to analyze the impacts of any future

agreements between the City and EID that may or may not be entered into; such an analysis would be speculative because the City does not have any information as to what the contents of those agreements might be. The City believes that to the extent potential physical environmental impacts that could result from EID's provision of water and wastewater services to the SPA are known at this time, they have been addressed in Sections 3A.18 "Water Supply," and 3A.16 "Utilities and Service Systems."

EID-7 *The comment states that any development agreements entered into at the time of the Specific Plan adoption must not conflict with EID policies and procedures for approval of water and wastewater within the portion of the area served by EID.*

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

EID-8 *The comment states that EID has not determined the locations of any on-site water facilities, and that the locations of any water infrastructure would be approved by the mechanism described in comment EID-2. The comment requests that the locations of EID water facilities be removed from Exhibit 2-7 on page 2-26 of the DEIR/DEIS.*

The ultimate locations of EID facilities would be determined through the process described in comment EID-2. However, conceptual locations of EID water and wastewater facilities were included in the project description and Exhibit 2-7 to ensure that the DEIR/DEIS analysis describes the impacts that would result from the whole of the action, including installation of infrastructure necessary to support the project. Although the City acknowledges that the conceptual location of EID facilities shown on Exhibit 2-7 might differ from the final locations of these facilities after EID approval, the City believes that depicting and analyzing conceptual locations at this program level of analysis is a necessary part of the DEIR/DEIS. No change to the DEIR/DEIS is required.

EID-9 *The comment suggests that references to Exhibits 2-6 and 2-7 on page 2-26 of the DEIR/DEIS should note that EID has not approved any locations for on-site or off-site water or wastewater facilities, conceptual or otherwise.*

Both the DEIR/DEIS text and the exhibit titles state that the locations are conceptual; no changes to the DEIR/DEIS are required. See also response to comment EID-8.

EID-10 *The comment states that the last paragraph of the "Sewer" subsection on page 2-26 of the DEIR/DEIS states that several pump stations would be included in the project, but that it is unclear whether any of the pump stations would be within the area served by EID. The comment also states that EID's design and construction standards would require that a lift station design be reasonably staged when multiple projects or multiple phases connected over a period of time.*

To the extent this information is known to the City at the present time, it is presented conceptually in DEIR/DEIS Exhibit 2-6 (page 2-27). If wastewater service were provided to the SPA by EID, further engineering design and consultation would be required between the project applicant(s), the City, and EID.

- EID-11 *The comment states that the portion of the SPA that is to be served by EID would first need to consider all potential gravity options for the sewer collection system before approval of pumped systems.*
- See response to comment EID-10.
- EID-12 *The comment states that the “Off-Site Land Improvements” subsection on page 2-37 of the DEIR/DEIS should include EID off-site sewer facilities in the list of improvements addressed on a programmatic basis.*
- As shown in Chapter 5, “Errata,” of this FEIR/FEIS, the changes requested by the commenter have been made.
- EID-13 *The comment states that it is unclear how the 32,000 AFY amount through two contracts with Reclamation was derived in the DEIR/DEIS and indicates that EID’s Water Resources and Service Reliability Report (2009) provides the latest summary of EID’s water supplies and is available on EID’s website.*
- As shown in Chapter 5, “Errata” of this FEIS/FEIR, page 2-101 of the DEIS/DEIR has been revised to reflect EID’s latest water supply figures.
- EID-14 *The comment clarifies that the intended recipients of the Reclamation contract through Public Law 101-514 are Georgetown Divide Public Utility District and EID.*
- The comment provides additional clarification regarding text on DEIR/DEIS page 2-101. The comment is noted.
- EID-15 *The comment requests that the Non-Potable Water Supply Section on page 2-101 of the DEIR/DEIS be revised to indicate that the City also considered EID as a potential source of non-potable water supply.*
- As shown in Chapter 5, “Errata” of this FEIS/FEIR, the fifth paragraph on page 2-101 of the DEIS/DEIR has been revised to include EID as a potential source of non-potable water supply that would be considered by the City for the project.
- EID-16 *The comment suggests that the reference to Exhibit 2-9 on page 3A.16-1 should reference Exhibit 2-8.*
- As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.16-1 of the DEIR/DEIS has been revised to the correct exhibit reference.
- EID-17 *The comment states that the conceptual location of EID wastewater facilities shown in Exhibit 2-8 on page 2-31 of the DEIR/DEIS should be removed because any wastewater infrastructure would be approved through EID’s FIL/FPR process.*
- Exhibit 2-8 is not intended to imply approval of conceptual locations, but rather to provide the reader with an idea of the general area in which connections and facilities might be located. Conceptual locations of EID wastewater facilities were included in the project description and Exhibit 2-8 to ensure that the DEIR/DEIS analysis describes the impacts that would result from the whole of the action (as required by CEQA), including installation of infrastructure necessary to support the project. As noted in the response to comment EID-3, Section 1.6.3 of the DEIR/DEIS has been revised to reflect the requirement for future approvals by EID.

EID-18

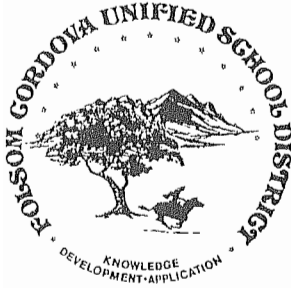
*The comment states that the most recent expansion of the El Dorado Hills (EDH) WWTP also included construction of two equalization tanks along the northern portion of the facility. The comment suggests that these improvements should be noted in the DEIR/DEIS.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.16-3 of the DEIR/DEIS has been revised to include a mention of the EDH WWTP expansion.

EID-19

*The comment states that text describing reclaimed water facilities on page 3A.16-3 of the DEIR/DEIS contains inaccuracies and suggests deleting it.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the suggested text on page 3A.16-3 of the DEIR/DEIS has been deleted, pertaining to the reclaimed water facilities.



FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT

125 East Bidwell Street • Folsom, CA 95630-3252  
Phone (916) 355-1100 • Fax (916) 985-0722

September 10, 2010

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

RE: Response to the Draft EIR for the Folsom South of Hwy 50 Specific Plan

Dear Ms. Furness de Pardo:

The Folsom Cordova Unified School District provides the following response regarding the Draft Environmental Impact Report (EIR) for the Folsom South of Hwy. 50 Specific Plan. The following comments should be incorporated into the revised EIR:

- The following change and text addition should be made on Page 3A.14-3, under the heading, 'Public Schools'. In the first paragraph, the number of elementary schools should be changed to **20** instead of 21. At the end of the first paragraph the following statement should be added.

1

*Due to the slowdown in residential building construction and economic uncertainty, the year in which this projection is expected to be reached will most likely be extended. As new residential building construction begins, additional capacity will be needed to house the students from new development.*

- The following deletions and text insertions should be made on page 3A.14-4. The first paragraph, Table 3A.14-1, and the following three paragraphs should be deleted. The following statements should be added:

*Students living in the SPA will attend the nearest Folsom school with capacity until a school is built in the SPA area.*

2

*A map of the current Folsom Area School Attendance Boundaries has been included illustrating the existing 2010-11 attendance boundaries in the Folsom area. An attendance boundary report is currently being prepared to be presented to the public with the expectation of adjusting attendance boundaries in the Folsom area beginning in the 2011/12 school year.*

A map entitled 'Folsom Area School Attendance Boundaries' has been provided to be placed after the previous statement.

3

- The following text insertion should be made on Page 3A.14-5, in the first line after “5,823 students and require five,”:

4

*to 6 elementary schools depending on final in depth analysis of build out estimates.*

- The following text insertion should be made on Page 3A.14-5, in the second line after “one high school,”:

5

*and one alternative education school in the northern portion of the SPA near local transportation routes.*

- The following text insertion should be made on Page 3A.14-5, after the second sentence on the top of the page as a separate paragraph:

6

*Final approval of the school site locations by FCUSD will require more in depth analysis and review. District approval will be dependent on more detailed site review and investigation relating to issues such as topography, site configuration, adjacency to streets, and conformity to the requirements outlined by the California Department of Education School Facilities Division.*

- The following text deletion and text insertion should be made on Page 3A.14-5, in the first paragraph following Table 3A.14.2, delete ‘50% state funding and 50% local sources’ and replace with:

7

*1/3 State funding, 1/3 Developer Impact Fees and 1/3 Local Bond Funds as approved by the voters in the Measure M area.*

Further on in the paragraph, change ‘August 2008’ to **November 2009**, and the residential development fees from ‘\$6.99’ to **\$6.38**.

In the second paragraph following Table 3A.14.2, change the year of estimated completion for Mather High/Morrison Creek Middle School from ‘2015’ to **2017**.

- The following text insertion should be made on Page 3A.14-5 (in or after the paragraph about funding and fees):

8

*The District and certain residential/commercial developers within the SPA attempted to negotiate an agreement whereby, in exchange for access to a pro-rata share of Measure M bond proceeds, the developers would ensure adequate funding for construction of all school facilities necessitated by their development. Once the appropriate share of bond proceeds, along with state funding allocated to the specific project, were exhausted, the developer would fund the remaining “gap.” The developers would also ensure that adequate funding was in place at the time necessary to construct needed school facilities, regardless of the timing or amount of other funding sources (i.e., they were willing to “front-fund” construction of facilities as needed). Although the parties came very close to agreement, ultimately they were not able to reach final resolution. The District,*

*however, continues to feel that involvement by residential and commercial developers in the SPA is a vital component in constructing adequate school facilities, and in mitigating the impact of construction in the SPA.*

8 cont.

- The following deletion and text insertion should be made on Page 3A.14-7, in the second bullet in the second to last line. The date should be changed from August 2008 to **November 2009**, and the Level II fee should be changed from \$6.99 to **\$6.38**.

9

Thank you for the opportunity to review and comment on the Draft EIR. Please contact me if you have any questions or need additional information.

Sincerely,



Matt Washburn  
Director of Facilities and Planning

cc:

Debbie Bettencourt, FCUSD  
Rhonda Crawford, FCUSD  
Paul Thompson, KBT





### Folsom Elementary Schools Attendance Boundaries

- Legend**
- schools
  - Future Glenborough ES 1
  - Gold Ridge ES
  - Natoma Station ES
  - Oak Chan ES
  - Russell Ranch ES
  - T Judah ES
- Elem. School**
- B Sprentz ES
  - C Sundahl ES
  - Empire Oaks ES
  - Folsom Hills ES
  - Future Folsom SOI ES 1

NOTE: Pupils assigned to future elementary schools in Glenborough and the Folsom SOI will attend the nearest Folsom elementary school with capacity until the future elementary schools are built.

### Folsom Middle Schools Attendance Boundaries

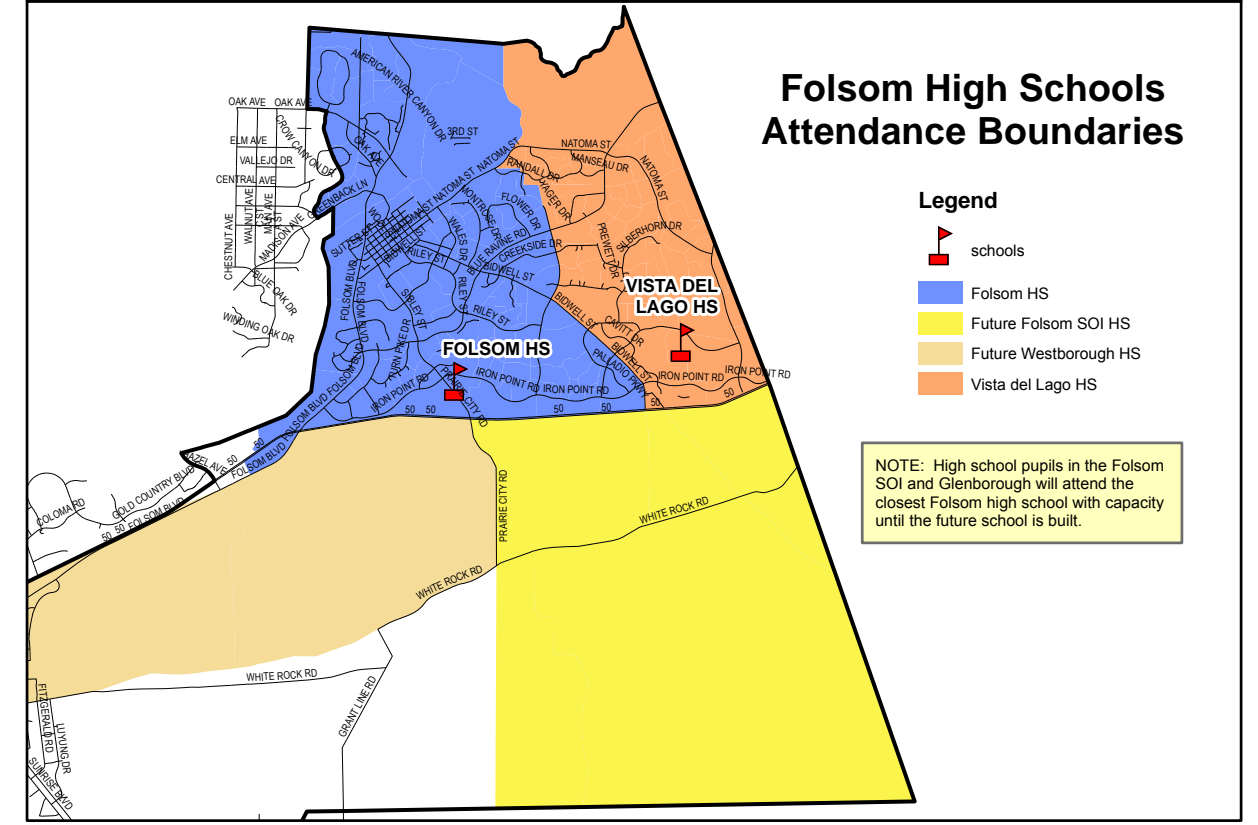
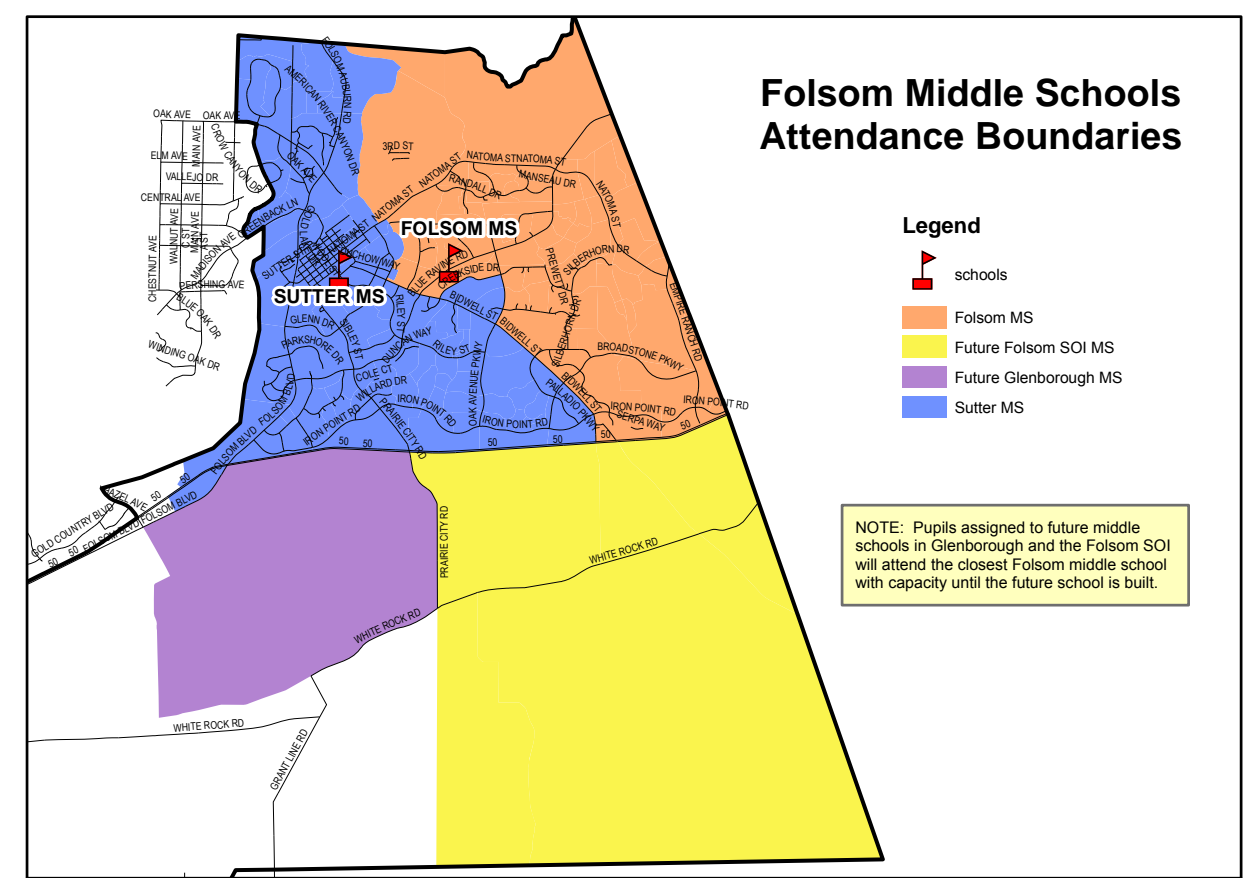
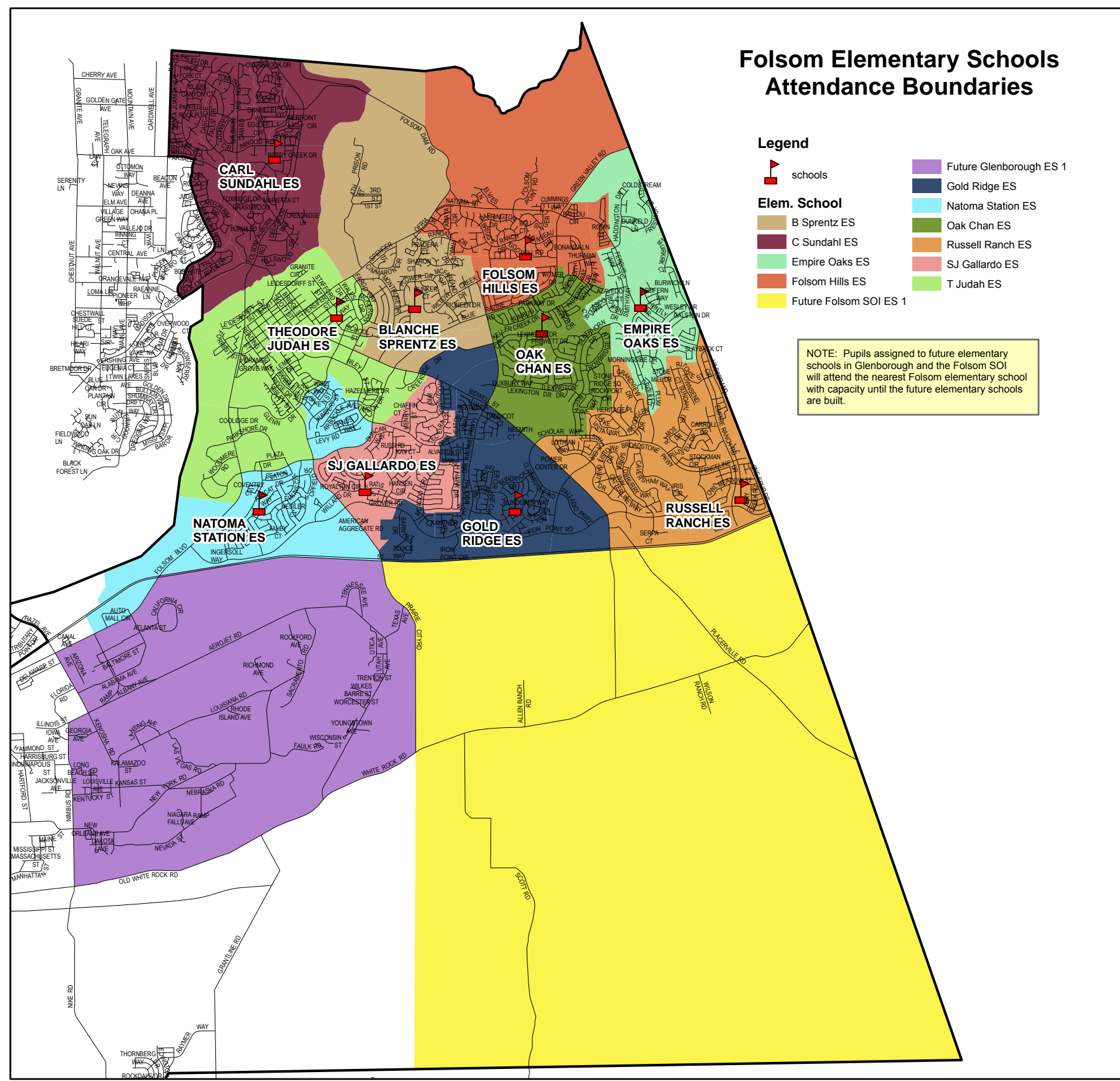
- Legend**
- schools
  - Folsom MS
  - Future Folsom SOI MS
  - Future Glenborough MS
  - Sutter MS

NOTE: Pupils assigned to future middle schools in Glenborough and the Folsom SOI will attend the closest Folsom middle school with capacity until the future school is built.

### Folsom High Schools Attendance Boundaries

- Legend**
- schools
  - Folsom HS
  - Future Folsom SOI HS
  - Future Westborough HS
  - Vista del Lago HS

NOTE: High school pupils in the Folsom SOI and Glenborough will attend the closest Folsom high school with capacity until the future school is built.



# Folsom Cordova Unified School District Folsom Area School Attendance Boundaries

For Illustrative Purposes Only  
Effective July 1, 2010

FCUSD-1

*The comment requests text changes on page 3A.14-3 of the DEIR/DEIS, including a correction to the current number of existing elementary schools, and additional text to state that additional schools would be required as new development occurs.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.14-3 of the DEIR/DEIS has been revised to reflect the current number of elementary schools (i.e., 20 rather than 21). The City and USACE understand that school capacity is continuously evaluated by FCUSD on an ongoing basis as development proceeds. The information contained on pages 3A.14-1 through 3A.14-5 is intended solely to present the affected environment on which the subsequent analysis is based, and is not intended to be used to project future growth with any degree of certainty. See also response to comment FCUSD-2.

FCUSD-2

*The comment requests that the text and tables on page 3A.14-4 of the DEIR/DEIS be deleted and replaced with a statement that students living in the SPA would attend the nearest available school, along with a statement that the FCUSD attendance boundaries are planned to be adjusted in the 2011/2012 school year.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, text has been added to page 3A.14-4 to clarify that students would attend the first available school, and to indicate that attendance boundaries are planned to be revised. However, the City/USACE do not believe it would be appropriate to delete the remaining information contained in page 3A.14-4, because it could render the DEIR/DEIS subject to claims under both CEQA and NEPA that sufficient information regarding the environmental setting was not provided to the public. The State CEQA Guidelines, Section 15125(a) requires that “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” The text in the affected environment is intended to provide the reader with sufficient information on which to base the subsequent analysis; it is not intended to commit FCUSD to serve project-generated students with one specific school versus another specific school in the future.

FCUSD-3

*The comment provides a map that is suggested to accompany proposed text edits on page 3A.14-4 of the DEIR/DEIS.*

The map provided by the commenter illustrates the location of the SPA within FCUSD-designated attendance areas for proposed future elementary, middle, and high schools, and does not provide substantial new information that would be required for the reader to understand the impact conclusions reached in the DEIR/DEIS. Therefore, no changes to the DEIR/DEIS are necessary.

FCUSD-4

*The comment requests a text insertion on page 3A.14-5 of the DEIR/DEIS, to state that five to six elementary schools may be required (instead of the proposed five), depending on the final in depth analysis of buildout estimates.*

The City believes that the analysis in the DEIR/DEIS adequately supports the currently proposed number of elementary schools for the SPA. This estimate is based on school district information presented in the FCUSD's Revised Facility Needs Assessment (2008) and FCUSD Facility Master Plan (2008). The discussion on page D-17 of the Facility Master Plan document provides an estimate that development of the Proposed Project Alternative would generate 5,823 students and require five elementary schools, one middle school, and one high school over the next 17 years.

The comment provides no additional information or substantial evidence supporting the requested text insertion to justify a revision of the number of elementary schools within the SPA to six schools. None of the project alternatives are calculated to generate an excess of 3,000 students (see pages 3A.14-24 through 3A.14-26 of the DEIR/DEIS), which is the estimated capacity of five schools (generally 600 students per school). Therefore, the requested text insertion is not necessary.

FCUSD-5

*The comment requests a text insertion on page 3A.14-5 of the EIR, to add one alternative education school in the northern portion of the SPA, near local transportation routes.*

The City believes that the analysis in the DEIR/DEIS adequately supports the currently proposed number of elementary schools for the SPA. This estimate is based on school district information presented in the FCUSD's Revised Facility Needs Assessment (2008) and FCUSD Facility Master Plan (2008). The discussion on page D-17 of the Facility Master Plan document provides an estimate that development of the Proposed Project Alternative would generate 5,823 students and require five elementary schools, one middle school, and one high school over the next 17 years.

The comment provides no additional information or substantial evidence supporting the requested text insertion to add an alternative education school in the northern portion of the SPA. However, a substantial amount of land proposed to be designated for commercial use in the northern portion of the SPA could compatibly support an alternative education school to be located in this area in the future, should evidence arise to support the construction of such a school.

FCUSD-6

*The comment requests text changes on page 3A.14-5 of the DEIR/DEIS to indicate that further review of proposed SPA school locations by FCUSD would be required in order to ensure compliance with California Department of Education (CDE) requirements.*

The text in the affected environment is intended to provide the reader with sufficient information on which to base the subsequent analysis. The City is aware that further review would be required by law in order to satisfy CDE requirements as stated on pages 3A.14-17 and 3A.14-18 (subsection 3A.14.2 "Regulatory Framework"). Therefore the City and USACE do not believe that the additional text suggested by the commenter is required.

FCUSD-7

*The comment requests additional text changes on page 3A.14-5 of the DEIR/DEIS related to percentage of funding sources, the amount of residential development fees, and the year of estimated completion for Mather High/Morrison Creek Middle School.*

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the text in the first two paragraphs following Table 3A.14-2 on page 3A.14-5 of the DEIR/DEIS has been revised to reflect the revisions suggested by the commenter.

FCUSD-8

*The comment requests that a new paragraph of text be inserted on page 3A.14-5 of the DEIR/DEIS, describing the substance of prior negotiations between the school district and some of the project applicants for additional funding options for school construction.*

The City and the project applicants have reviewed the new paragraph of text suggested by the commenter. While they agree in substance with the ideas being conveyed, they do not agree with all of the proposed language. As shown in Chapter 5, “Errata” of the FEIR/FEIS, a new paragraph has been added following the paragraph about funding and fees on page 3A.14-5 of the DEIR/DEIS regarding this issue.

FCUSD-9

*The comment requests text changes on page 3A.14-7 of the DEIR/DEIS to the date and the amount of Level II developer fees.*

As shown in Chapter 5, “Errata” of this FEIR/FEIS, the text on page 3A.14-7 of the DEIR/DEIS has been revised to reflect the commenter’s suggested revisions.

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From: Jim Kirstein [mailto:jimkirstein@earthlink.net]  
Sent: Friday, September 10, 2010 4:57 PM  
To: Gail Furness De Pardo  
Subject: South 50 DEIR

Here are the Friends of Folsom Parkways comments

Folsom SOI... The problems with the EIR

This is a collaborative effort from the Friends of Folsom Parkways to voice our concerns about the EIR for the proposed new area to be developed to the south of Highway 50 and to the north of White Rock Road called the SOI.

We are concerned with the over run of all of the potential and projected cost to develop the property that is already making the project less feasible to "pencil out". This means for the lot sales to be profitable and for the current land owners and potential developers to want to actually complete all of the planned ideas in a quality fashion may not be fiscally possible. Many of the items that should be included are not mentioned in the plan and EIR. There are other criteria, which are not being done as we understood would take place. The fear is that many of the design features in the EIR will not actually be built per plan.

There are not enough paths, which are really removed (and not just separated) from the roads and streets. There needs to be more bike, walking, and alternative motorized (golf carts or ultra-small /energy efficient engine vehicle) paths to get from housing to schools, shopping, dining, entertainment, public transportation, public facilities (parks, libraries, etc.), and places of employment. The overall design is for another urban sprawl area with outdated (before it is built) Bus Rapid Transit (BRT) and lot of major roads that dead-end, bike paths that dead-end, bike path that do not connect housing with schools, and transportation that does not connect to the existing parts of Folsom or to the light rail without being in a car on soon to be traffic packed streets. There aren't enough non- car pathways planned to be in the SOI now, but if the budget price of all the infra-structure is too high, will some or many of the planned paths be eliminated?

We are very concerned with too many roads, too many huge cloverleaf highway 50 interchanges, and too much cost, without enough concentration of housing, places of employment, eating and social venues around purposefully and strategically situated transportation hubs. These "hubs" of commerce will become the focal points for business, entertainment, and living with more space for development, and making this a unique walkable set of separated identifiable community centers.

Eliminate the proposed Oak Ave Parkway cloverleaf at Highway 50. This will save tens of millions of dollars and save many hundreds of existing trees, plus giving more space back that could be developed if there was just an over-crossing, as it is also planned for Rowberry Street. Utilize the existing tracks and add more trolley/streetcars to connect the 8-10 transportation hubs, also connection existing Folsom to the SOI part of Folsom. Busses are not a favored method of transportation as compared small ultra-light frequent rail service. Add more pedestrian/bike/alternate energy efficient crossing and/or tunnels that are less expensive and will be a cohesive connector between the "old" and "new" Folsom. Look at Europe or Japan to systems and designs that work to get more people out of their traditional cars, polluting and commuting, and into a user friendly metro-transportation-hub community where they can work, live, play design without driving. If they want to go further, the trolley/streetcar will also move them to north-Folsom, to light rail, to Sacramento, the Bay Area, or to the airport.

Build the mixed use "hubs" higher with 3-4 story buildings and with more density, so more space could be developed and more space can also be open to public use as community property, which should spread out more of the cost per living/commercial unit price.

Make Folsom something that is unique, not another exit ramp shopping area by the freeway. Push for more innovation to require more LEED structures, more energy efficiency, higher tech firms to move here, more traffic circles (round-about) to reduce stop & go traffic lights, thereby reducing noise, increase fuel efficiency, reduce maintenance, and increase traffic movement.

"The times they are a changing" and this concept is archaic, an environmental disaster as it is being planned. The design and EIR needs to be changed to improve traffic circulation, increase bike/walk/alternate small vehicle paths, to change from adding more traffic, reduce infrastructure costs by eliminating one Highway 50 cloverleaf and lots of roads by designing in combined mixed use commerce and living hubs, and doing away with BRT by changing to a fixed ultra-light trolley/streetcar system to connect our City of Folsom old and new.

Jim Kirstein

President, Friends of Folsom Parkways

1 cont.



Friends-1

*The comment expresses concern about the cost of developing the property. The comment also states that not enough paths (bike, walking, and alternative motorized vehicle) are proposed. The comment also expresses concerns about insufficient areas of concentrated housing, employment, and social development in proximity to transportation hubs. The comment suggests eliminating the proposed Oak Avenue Parkway interchange at U.S. 50. The comment further suggests adding more pedestrian/bike/alternative energy-efficient crossing[s] and/or tunnels. The comment suggests requiring more Leadership in Energy and Environmental Design structures, greater energy efficiency, more traffic circles, etc.*

See responses to comments SABA-11 and Public Hearing 1-B-1. As shown on DEIR/DEIS Exhibits 2-3 (page 2-15), 2-17 (page 2-57), and 2-19 (page 2-61), the City and USACE believe that the Proposed Project, Centralized Development, and Reduced Hillside Development alternatives contain areas of concentrated housing, employment, and social development in proximity to transportation hubs. The proposed Oak Avenue Parkway interchange at U.S. 50 is a planned Caltrans improvement that is needed with or without development of this project; therefore, it cannot be eliminated.

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**HERITAGE PRESERVATION LEAGUE of FOLSOM**  
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Folsom, CA 95763-0353

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September 10, 2010

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

Dear Ms. Furness de Pardo:

The Heritage Preservation League of Folsom congratulates the City and its numerous partners on the successful completion of the SOI Annexation Specific Plan and draft Environmental Impact Report, and thanks you for the opportunity to comment on both. This was a monumental undertaking.

Our ongoing concerns are that cultural resources in the area be not only protected and preserved, but promoted for the enlightenment and engagement of our residents, and the curiosity of visitors. Involving the residents in the heritage of a locality builds a sense of place, of ownership and stewardship, and of shared and common interests. Promoting them creates heritage tourism opportunities, and economic benefit to the City.

The common protocol for dealing with "Cultural Resources" in the planning process involves 1) identification of and assessment of impact on cultural resources prior to project approval, and 2) monitoring, preservation and/or documentation, required during project development. This usually means that a relic or remains of a site becomes an artifact and is removed to safe storage after its location has been painfully documented, or that remains of a site are destroyed after the documentation is complete. Both the documentation and the item then end up in an archive inaccessible to the public, and the history is lost to the community.

The planning for the Cultural Resources aspect of the SOI project follows the protocol described above. And while other issue areas of the Plan are integrated – roads with trails, housing units with commercial, transportation with housing, parks with housing, etc., the

1

2

3

Cultural Resources plan merely restates the protocol described above and makes no attempt to assess the impact of development or to integrate the findings with the other elements, in spite of the fact that resources of national significance have been identified.

3

Further, one of the Objectives relating to Cultural Resources states "Interpretive displays near cultural resources shall be unobtrusive," The Heritage Preservation League supports planning that actually assesses the Cultural Resources and plans for preservation in an integrated mode, one that is open to an intensity of interpretation appropriate to the significance of the Resource.

4

The League has determined that in the SOI our major focus should be on the preservation and interpretation relating to the Rhoads Diggings Mining District in the western portion of the project, and to support the continued preservation of the historical railway in the eastern section. Significant remains of the Rhoads Diggings site exist, mostly on land designated as open space. The railway exists in the public trust as a "transportation corridor" governed by a Joint Powers Authority,

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The Rhoads Diggings, taken as a whole, can be a perfect backdrop for a powerful narrative, which would include the following: 1) the Rhoads family and their involvement with the Donner party, 2) the considerable influence of the early Mormons on California gold rush history, 3) the dependence on water for gold mining, 4) the role of the Natoma Water and Mining Company in the region, and 5) the impact of early placer mining on the land and on the watersheds. Most of the remains are in the proposed open spaces just east of Prairie City Road (although some may fall into the areas designated for single family homes). The discussion of these resources can be found in the Carpenter Ranch Cultural Resources Inventory, completed by Ric Windmiller in 2006. Per this report, the unique aspects of this District are likely eligible for inclusion on the National and State Registers of Historic Places.

5 cont.

The Folsom portion of the historic Sacramento-Placerville Railroad right-of-way runs through the SOI, and is dedicated to transportation uses. As far as we can ascertain, the Specific Plan makes no note of these tracks as a Cultural Resource. Given that the specific use of these tracks has yet to be determined, whether they contribute to a local trolley line, or become a link in a commuter system, or are used for excursion rail, or all of these, the plan needs to integrate the

6 cont.

functions for people moving, for safe and facilitated crossings, and to consider establishing building setbacks along the right-of-way to mitigate potential noise.

6 cont.

In summary, we have two comments on the Draft Environmental Impact Report and the Specific Plan it evaluates:


- 1) It appears that the railroad corridor has not been evaluated as a transportation asset or as a cultural resource. Both evaluations are needed.
- 2) We have found no evidence of integrating cultural resources into planning for the project, and thus the impact evaluation is incomplete.

7

The League plans to pursue these matters over the next months and years, and looks forward to working with the various departments of the City, and with other stakeholders and affected jurisdictions in this pursuit.

8

Sincerely yours,



Loretta Hettinger  
President



HPLF-1

*The comment states a concern that cultural resources encountered in the SPA be protected, preserved, and promoted for the enlightenment and engagement of local residents and visitors.*

Management of cultural resources and mitigation of impacts to cultural resources would proceed in phases that would correlate with the phases of the project buildout of the SPA. Development of interpretive materials is specifically identified in the DEIR/DEIS as a possible method of mitigation, as the commenter suggests, when impacts on particular resources are resolved during phase-specific management (see Mitigation Measures 3A.5-1a and 3A.5-1b).

The comment indicates that the project should both preserve and promote cultural resources. Section 3A.5, "Cultural Resources," of the DEIR/DEIS identifies mitigation measures that would include consultation with concerned parties and the development of interpretive materials (see Mitigation Measures 3A.5-1a and 3A.5-1b). The PA that would govern cultural resources is incorporated by reference as mitigation for cultural resources impacts (see response to comment FSAG-129) (see Mitigation Measures 3A.5-1a and 3A.5-1b). The PA would stipulate that for properties eligible under criteria (a) through (c) (36 CFR 60.4), mitigation other than data recovery might be considered in the treatment plan (e.g., Historic American Building Survey or Historic American Engineering Record [HABS/HAER] recordation, oral history, historic markers, exhibits, interpretive brochures or publications, etc.) (see Mitigation Measures 3A.5-1a and 3A.5-1b). Where appropriate, treatment plans would include specifications (including content and number of copies) of a publication for the general public (see Mitigation Measures 3A.5-1a and 3A.5-1b). Local members of the public, such as the Heritage Preservation League of Folsom, might participate in Section 106 consultation to advocate for the promotion of cultural resources and development of interpretive materials for the public. With regards to the "promotion" of cultural resources, the City notes that such promotion is constrained by numerous Federal, state, and local laws, regulations, policies, and ordinances (including the requirements of both CEQA and NEPA) that require protection of cultural resources.

HPLF-2

*The comment states that common protocol for cultural resources might cause relics or remains of a site to be archived and become inaccessible to the public, losing the historic value to the community.*

See response to comment HPLF-1.

HPLF-3

*The comment states that "the Cultural Resources Plan" involves identification and assessment of impacts on cultural resources prior to approval, and requires monitoring, preservation and/or documentation during project development. The comment also states that the analysis of impacts in the DEIR/DEIS fails to consider impacts to cultural resources.*

It is unclear what the commenter means by "the Cultural Resources Plan"; however, the City assumes the commenter is referring generally to the proposed mitigation measures contained in DEIR/DEIS Section 3A.5, "Cultural Resources." The commenter is correct that Mitigation Measures 3A.5-1a and 3A.5-1b call for preparation of a PA as required by Section 106 of the National Historic Preservation Act, and these mitigation measures call

for monitoring, preservation, and/or documentation during project construction (among other things) as required by CEQA. DEIR/DEIS Section 3A.5 “Cultural Resources – Land,” and Section 3B.5 “Cultural Resources – Water” contain 25 pages and 10 pages, respectively, of analysis of project-related impacts to cultural resources.

*The comment also states that planning for the SPA fails to consider impacts to cultural resources and integrate these impacts with planning.*

The project has been designed to retain a minimum of 30% of the SPA as open space; this open space specifically includes the areas where the largest concentration of known cultural resources occur, in addition to high quality biological resources such as native oak trees. Furthermore, the Resource Impact Minimization Alternative was specifically designed to avoid the highest number of identified cultural resources that would be eligible for listing on the CRHR and National Register of Historic Places (NRHP) (see DEIR/DEIS pages 2-45, 3A.5-20, 3A.5-22).

HPLF-4

*The comment states that one of the specific plan objectives for cultural resources indicates that interpretive displays should be unobtrusive. The comment suggests that interpretive material should reflect the significance of the resource interpreted.*

The comment is noted. As stated in DEIR/DEIS Chapter 1, “Introduction” (pages 1-9 and -10) the analysis was conducted at a program level of detail. The nature of interpretive materials for cultural resources would be determined when specific development proposals were brought forward to the City during each specific development phase. See Master Response 10 – Programmatic Nature of EIR/EIS Analysis.

HPLF-5

*The comment states that the HPLF believes attention should be focused on preservation and interpretation of the Rhoades Diggings Mining District, and supports continued preservation of the existing railway in the eastern portion of the project. The comment provides information about the Rhoades Diggings gathered by the HPLF and further states the HPLF’s belief that this resource is likely eligible for inclusion on the NRHP.*

The comment puts emphasis on preservation of the Rhoades Diggings Mining District, and the railroad located in the eastern portion of the SPA. These resources were identified during record searches that were performed for the analysis of impacts on cultural resources. The potential for impacts on these specific resources and the contribution of these impacts to the magnitude of impacts on historic-era resources was described in Impact 3A.5-1 on page 3A.5-17 of the DEIR/DEIS.

These resources would be subject to mitigation measures 3A.5-1a and 3A.5-1b. Mitigation Measure 3A.5-1a would require that USACE implement the PA that controls identification and management of cultural resources as required under Section 106 of the NHPA (3A.5-17). Mitigation Measure 3A.4-1b would require the City and the project applicants, during particular development phases, to identify resources that might be eligible for the California Register of Historical Resources (CRHR) and to avoid impacts to eligible resources where possible (see page 3A.5-19 of the DEIR/DEIS). The comment’s suggestion regarding preservation and interpretation is consistent with the impacts and mitigation measures identified in the DEIR/DEIS.



HPLF-6

*The comment states that the historic railway site running through the SPA, which is governed by a JPA, should be preserved.*

Figure 7.14 in the FPASP (Appendix N of the DEIR/DEIS) shows the JPA's Sacramento–Placer transportation corridor as open space. The FPASP does not place any development in the corridor, with the exception of at-grade road crossings at Easton Valley Parkway and Street A. Therefore, the SPA preserves the rail corridor in its existing form and does not preclude future historical preservation activity.

HPLF-7

*The comment suggests that a portion of the Sacramento-Placerville Railroad corridor that runs through the SPA has not been evaluated as a transportation asset or as a cultural resource in the DEIR/DEIS.*

With regards to the evaluation of the railroad corridor as a transportation asset, see response to comment HRA-1.

With regards to the evaluation of the rail corridor as a cultural resource, DEIR/DEIS Section 3A.5, "Cultural Resources" describes the management framework that would be used for cultural resources that might be subject to impacts as part of project implementation. Because the SPA would be built out over a period of 15-20 years, impacts on identified cultural resources would be assessed in phases that would track with the larger development process (page 3A.5-11 of the DEIR/DEIS). Accordingly, the DEIR/DEIS provides appropriate mitigation measures and management steps that would apply to future development within the SPA. The Sacramento-Placerville Railroad corridor would be managed under this process. The PA that governs management of cultural resources (as required under Section 106 of the NHPA) provides a phased management approach and is incorporated by reference (see response to comment FSAG-129). This approach is specifically authorized in the implementing regulations for Section 106 (36 CFR Part 800.4[b][2]) and CEQA (14 CCR Section 15168 [tiering]).

HPLF-8

*The comment states that no evidence of integrating cultural resources into planning for the project is found in the DEIR/DEIS, thus the impact evaluation is incomplete. The comment states the intention of the Heritage Preservation League of Folsom to work with the City, other stakeholders, and affected jurisdictions to pursue its concerns.*

See response to comment HPLF-3, which demonstrates that cultural resources avoidance was integrated into the Proposed Project and the Resource Impact Minimization Alternatives. The City and USACE believe that the impact analyses contained in sections 3A.5 "Cultural Resources – Land," and 3B.5 "Cultural Resources – Water," respectively, are complete and no further analysis is required.

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From: Walt Seifert [mailto:bikesaba@gmail.com]  
Sent: Friday, September 10, 2010 4:30 PM  
To: gdeparado@folsom.ca.us; Gibson, Lisa M SPK  
Subject: Folsom South of U.S. 50 Specific Plan Project DEIR/DEIS

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RE: Folsom South of U.S. 50 Specific Plan Project DEIR/DEIS

Dear Ms. Furness de Pardo and Ms. Gibson:

Thank you for the opportunity to comment on the subject DEIR/DEIS. The Sacramento Area Bicycle Advocates greatly appreciates the specific plan's Circulation Objective 7.11 to provide a bicycle and pedestrian network that internally links all land uses. Providing such a network is critical to reducing the overall project's adverse impacts on air quality, traffic congestion, and community health and safety. The project will have significant and unavoidable impacts on aesthetics, air quality, greenhouse gas emissions. These impacts can and should be mitigated by additional measures to make bicycling safer, more convenient and desirable.

1

A key element of becoming a Smart Growth community must be facilitating a substantial increase in bicycling mode share for trips originating or ending in the project area. We believe the bicycling mode share should be at least 20% by 2035 for a community to be considered sustainable in the face of current conditions of air quality, greenhouse gas emissions, traffic congestion and public health. To substantially increase bicycling mode share, we must make bicycle trips safe, desirable, and convenient for a majority of our population, including children and adults across the spectrum of bicycling skill levels.

We are concerned about several ways the proposed project will "result in unsafe conditions for bicyclists or pedestrians," the threshold of impact significance. If conditions are not perceived as safe and convenient by a large part of our community, bicycling will not be an acceptable option for most people. Significant adverse impacts are the following:

2

1. The project's network of major arterial roadways (4 - 6 vehicle lanes) will create undesirable conditions and constitute dangerous barriers for crossing by bicyclists and pedestrians and for riding and turning

movements by bicyclists because of their widths (100' curb-to-curb distance where 6 lanes), traffic volumes, high vehicle speeds, noise, air pollution and lack of shade. Examples are the Easton Valley Parkway ("open space" and "urban" sections), Scott Road, Prairie City Road (north of Easton Valley Parkway), and Empire Ranch Road (north of Easton Valley Parkway). These barriers and conditions will make bicycle travel difficult and unpleasant between residential areas, shopping and employment areas, and the high school site as well as northward beyond Highway 50.

2 cont.

Mitigation Measures: A) Install traffic-calming features at bicycle crossing points along these arterials (at ¼ - ½ mile intervals in dense urban areas) to protect bicyclists and pedestrians during the long time it takes to cross the entire roadway; to decrease vehicle speeds, especially when turning; and to warn drivers visually about the possible presence of bicyclists and pedestrians. B) Designate key crossing points along these arterials with way-finding signage for bicyclists between high-density residential areas and destinations such as commercial areas, employment centers, parks, schools, and other public facilities. C) Design a denser network of roadways with less reliance of major arterials to carry traffic.

3

2. The project's four freeway interchanges at Highway 50 will likely result in dangerous conditions for bicyclists, even if Class II bicycle lanes are installed. Interchanges are hazardous and intimidating to cyclists because of trap lanes, high vehicle speeds and compromised driver visibility and focus on exit and entrance ramps. These hazards will exclude all but a few bicycle riders from accessing jobs, shopping or other features on the opposite side of Highway 50.

4

Mitigation Measures: A) Construct additional Highway 50 crossings for bicyclists separate from the freeway interchanges, either as Class I under- or over-crossings or as Class II lanes along non-interchange roadway crossings. These crossings should be placed at not more than ½ mile intervals where dense residential, commercial, or employment areas exist on both sides of Highway 50 (i.e. near Prairie City Road, west of Scott Road, and near Empire Ranch Road). B) Design and build bicycle and pedestrian-friendly interchanges with low-speed, signalized, "squared-off" on and off ramps.

5

The DEIR has several important omissions. The DEIR does not state measures of effectiveness for bicycle circulation or undertake the performance and safety analysis as called for in CEQA guidelines adopted in December 2009, and which took effect March 18, 2010. Instead the thresholds of significance for bicycle, pedestrian and transit circulation impacts are based on CEQA guidelines that have been replaced.

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The relevant current CEQA guidelines are:

Appendix G.

XVI. TRANSPORTATION/TRAFFIC – Would the project:

9

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?

9 cont.

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

The DEIR must include bicycle circulation performance and safety analysis.

In addition, CEQA Guidelines state, "Potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project." We did not find consideration of energy implications in the DEIR.

10

In addition to the bicycle-related mitigation measures we cited above there are many more that could be applied. These include, but are not limited to, creation of Bicycle Boulevards, provision of long and short term bicycle parking, provision of showers and clothing lockers at workplaces, narrow streets, short block lengths, gridded street system, low traffic design speeds, etc. We request you include additional bicycle-related mitigation measures for the projects many significant and unavoidable impacts. We'd be happy to advise on other measures.

11

SABA is an award-winning nonprofit organization with more than 1400 members. We represent bicyclists. Our aim is more and safer trips by bike. We are working for a future in which bicycling for everyday transportation is common because it is safe, convenient, and desirable. Bicycling is the healthiest, cleanest, cheapest, quietest, most energy efficient, and least congesting form of transportation.

12

Thank you for considering our comments.

Yours truly,

Jordan Lang  
Project Assistant

Walt Seifert  
Executive Director  
Sacramento Area Bicycle Advocates (SABA)  
(916) 444-6600

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[www.sacbike.org](http://www.sacbike.org) <<http://www.sacbike.org>> "SABA represents bicyclists. Our aim is more and safer trips by bike."



SABA-1

*The comment states that the significant and unavoidable impacts to aesthetics, air quality, and GHG emissions can and should be mitigated by additional measures to make bicycling safer, more convenient, and desirable. The comment further states that a key element of becoming a Smart Growth community must be facilitating a substantial increase in bicycling mode share for trips originating or ending in the SPA.*

The DEIR/DEIS indicates that significant and unavoidable impacts to aesthetics (Section 3A.1), air quality (Section 3A.2), and GHG emissions (Section 3A.4) would occur. The commenter suggests that additional measures should be added to the DEIR/DEIS for these significant and unavoidable issue areas in order to “make bicycling safer, more convenient, and desirable.” However, the commenter does not specify what types of additional measures should be added, nor does the commenter demonstrate how additional mitigation measures for aesthetics, air quality, and GHGs would, in fact, make bicycling safer, more convenient, and desirable. The SPA includes a substantial bicycle and pedestrian network, as discussed in detail in the FPASP, Section 7 (attached as Appendix N to the DEIR/DEIS) and shown on Exhibit 2-10 (page 2-39) of the DEIR/DEIS.

SABA-2

*The comment states that the project’s arterial roadways will create undesirable and dangerous conditions for cyclists because of their width, traffic volumes, high vehicle speeds, noise, air pollution, and lack of shade. The comment also states that these conditions will make cycling difficult and unpleasant within the SPA and in the project vicinity.*

The commenter has not described any specific arterial roadways that would create potential traffic, noise, air pollution impacts and lack of shade, nor explained how or whether these potential impacts would be significant. The proposed transportation system for the SPA (see FPASP, Appendix N of the DEIR/DEIS) was designed to balance the needs for all transportation modes based on “complete streets” planning. To the extent feasible, the width of arterial streets was kept to a minimum by limiting the width and number of through lanes, while still providing sufficient capacity to meet the plan’s LOS and air quality goals. In addition, the FPASP would require “that streets and intersections be designed with all transportation modes in mind, and that the road widths, delays, and safety impacts to pedestrians and bicycles make larger roadways and intersections incompatible with this philosophy.” Coupled with the limited reduction in vehicular delay that such improvements would provide, the City has determined that the benefits of excessively wide roadways and intersections do not outweigh the impacts to the community, especially since narrower lanes would effectively reduce vehicular speed and thus create a safer environment for pedestrians and bicyclists. Since noise levels increase as vehicle speeds increase, narrower streets would also correlate to less noise because vehicles would not be able to travel as fast. Therefore, ‘normally accepted maximum’ improvements on arterial roadways include three through-lanes in each direction; and at intersections, they include two left-turn lanes, three through-lanes, and one right-turn lane on an approach. (See pages 3A.15-22 through 3A.15-23 of the DEIR/DEIS.) Arterial streets would be designed with 5-foot-wide Class II bike lanes, which provides sufficient width for safe bicycle travel. (See FPASP Figures 7.3 and 7.4.) Additionally, the on-street network is supported by an extensive off-street bicycle lane and trail system, which improves further bicyclist safety and efficiency (see FPASP, Section 7.9, “Bike Lane and

Class 1 Trail Exhibit”). See also responses to comments SABA-3 through SABA-5, and SABA-11.

SABA-3

*The comment suggests the following measures to address the concerns expressed in comment SABA-2: (1) install traffic calming features at bicycle crossing points; and (2) install bicycle-specific signage; or (3) design a denser network of roadways with less reliance on major arterials.*

Policy 7.13 of the FPASP (page 7-55), addressing circulation, requires that “Pedestrian and bicycle facilities shall be designed in accordance with City design standards, including the latest version of the Bikeway Master Plan, the FPASP, and the FPASP Community Design Guidelines” (page 7-55 of the FPASP, attached as Appendix N to DEIR/DEIS.) Traffic calming measures, signage, and overall design would all be further considered and addressed at the project-specific level, consistent with the FPASP policies, and in accordance with the City’s design standards and the Bikeway Master Plan.

The use of traffic calming features, including intersection and mid-block bulb-outs, special pavement markings and textured paving, and roundabouts/traffic circles are a component of the FPASP and would be further considered for implementation, along with bicycle signage, at the project level. Bicycle trail crossings are designed on a case-by-case basis depending on the trail crossing location, traffic volumes and speeds, and funding sources. Other examples of bicycle crossing treatments used in the City of Folsom include curb extensions, median refuge islands, and mid-block traffic signals. As previously indicated, the specific trail crossing treatment would be selected during project-level environmental clearance. The “Bike Lane and Class 1 Trail Exhibit” (pages 7-59 of the FPASP, attached as Appendix N to the DEIR/DEIS) also illustrates planned grade-separated crossing of roadways at various points, thus improving vehicle and bicycle circulation and safety.

Bicycle-specific signage would be incorporated into roadway and trail design consistent with the policies and guidelines contained in the most current version of the California Manual of Uniform Traffic Control Devices.

The FPASP includes a dense network of streets where feasible, particularly near the Scott Road corridor (see Figure 7.1 “Conceptual Circulation Diagram” on page 7-3). The remainder of the SPA includes several topographic constraints that preclude dense street networks, such as the large oak woodland around Oak Avenue Parkway, the hillside extending eastward from Placerville Road to the County line, and a network of creeks and power line corridors. The Circulation Element and the “Bike Lane and Class 1 Trail Exhibit” contained in the FPASP strike a balance between on-street and off-street bicycle networks, providing for sufficient bike trails. The commenter sets forth the conclusion that the this network is insufficient, but does not provides facts to support the conclusion. Bicycle circulation is adequately addressed in the DEIR/DEIS and further environmental analysis is not required at this time.

SABA-4

*The comment states that the four U.S. 50 interchanges likely would result in dangerous conditions for bicyclists, even if Class II bike lanes were installed, because of trap lanes, high vehicle speeds, and compromised driver visibility.*

The project provides bicyclists an additional route to cross U.S. 50 because the SPA would include crossings of U.S. 50 at the Rowberry Drive overcrossing west of Scott Road and Placerville Road east of Scott Road. (See Figure 7.17 on page 7-34 of the



FPASP [depicting the cross section of Rowberry Drive and its overcrossing of U.S. 50]; see also Figure 7.1 on page 7-3 [“Conceptual Circulation Diagram”]; and page 7-59 [“Bike Lane & Class I Trail Exhibit”].) The Rowberry Drive overcrossing would provide highway overcrossing without highway access to U.S. 50 and would include Class II bike lanes. Further, the EIR implements City General Plan policy 17.13 by incorporating bikeways and lanes into the FPASP (see page 3A.15-27 of the DEIR/DEIS.) Additionally, bicyclists could travel from the area south of U.S. 50 to the area north of U.S. 50 near the Folsom Boulevard interchange by travelling under U.S. 50 and connecting to the Lake Natoma Bike trail.

SABA-5

*The comment proposes two new mitigation measures: (1) construction of additional, separate U.S. 50 crossings designed specifically for bicycles; and (2) construction of interchanges with low speed, signalized, “squared off” on and off ramps.*

The design and construction of additional, separate, crossings over U.S. 50 exclusively for bicycles is economically infeasible because there is not sufficient bicycle volume to support such use and the construction of such proposed improvements is extremely expensive. However, the new interchanges at Oak Avenue Parkway and Empire Ranch Road would be designed and built according to modern bicycle and pedestrian-friendly designs, with low-speed turning movements, signalized intersection control, and on- and off-ramps “squared-off” to the local street (see City General Plan Policy 17.10, and pages 3A.15-21 through 3A.15-23 of the DEIR/DEIS). See also response to comment SABA-3 (explaining that the project features would be built in conformance with the City’s design guidelines and Bikeway Master Plan).

SABA-6 through  
SABA-7

*The comment states that the DEIR/DEIS contains omissions concerning bicycle circulation analyses, including a lack of measures of effectiveness for bicycle circulation or undertake the performance or safety analyses pursuant to the State CEQA Guidelines amendments that were adopted in 2009 and took effect March 18, 2010.*

The cited amendments (effective March 18, 2010) do not require the preparation of bicycle performance or safety analyses. The guidelines provide that the lead agency is to assess whether the project would conflict with any applicable circulation plan or any adopted policy, plan, or program regarding public transit, bicycle, or pedestrian facilities. No such conflict in any adopted plan, policy, or program has been identified by the City, and the comment does not identify a conflict with any such adopted plan, program, or policy. In compliance with the State CEQA Guidelines (both pre- and post-March 18, 2010), the DEIR/DEIS analyzes transportation and traffic impacts, including bicycle facilities. The discussion on page 3A.15-27 of the DEIR/DEIS sets forth the standards of significance for bicycle, pedestrian, and transit facilities for the project. Impacts are considered to be significant if implementation of the project would do any of the following: eliminate or adversely affect an existing bikeway, pedestrian facility, or transit facility in a way that would discourage its use; interfere with the implementation of a planned bikeway, planned pedestrian facility, or be in conflict with any future transit facility; result in unsafe conditions for bicyclists or pedestrians, including unsafe bicycle/pedestrian, bicycle/motor vehicle, pedestrian/motor vehicle, transit/bicycle, transit/pedestrian, or transit/motor vehicle conflict; or result in demands to transit facilities greater than available capacity.

As discussed on page 3A.15-27 of the DEIR/DEIS, the project would implement City General Plan policy 17.13 by incorporating bikeways and lanes into the project. See FPASP (Appendix N to the DEIR/DEIS) Section 7.9 (identifying the sidewalk, trail, and

bikeway network for the project). The DEIR/DEIS, therefore, concludes that the project would have a less-than-significant impact on pedestrian, bicycle, and transit facilities, and thus analyzes the performance and safety of these facilities. Additionally, Mitigation Measures 3A.15-2a and 3A.15-2b on pages 3A.15-78 and 3A.15-79 of the DEIR/DEIS provide that the project applicants would develop and implement alternative transportation modes (pedestrian and bicycle) in specific future development projects within the SPA and develop and implement safe and secure bicycle parking at schools and commercial centers to promote alternative transportation. Therefore, no further environmental analysis is necessary. See also response to comment Tsakopoulos-2-151.

SABA-8

*The comment states that the thresholds of significance for bicycle, pedestrian, and transit circulation impacts analyzed in the DEIR/DEIS are based on the State CEQA Guidelines that have been replaced.*

The DEIR/DEIS analyzes the project's bicycle circulation impacts as required by CEQA and the State CEQA Guidelines. See response to comment SABA-7.

SABA-9

*The comment cites subdivisions (a) and (f) of the Transportation/Traffic portion of Appendix G of the State CEQA Guidelines and states that the DEIR/DEIS must include a bicycle performance and safety analysis.*

The DEIR/DEIS analyzes bicycle performance and safety as required by CEQA and the State CEQA Guidelines. See responses to comments SABA-7 and SABA-8. The DEIR/DEIS analyzes the project and alternatives and concludes that the project would not conflict with the City General Plan, an ordinance, or other policy establishing measures or effectiveness for circulation. The discussion on page 3A.15-27 of the DEIR/DEIS states: "The Specific Plan implements General Plan policy 17.13 by incorporating bikeways and lanes. Because the proposed specific plan is consistent with the City's General Plan, the project is expected to have less-than-significant impacts on pedestrian, bicycle, and transit facilities." Because the project complies with the City's General Plan, it would not create a significant impact to bicycle circulation under the significance threshold identified in the DEIR/DEIS or the State CEQA Guidelines cited in the comment.

Additionally, the DEIR/DEIS analyzes impacts on circulation, taking into account all modes of transportation, including pedestrians and bicycle access (e.g., see the discussion on pages 3A.15-51 and 3A.15-102 of the DEIR/DEIS: "Complete Streets principles require that streets and intersections be designed with all transportation modes in mind, and that the road widths, delays, and safety impacts to pedestrians and bicycles make larger roadways and intersections incompatible with this philosophy.").

On page 3A.15-120 of the DEIR/DEIS, the discussion also analyzes the project using the U.S. 50 Corridor System Management Plan (CSMP) and the SR 16 Transportation Concept Report, which are standards developed by Caltrans. The CSMP "outlines a foundation to support the partnership based, integrated corridor management of all travel modes (transit, cars, trucks, bicycles) and infrastructure (rail tracks, roads, highways, information systems, bike routes), to provide mobility in the most efficient and effective manner possible."

There are no existing bicycle or pedestrian facilities in the project vicinity; thus, the discussion on page 3A.15-8 of the DEIR/DEIS states that the project would not "decrease the performance or safety of such facilities." Nevertheless, to comply with these plans, Mitigation Measure 3A.15-2a on page 3A.15-78 of the DEIR/DEIS provides in pertinent

part, “Pedestrian and bicycle facilities shall be implemented to the satisfaction of the City Public Works Department. To further minimize impacts from the increased demand on area roadways and intersections, the project applicant(s) for all project phases shall develop and implement safe and secure bicycle parking at schools and commercial centers to promote alternative transportation uses and reduce the volume of single-occupancy vehicles using area roadways and intersections.”

SABA-10

*The comment states that a discussion of potentially significant energy implications of the project are not found in the DEIR/DEIS.*

The discussion of energy implications of the project are included in Impact 3A.16-12, beginning on page 3A.16-41 of the DEIR/DEIS.

SABA-11

*The comment lists several specific bicycle-related improvements (i.e, creation of bicycle boulevards, narrow streets, short block lengths, a gridded street system, low traffic design speeds, provision of long- and short-term bicycle parking, and provision of shower and clothing lockers at work places) and requests that the DEIR/DEIS list said improvements as mitigation measures.*

The measures listed in the comment are project-level improvements and would be considered as conditions to approval of specific projects. The DEIR/DEIS is a program-level document and is not required to provide project-level mitigation (see Master Response 10 – Programmatic Nature of EIR/EIS Analysis). Nonetheless, Mitigation Measure 3A.15-2a requires the applicant to implement pedestrian and bicycle facilities and implement safe and secure bicycle parking at schools and commercial centers to promote alternative transportation uses (see page 3A.15-78 of the DEIR/DEIS). Additionally, City General Plan Policy 17.10 requires “pedestrian/bicycle over- and under-crossings [to be] provided when necessary to cross arterial roads or expressways.” (see page 3A.15-22 of the DEIR/DEIS). The roadway cross-sections in Section 3A.15, “Traffic and Transportation” of the DEIR/DEIS demonstrate narrower-than-normal vehicle lanes widths on all streets, which was designed to limit road width and promote lower speeds. See also response to comment SABA-3, explaining that specific features would be in conformance with the City’s design standards at the project level. Additionally, Section 7.9.4 of the FPASP (Appendix N to the DEIR/DEIS) provides for short-term and long-term bicycle parking, and provides three types of bicycle facilities: (1) bicycle lockers; (2) a locked room with access limited to cyclist only; and (3) a standard bicycle rack in a location that would be monitored. See also responses to comments SABA-2 through SABA-5 discussing the circulation element, street improvement designs, and the FPASP’s Bike Lane and Class 1 Trail system.

*The comment also requests that bicycle-related improvements be provided for significant and unavoidable impacts.*

The commenter does not specify what additional mitigation measures should be added, nor does he specify which significant and unavoidable impacts should have additional mitigation measures. Appropriate mitigation measures, where feasible, have already been incorporated to the maximum extent practical for the significant impacts identified in the DEIR/DEIS. See also responses to comments SABA-2 through SABA-5.

SABA-12

*The comment discusses the goals of the Sacramento Area Bicycle Advocates (SABA).*

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

additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.



September 10, 2010

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

**RE: Draft Environmental Impact Report/Environmental Impact Statement for the Folsom South of U.S. Highway 50 Specific Plan Project  
SMAQMD # sac200500886**

Dear Ms. Furness De Pardo:

Thank you for the opportunity to comment on the Draft EIR/EIS for Folsom South of U.S. 50 Specific Plan Project (SPP-DEIR). Staff comments are as follows:

- 1. The District endorses the *Folsom South of 50 Specific Plan Project DEIR/DEIS Air Quality Mitigation Plan (AQMP)*, located in Appendix C2. The District anticipates that implementation of the mitigation measures described in the plan will lead to a 43.28 percent or greater reduction in the operational air quality impacts associated with individual projects located within the plan area. This AQMP is consistent with the District's *Recommended Guidance for Land Use Emission Reductions (Recommended Guidance)*. 1
- 2. The District notes that the specific plan tentatively allocates several large parcels for educational uses. The District acknowledges that the size and location of these sites reflect complicated federal, state, and local requirements that govern the selection of school sites and construction of new facilities. We recommend that the new school sites be centrally located and feature a compact, new-urban design to encourage walking, bicycling, and other non motorized modes of transportation. 2
- 3. The District supports the plan to develop a Bus Rapid Transit (BRT) corridor along Easton Valley Parkway. The District encourages the City to work with County of Sacramento to ensure that there is an exclusive right-of-way for BRT along the entire length of Easton Valley Parkway, both within the South of 50 Specific Plan area and the portion of the parkway that runs through the Easton Planning Area to the West of the project. Proximity to transit is associated with reduced vehicle 3

trips and improved access to social, medical, employment-related, and recreational activities.<sup>1</sup>

3 cont.

4. The document analyzes the project alternatives for their construction and operational GHG emissions in section 3A.4, Climate Change. The operational emissions for the various alternatives range from 236,895 MTCO<sub>2</sub>e/year to 330,696 MTCO<sub>2</sub>e/year. The document also provides a well-reasoned efficiency benchmark which serves as a threshold of significance for operational emissions. Using California inventory numbers, the analysis identifies 4.4 MTCO<sub>2</sub>e/SP as a "GHG Efficiency Benchmark". This number is very close to the GHG threshold of significance efficiency metric recently adopted by the Bay Area Air Quality Management District Board, 4.6 MTCO<sub>2</sub>e/SP. Furthermore, the document translates each project alternative's annual GHG emissions into a Service Population metric. The performance of each alternative clearly exceeds the document's benchmark. The alternatives perform from 7.8 MTCO<sub>2</sub>e/SP to 8.9 MTCO<sub>2</sub>e/SP.

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Following this analysis and benchmarking, we would expect that there be a clear statement that the operational GHG emissions are cumulatively considerable for all alternatives, and that all feasible mitigation would be required to bring emissions level with, or below, the efficiency benchmark. The document does state that the operational emissions from the project result in a cumulatively considerable impact in its impact statement 3A.4-2 (pg 3A.4-23); however, It reads as follows:

*"Because the total GHG emissions associated with project operations under the Proposed Project and other four action alternatives would be considered substantial, and due to the uncertainty about whether the future regulations developed through implementation of AB 32 and Executive Order S-3-05 would cause operational emissions to be 30% lower than business-as-usual emission levels or achieve the CO<sub>2</sub>e/SP/year goals for the years 2020 or 2030, the Proposed Project, Resource Impact Minimization, Centralized Development, Reduced Hillside Development, and No USACE Permit Alternatives would result in a cumulatively considerable contribution to a **significant** cumulative impact related to long-term operational generation of GHGs. **[According to the annual CO<sub>2</sub>e/SP metric for the year 2030 presented in Table 3A.4-1, the extent of this impact for the Resource Impact Minimization, Centralized Development, Reduced Hillside Development, and No USACE Permit Alternatives would be greater than that for the Proposed Project Alternative. The Reduced Hillside Development Alternative's annual CO<sub>2</sub>e/SP would be equal to that of the Proposed Project Alternative.]"***

7

The above paragraph is confusing in that the first sentence is very long and hard to follow; and the concluding sentences, curiously in bold and italics with brackets; do not add much information. Furthermore, the paragraph does not clearly convey that GHG emissions are significant. Since one of CEQA's goals is

<sup>1</sup> Ewing R, Frank L, Kreutzer R. Understanding the Relationship between Public Health and the Built Environment: A Report to the LEED-ND Core Committee. 2006.

to provide clear information for decision makers, we suggest this paragraph be revised to clearly restate that the project's emissions are indeed cumulatively considerable and the mitigation measures listed will be applied.

7 cont.

We also suggest that the requirement to implement Mitigation Measure 3.A2.2 (pg 3A.4-26) be discussed in more detail as "Mitigation Measure: Implement Mitigation Measure 3A2.2." does not provide clarity or information. The uninformed reader of the document may not remember what Mitigation Measure 3A2.2 is, or he or she may read only the Climate Change section and not the Air Quality section. He or she may also not know that measures committed to in the project's Air Quality Mitigation Plan (AQMP) for criteria pollutants will have a co-benefit of reducing the project's GHG emissions.

8

The AQMP is a robust one and should be discussed and analyzed for its ability to reduce GHG. Some estimate should be made as to how much GHG will be reduced through the implementation of the measures; a determination should be made as to how the project's alternatives would "measure up" to the GHG efficiency benchmark if the AQMP were implemented. Then, a statement as to significance of the mitigated project alternatives could be made, allowing the transition to Mitigation Measure 3A.4-2a to be more understandable.

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- 5. Construction projects are subject to all applicable District rules that may be in affect at the time of construction. For further details on all District rules please check the District website at [www.airquality.org](http://www.airquality.org) or call the Compliance Assistance Hotline at (916)874-4884.

11

Please contact me with any questions regarding these comments at (916) 874-2694 or at [jhurley@airquality.org](mailto:jhurley@airquality.org).

Sincerely,



Joseph James Hurley  
Assistant Air Quality Analyst

c: Larry Robinson, SMAQMD





SMAQMD-1

*The comment states that the District endorses the AQMP and anticipates that implementation of the mitigation measures described in the plan will lead to a 43.28% or greater reduction in the operational air quality impacts associated with individual projects within the plan area. The comment further states that the AQMP is consistent with the District's recommended guidance for land use emission reductions.*

The commenter repeats information that is contained in Section 3.2, "Air Quality" of the DEIR/DEIS; the comment is noted.

SMAQMD-2

*The comment states that SMAQMD notes several large parcels tentatively allocated for educational uses. The comment suggests that the new school sites be centrally located and feature a compact, new-urban design to encourage non-motorized modes of transportation.*

The City notes that this comment does not pertain to the environmental analysis contained in the DEIR/DEIS and therefore the City has no obligation to respond to this comment (State CEQA Guidelines, CCR Section 15088[c]). Nevertheless, responses to specific comments are provided as follows. The new school sites are centrally localized in relationship to the student body they would serve. The ultimate site and design plans for schools would be developed in coordination with the FCUSD and in compliance with all applicable laws and regulations.

SMAQMD-3

*The comment expresses support for the plan to develop a Bus Rapid Transit (BRT) corridor along Easton Valley Parkway. The comment encourages the City to work with Sacramento County to ensure that an exclusive right-of-way for BRT runs along the entire length of Easton Valley Parkway. The comment states that proximity to transit is associated with reduced vehicle trips and improved access to social, medical, employment-related, and recreational activities.*

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

SMAQMD-4

*The comment states that construction and operational GHG emissions were analyzed in Section 3A.4, "Climate Change" of the DEIR/DEIS, and that a well-reasoned efficiency benchmark was provided in the document to serve as a threshold of significance for operational emissions.*

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

- SMAQMD-5 *The comment states that the efficiency benchmark of 4.4 metric tons of carbon dioxide equivalent per service population (MT CO<sub>2</sub>e/SP) is similar to that adopted by the BAAQMD Board, which was 4.6 MT CO<sub>2</sub>e/SP.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- SMAQMD-6 *The comment states that the GHG performance of each alternative (ranging between 7.8 and 8.9 MT CO<sub>2</sub>e/SP) clearly exceeds the DEIR/DEIS benchmark of 4.4 MT CO<sub>2</sub>e/SP.*
- The comment does not raise specific questions or information regarding the adequacy of the environmental analysis provided in the DEIR/DEIS. The comment does not specify additional information needed or particular insufficiencies in the DEIR/DEIS. The comment is noted.
- SMAQMD-7 *The comment states that the paragraph (under Impact 3A.4-2 on page 3A.4-23 of the DEIR/DEIS) describing the cumulatively considerable contribution to a significant cumulative impact (long-term operational GHGs) of the project and alternatives is confusing. The comment suggests that the significance of the GHG emissions should be more clearly stated to say that the project's emissions are indeed cumulatively considerable and the mitigation measures listed will be applied.*
- The commenter refers to the third paragraph on page 3A.4-26 of the DEIR/DEIS, which presents the significance conclusion *before mitigation*. The text states that the project, "...would result in a cumulatively considerable contribution to a significant cumulative impact related to long-term operational generation of GHGs." Recommended mitigation measures are then presented, followed by the significance conclusion *after mitigation* on page 3A.4-30 (the project's, "...incremental contribution to long-term operational GHG emissions is cumulatively considerable and significant and unavoidable"). This is the format followed throughout the DEIR/DEIS for presentation of the analysis of impacts, significance conclusion before mitigation, mitigation measures (if any), and significance conclusion after mitigation. No revisions to the DEIR/DEIS are required.
- SMAQMD-8 *The comment suggests that the DEIR/DEIS should provide a better description of Mitigation Measure 3A.2-2, where it is referenced on page 3A.4-26, clarifying that AQMP measures would have GHG reduction co-benefits.*
- The commenter's suggested change relates to the format of the DEIR/DEIS and the way in which mitigation measures from one section of the DEIR/DEIS are referred to in other sections of the DEIR/DEIS. Since the mitigation measure numbers are clearly stated throughout the document, the City and USACE do not believe that the commenter's suggested change is necessary.
- SMAQMD-9 *The comment suggests that GHG reductions from the AQMP should be estimated, and each alternative should be separately analyzed to see how much the AQMP reductions would help to achieve the GHG benchmark.*
- The environmental baseline upon which the DEIR/DEIS analysis is based is the date that the NOP was published: September 12, 2008. The commenter refers to knowledge and resources that are now available at the present time; however, those resources were not available during preparation of the DEIR/DEIS, and additionally, no direction or

guidance to quantify GHG reductions within the AQMP (designed to limit emissions of ozone precursors, which also leads to desirable GHG reduction co-benefits) existed at the time the DEIR/DEIS was prepared.

SMAQMD-10

*The comment states that a statement of significance for each mitigated project alternative could be made in the DEIR/DEIS, allowing a more understandable transition to Mitigation Measure 3A.4-2a.*

See responses to comments SMAQMD-8 and SMAQMD-9.

SMAQMD-11

*The comment states that construction projects are subject to all applicable Sacramento Metropolitan Air Quality Management District rules in place at the time of construction and provides contact and resource information.*

The commenter restates information that is contained on page 3A.2-11 of the DEIR/DEIS; the comment is noted.

This page intentionally left blank.

9-10-10

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

Subject: Comments to the City of Folsom's Draft EIR for the Folsom South of U.S.  
Highway 50 Specific Plan Project

Dear Ms. Furness de Pardo:

The Sacramento Municipal Utility District (SMUD) has reviewed the above document and has the following comments.

SMUD's policy is to safely provide reliable electrical service and to extend its electrical facilities to serve all customers within the District's service area. SMUD has the lead agency responsibilities for all electric system improvements.

1

Distribution facilities will be installed to serve this project. The installation of the facilities specific to this development should be considered part of this project. Approval of this project should also be considered as approval of any required facilities.

This project and anticipated development in the area will result in a total substation load that exceeds the capacity available. Increased capacity will be eventually required to provide backup to this project.

The developer should consult with SMUD through the planning, development, and completion of this project. Katarina Miletijev is the coordinator for this area. She may be reached at (916) 732-6135. The developer should maintain this contact so that the required facilities and easements will be developed in a coordinated manner. Construction of SMUD facilities and easements must be coordinated during each phase of the development.

2

As a mitigating feature for this project, and to expedite the provision of electrical facilities in a timely, efficient, and cost-effective manner, the developer must dedicate the necessary public utility easements or grant to SMUD all necessary easements.

3



**SMUD**

SACRAMENTO MUNICIPAL UTILITY DISTRICT  
The Power To Do More.®

SMUD-2

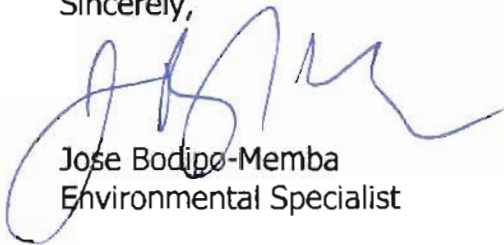
P.O. Box 15830, Sacramento, CA 95852-1830; 1-888-742-SMUD (7683)

Please ensure that the information we have provided in this response is conveyed to any project proponents not listed below, and to the City Policy Planners for the area.

4

We appreciate the opportunity to comment on the Draft Environmental Impact Report/ Environmental Impact Study. If you have any questions regarding this letter, please feel free to contact me at (916) 732-6493.

Sincerely,



Jose Bodipo-Memba  
Environmental Specialist

Attachments (1)

cc: Francine Dunn, Principal  
AECOM  
2020 L Street Suite 400  
Sacramento, CA 95811

Lisa Gibson  
U.S. Army Corps of Engineers  
1325 J Street, Room 1480  
Sacramento, CA 95814

Michael R. Finnegan  
Bureau of Reclamation  
7794 Folsom Dam Road  
Folsom, CA 95630

SACRAMENTO MUNICIPAL UTILITY DISTRICT  
COMMENT MEMORANDUM

SMUD-2

**To:** City of Folsom  
**From:** Jose Bodipo-Memba

**Date:** September 9, 2010

**Subject:** Folsom South of U.S. Hwy 50 Specific Plan Project DEIR/DEIS

Below are SMUD’s comments in response to the Folsom South of U.S. Hwy 50 Specific Plan DEIR/DEIS. The text indicated in *italics* is recommended language necessary for inclusion in the Final EIR/EIS document.

Section	Page	Comment	
ES Executive Summary	ES-2	In the bulleted list following the third paragraph, which discusses other approval actions, please include the Sacramento Municipal Utility District as an approval agency	5
Introduction and Statement of Purpose and Need	ES-3		
	1-13	In the third bulleted list at the end of the page which discusses regional and local responsible agencies, please include the Sacramento Municipal Utility District.	6
2 Alternatives	1-28	The seventh line from the bottom, please replace the word “Utilities” with the word “Utility”.	7
	2-5	Heading 2.3.1 should be revised to say “Proposed Project Alternative”.	8
	2-14 Table 2-1	In Table 2-1, some of the values under the heading “Total Acres” do not match the “Proposed Project Alternative Acres” values in Tables 2-4 and 2-5 (p. 2-45), Tables 2-6 and 2-7 (p. 2-46), Table 2-8 (p. 2-55), Table 2-9 (p. 2-56), Tables 2-10 and 2-11 (p. 2-65) which cite a different source.  Different values yield different estimated demands.	9
	2-26 Last ¶	Please edit the sentence shown below under the heading “Electricity.” The text indicated in italics needs to be added to the document:  <i>“All electrical lines under 69 kilovolts (kV) <del>would</del> will be routed underground within a public utility easement outside the rights-of-way of streets in the SPA. All electrical lines equal to 69 kilovolts (kV) will be routed overhead in an easement outside the rights-of-way of streets in the SPA.”</i>	10
	2-33 1 <sup>st</sup> ¶	Please add the sentence shown below in italics after the sentence ending “...north of Easton Valley Parkway.”  <i>“The number of electric substations and the aforementioned locations are based on preliminary information provided to SMUD and are subject to change if the electrical demands and/or land uses are</i>	11

		<i>revised.</i>	11 cont.
2 Alternatives	2-33 1 <sup>st</sup> ¶	Please add the sentence shown below in italics after the sentence ending "...extensions of existing 69-kV overhead lines."  <i>At minimum, new 69-kV overhead lines will be required along White Rock Rd from Prairie City Rd to Placerville Rd and along Placerville Rd from White Rock Rd to Hwy 50. Additional overhead 69-kV routes will be required based upon the locations of the distribution substation sites.</i>	12
	2-45 Table 2-5	In Table 2-5 the values under the heading "Proposed Project Alternative Acres" do not match the values under the same heading in Tables 2-7 (p. 2-46), 2-9 (p. 2-56), and 2-11 (p. 2-65) which all cite the <u>same</u> source.	13
3A.10 Land Use and Agricultural Resources	3A.10-35	Following the sixth paragraph, there should be a discussion of the project and the project alternative's energy needs, while detailing what mechanisms are in place to ensure that adequate energy service is provided to the project.	14
	3A.10-48	Under the heading of Growth Inducement, while no direct growth inducement impacts would occur, please note that the indirect growth induce impacts could occur due to infrastructure improvements associated with the General Plan Amendment.	15
3A.13-4 Population, Employment, and Housing	3A.13-9	Please clarify where the 2.92 persons (SF) and 1.94 persons (MF) per dwelling unit were generated from. Page 3A.13.4 provides different assumptions for existing and future years (see paragraph 3 on page 3A.13.4). This discrepancy could have an impact on the overall projections information for the project.	16
3A.16 Utilities and Service Systems – Land	3A.16-5 Last ¶ above bullet item	Below is an excerpt from the document. The text should be revised as indicated in italics below:  <i>"Listed below are the other electrical sub- transmission and distribution lines in the vicinity of the SPA ....)</i>	17
	3A.16-5 & 3A.16-6	The four bullet items beginning at the bottom of 3A.16-5 and ending at the top of 3A.16-6 makes reference to 69-kV and 12-kV facilities.  When referencing 69-kV, the document must state sub-transmission, not transmission.  When referencing 12-kV, the document must state distribution, not transmission.	18
	3A.16-6	Correct the 1 <sup>st</sup> bullet item as indicated in italics below:  <i>"▶ A 69-kV overhead single-circuit sub-transmission line located in the</i>	19



~~south-central~~ western portion of the SPA. This sub-transmission line travels south within the electrical transmission corridor mentioned above through the SPA for approximately 2,100 feet then turns west ~~into~~ toward Prairie City Road.

Add the following bullet items:

- ▶ A 12-kV overhead distribution line from Prairie City Rd easterly to Placerville Rd along White Rock Rd
- ▶ A 12-kV overhead distribution line approximately 5,700 feet east of Prairie City Rd extending northerly from White Rock Rd in to the south-central portion of the SPA to serve existing services.

19

3A.16  
Utilities and  
Service  
Systems –  
Land

3A.16-33 Below are excerpts from the document. The text is from the “NCP” section and should be revised as indicated in italics below:

2<sup>nd</sup> ¶ in NCP section:  
~~“SMUD currently has existing capacity to serve the project from its electrical distribution system north of U.S. 50 requires additional electrical facilities to serve the proposed development. To serve the remainder of the SPA, SMUD~~ and has determined that a minimum of three distribution substations ~~would~~ will be required...”

~~“The on-site service lines..., and public utility easements would~~ will be dedicated for all underground distribution facilities. Easements will also be required for overhead 69-kV sub-transmission facilities. ~~SMUD would extend lines and construct facilities~~ Electrical facilities will be designed and constructed in accordance with SMUD’s Standards and Rules and Regulations to serve the SPA concurrently with development phases, and ...”

20

3<sup>rd</sup> ¶ in NCP section:  
~~“Because SMUD would~~ will meet the electrical demands...and provide new electrical infrastructure to the SPA will be designed and constructed in accordance with SMUD’s Standards and Rules and Regulations, this direct impact is less than significant.”

3A.16-33 Below are excerpts from the document. The text is from the “PP” section and should be revised as indicated in red below:

1<sup>st</sup> ¶ in PP section:  
~~“SMUD concurs with this assessment~~ the estimated peak demand; however, SMUD has calculated the worst-case scenario based on acreage and land-use as increasing electrical peak demand by a total of

21

~~120~~ 102 MVA..."

3A.16-34 2<sup>nd</sup> ¶ in PP section:

*Revise paragraph as indicated below in italics:*

*"...U.S. 50 on the east side of Placerville Road where it terminates just within the SPA, ~~and a 12-kV overhead transmission~~ distribution line that extends north from White Rock Road along the east side of Placerville Road to U.S. 50, a 12-kV overhead distribution line from Prairie City Rd easterly to Placerville Rd along White Rock Rd, and a 12-kV overhead distribution line approximately 5,700 feet east of Prairie City Rd extending northerly from White Rock Rd in to the south-central portion of the SPA to serve existing services.*

3<sup>rd</sup> ¶ in PP section:

*Revise 1<sup>st</sup> sentence in this paragraph as follows:*

~~"SMUD currently has existing capacity to serve the project from its electrical distribution system north of U.S. 50 requires additional electrical facilities to serve the proposed development. To serve the remainder of the SPA, SMUD and has determined that a minimum of three distribution substations ~~would~~ will be required..."~~

Add the sentence shown below in italics after the sentence ending "...just north of Easton Valley Road."

*"However, these locations are based on preliminary information provided to SMUD and are subject to change if the electrical demands and/or land uses are revised."*

4<sup>th</sup> ¶ in PP section:

*Revise the following sentence indicated below:*

~~"SMUD would install new electrical mainline facilities and underground the existing 12-kV overhead distribution line. Electrical facilities will be designed and constructed in accordance with SMUD's Standards and Rules and Regulations concurrently with improvements to White Rock Road..."~~

Delete the last sentence in the paragraph:

~~"SMUD would conduct a separate CEQA analysis to analyze specific impacts and identify any required mitigation measures for construction and operation of new off-site electrical facilities."~~

3A.16-34 General comments in the "PP" section

All references to 69-kV facilities must state sub-transmission line, not

transmission line

23

All references to 12-kV facilities must state distribution line, not transmission line.

3A.16-34 & 3A.16-35 Below are excerpts from the document. The text is from the "RIM" section and should be revised as indicated in italics below:

2<sup>nd</sup> ¶ in RIM section:

~~"SMUD currently has existing capacity to serve the project from its electrical distribution system north of U.S. 50 requires additional electrical facilities to serve the proposed development. To serve the remainder of the SPA, SMUD and has determined that a minimum of three distribution substations would will be required..."~~

*"The on-site service lines..., and public utility easements ~~would~~ will be dedicated for all underground distribution facilities. Easements will also be required for overhead 69-kV sub-transmission facilities. ~~SMUD would extend lines and construct facilities~~ Electrical facilities will be designed and constructed in accordance with SMUD's Standards and Rules and Regulations to serve the SPA concurrently with development phases, and ..."*

24

3<sup>rd</sup> ¶ in RIM section:

~~"Because SMUD would will meet the electrical demands...and provide new electrical infrastructure to the SPA will be designed and constructed in accordance with SMUD's Standards and Rules and Regulations, this direct impact is less than significant."~~

3A.16-35 Below are excerpts from the document. The text is from the "CD" section and should be revised as indicated in italics below:

2<sup>nd</sup> ¶ in CD section:

~~"SMUD currently has existing capacity to serve the project from its electrical distribution system north of U.S. 50 requires additional electrical facilities to serve the proposed development. To serve the remainder of the SPA, SMUD and has determined that a minimum of three distribution substations would will be required..."~~

*"The on-site service lines..., and public utility easements ~~would~~ will be dedicated for all underground distribution facilities. Easements will also be required for overhead 69-kV sub-transmission facilities. ~~SMUD would extend lines and construct facilities~~ Electrical facilities will be designed and constructed in accordance with SMUD's Standards and Rules and Regulations to serve the SPA concurrently with development phases, and ..."*

25

3<sup>rd</sup> ¶ in CD section:

*"Because SMUD ~~would~~ will meet the electrical demands...and ~~provide~~ new electrical infrastructure to the SPA will be designed and constructed in accordance with SMUD's Standards and Rules and Regulations, this direct impact is less than significant."*

25 cont.

3A.16-35 & 3A.16-36 Below are excerpts from the document. The text is from the "RHD" section and should be revised as indicated in italics below:

2<sup>nd</sup> ¶ in RHD section:

*"SMUD ~~currently has existing capacity to serve the project from its electrical distribution system north of U.S. 50~~ requires additional electrical facilities to serve the proposed development. ~~To serve the remainder of the SPA, SMUD~~ and has determined that a minimum of three distribution substations ~~would~~ will be required..."*

*"The on-site service lines..., and public utility easements ~~would~~ will be dedicated for all underground distribution facilities. Easements will also be required for overhead 69-kV sub-transmission facilities. ~~SMUD would extend lines and construct facilities~~ Electrical facilities will be designed and constructed in accordance with SMUD's Standards and Rules and Regulations to serve the SPA concurrently with development phases, and ..."*

26

3<sup>rd</sup> ¶ in RHD section:

*"Because SMUD ~~would~~ will meet the electrical demands...and ~~provide~~ new electrical infrastructure to the SPA will be designed and constructed in accordance with SMUD's Standards and Rules and Regulations, this direct impact is less than significant."*

4  
Other  
Statutory  
Requirements

4-58 In the section "Utilities and Service Systems," the cumulative analysis does not provide quantitative cumulative future demand numbers for the public utility service providers impacted by the project. Therefore it is difficult to determine if or how the listed service providers will adequately address future regional demands. Please provide more support data for your less than significant impact determination for utilities under cumulative conditions.

27

4-58 In the section "Utilities and Service Systems," make the following correction:

*"...Sacramento Metropolitan Municipal Utility District (SMUD), Pacific Gas ..."*

28

29

4-63 In the section "Electricity" make the following revisions:

1<sup>ST</sup> ¶ in "Electricity" section:

30

"SMUD concurs with ~~this assessment~~ the estimated peak demand; however, SMUD has calculated the worst-case scenario based on acreage and land-use as increasing electrical peak demand by a total of ~~120~~ 102 MVA..."

4<sup>th</sup> ¶ in "Electricity" section:

"SMUD ~~currently has existing capacity~~ requires additional electrical facilities to serve the "Land" portion of the project and the GSPA from its electrical distribution system north of U.S. 50... ~~To serve the remainder of the SPA, SMUD~~ and has determined that a minimum of three distribution substations ~~would~~ will be required to serve the proposed development. Also, a new 69-kV overhead sub-transmission line ~~would~~ will be constructed along Old Placerville Road from U.S. 50 to White Rock Road and along White Rock Rd from Old Placerville Rd to Prairie City Rd. Easements outside the right-of-ways of streets will be required for these overhead sub-transmission facilities. Additional overhead sub-transmission lines ~~may~~ will be required ~~depending~~ and are dependent on the location of the distribution substations. SMUD has stated that it has adequate electricity supplies to support the "Land" portion of the project without affecting service to existing customers and that ~~it would provide~~ new electrical infrastructure will be designed and constructed in accordance with SMUD's Standards and Rules and Regulations to serve the SPA concurrently with development phases."

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SMUD-2-1

*The comment states that SMUD has lead agency responsibilities for all electrical system improvements, that installation of facilities specific to this development should be considered as part of this project, and that approval of the project should be considered as approval of required electrical facilities.*

Electrical needs proposed as part of the project are discussed in Chapter 2, “Alternatives” on pages 2-26 and 2-33; and throughout Sections 3A.16 “Utilities and Service Systems – Land” and 3B.16 “Utilities and Service Systems – Water” respectively.

SMUD-2-2

*The comment states that the project and other anticipated development in the area would result in a total substation load that exceeds the capacity available; therefore, increased capacity would eventually be required to provide backup to the project. The comment also states that the project applicant should coordinate with SMUD, and that coordination should occur during each phase of development.*

As stated on page 3A.16-33 of the DEIR/DEIS: “SMUD currently has existing capacity to serve the project from its electrical distribution system north of U.S. 50. To serve the remainder of the SPA, SMUD has determined that a minimum of three distribution substations would be required to serve project development as described above (Kim, pers. comm., 2009).” This information was contained in a letter submitted by SMUD in January 2009 in response to the NOP that was circulated for this project. Project impacts related to electrical needs are evaluated in Impact 3A.16-8 on pages 3A.16-33 through 3A.16-36 of the DEIR/DEIS. The City and the project applicants understand that further coordination with SMUD would be required during each phase of the project.

SMUD-2-3

*The comment states that a mitigating feature of the project, and to expedite the provision of facilities in a timely and efficient manner, the developer must dedicate the necessary public utility easements or grant to SMUD all necessary easements.*

The City and the project applicants are aware that the necessary public utility easements must be granted; this is part of the normal course of business when developing a project site. Because Impact 3A.16-8 related to the provision of electrical services has been identified as less than significant, no mitigation measures are required. The commenter does not disagree with the impact conclusions contained on pages 3A.16-33 through 3A.16-36 of the DEIR/DEIS.

SMUD-2-4

*The comment asks that the information in the letter be conveyed to the project proponents and the City planners.*

The City of Folsom has received the commenter’s letter enumerating his concerns, and responses are provided in SMUD-2-5 through SMUD-2-25. The commenter’s concerns have been relayed to the project applicants. The City also notes that as stated in response to comment SMUD-1-1, a copy of SMUD’s comment letter dated January 23, 2009 on the NOP circulated for this project is attached to the DEIR/DEIS in Appendix B, and the City considered the commenter’s concerns during preparation of the DEIR/DEIS.

SMUD-2-5 *The comment requests that page ES-2 of the DEIR/DEIS be revised to include SMUD as an approval agency.*

As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page ES-2 of the DEIR/DEIS has been revised in response to this comment.

SMUD-2-6 *The comment requests that SMUD be added to the list of local responsible agencies on page 1-13 of the DEIR/DEIS.*

As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page 1-13 of the DEIR/DEIS has been revised in response to this comment.

SMUD-2-7 *The comment requests the word “utilities” be replaced with “utility” on page 1-28 of the DEIR/DEIS.*

As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page 1-28 of the DEIR/DEIS has been revised in response to this comment.

SMUD-2-8 *The comment requests that heading 2.3.1 in the DEIR/DEIS be revised to state “Proposed Project Alternative.”*

The commenter’s proposed text does not differ from the text in the DEIR/DEIS. No change in the DEIR/DEIS is required in response to this comment.

SMUD-2-9 *The comment identifies differences in acreage between Table 2-1 and Tables 2-4 through 2-11 in Chapter 2, “Alternatives” of the DEIR/DEIS.*

As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text in Tables 2-4, 2-5, 2-6, 2-7, 2-8, 2-9, 2-10, and 2-11 in Chapter 2, “Alternatives” of the DEIR/DEIS has been revised to correct the acreage totals to match those in Table 2-1.

SMUD-2-10 *The comment requests a text change, replacing the word “would” with “will” in a description of electrical transmission lines on page 2-26 of the DEIR/DEIS.*

The commenter’s requested edit cannot be implemented, because in this context of this DEIR/DEIS, all proposed actions are referred to in the conditional tense (i.e., “would” rather than “will”) since the City has not certified the EIR or adopted a project alternative, nor has USACE adopted a Record of Decision.

SMUD-2-11 through  
SMUD-2-12

*The comments request a text change, adding a sentence to the discussion of electrical facilities on page 2-33 of the DEIR/DEIS.*

As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page 2-33 of the DEIR/DEIS has been revised in response to these comments.

SMUD-2-13 *The comment identifies differences in acreage between that shown on Table 2-5 and Tables 2-7, 2-9, and 2-11 of the DEIR/DEIS.*

See response to comment SMUD-2-9.



- SMUD-2-14 *The comment identifies differences in acreage between that shown on Table 2-5 and Tables 2-7, 2-9, and 2-11 of the DEIR/DEIS.*
- As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text in Tables 2-5, 2-7, 2-9, and 2-11 of the DEIR/DEIS has been revised in response to this comment.
- SMUD-2-15 *The comment notes that indirect growth-inducing impacts could occur because of infrastructure improvements associated with the General Plan amendment.*
- In the discussion of growth-inducing impacts of the Folsom General Plan Amendment (GPA) on page 3A.10-48, the DEIR/DEIS states that no infrastructure or public services improvements are proposed as part of the GPA. To the extent that specific individual developments which might occur under the GPA would require improvements, the potential growth implications of these improvements would be identified and analyzed at a project level; insufficient data concerning the potential location and capacity of any improvements makes such an evaluation speculative at a program level.
- SMUD-2-16 *The comment asks for clarification of the source of the persons per dwelling unit estimates on page 3A.13-9 of the DEIR/DEIS, and notes that different assumptions are used on page 3A.13-4.*
- The discussion on page 3A.13-4 is based on Census Bureau data and data from the City’s current Housing Element. The generation rates used on page 3A.13-9 (and for impact evaluation in the document) reflect the City’s standard “persons-per-dwelling-unit” generation rates, which account for the typical differences in household size between single-family and multi-family residential uses. The average estimates from the Census Bureau are less well suited to provide estimates for the project than the City’s standard generation rates because the SPA would have a different mix of single-family and multi-family residential units than the existing City of Folsom.
- SMUD-2-17 through SMUD-2-18 *The comments suggest text changes to the DEIR/DEIS to clarify the locations of SMUD’s existing electrical transmission lines in the vicinity of the SPA.*
- As shown in Chapter 5 of this FEIR/FEIS, the bullet list on pages 3A.16-5 and 3A.16-6 of the DEIR/DEIS has been revised to reflect the clarifications requested by the commenter.
- SMUD-2-19 *The comment suggests text changes to the DEIR/DEIS to clarify the location of additional existing electrical transmission lines in the vicinity of the SPA.*
- As shown in Chapter 5 of this FEIR/FEIS, the bullet list on page 3A.16-6 of the DEIR/DEIS has been revised to reflect the clarifications requested by the commenter.
- SMUD-2-20 *The comment details requested revisions to the discussion of DEIR/DEIS Impact 3A.16-8, “Increased Demand for Electricity and Infrastructure,” to indicate that SMUD would require additional electrical facilities.*
- As shown in Chapter 5 of this FEIR/FEIS, the discussion of Impact 3A.16-8 under the No USACE Permit Alternative on page 3A.16-33 of the DEIR/DEIS has been revised to indicate that while SMUD can provide service to the SPA, additional facilities would be required.

SMUD-2-21 through  
SMUD-2-23

*The comments detail requested revisions to clarify the discussion of DEIR/DEIS Impact 3A.16-8, "Increased Demand for Electricity and Infrastructure," under the Proposed Project Alternative. In addition, the comment requests that "69-kV transmission lines" be revised to "69-kV sub-transmission lines," and "12-kV transmission lines" be revised to "12-kV distribution lines."*

As shown in Chapter 5 of this FEIR/FEIS, the discussion of Impact 3A.16-8 under the Proposed Project Alternative on pages 3A.16-33 and 3A.16-34 of the DEIR/DEIS have been revised to indicate that while SMUD can provide service to the SPA, additional facilities would be required.

SMUD-2-24

*The comment details requested revisions to the discussion of DEIR/DEIS Impact 3A.16-8, "Increased Demand for Electricity and Infrastructure," under the Resource Impact Minimization Alternative, to indicate that SMUD would require additional electrical facilities.*

As shown in Chapter 5 of this FEIR/FEIS, the second and third paragraphs of the discussion of Impact 3A.16-8 under the Resource Impact Minimization Alternative on pages 3A.16-34 and 3A.16-35 of the DEIR/DEIS have been revised to indicate that while SMUD can provide service to the SPA, additional facilities would be required.

SMUD-2-25

*The comment details requested revisions to the discussion of DEIR/DEIS Impact 3A.16-8, "Increased Demand for Electricity and Infrastructure," under the Centralized Development Alternative, to indicate that SMUD would require additional electrical facilities.*

As shown in Chapter 5 of this FEIR/FEIS, the second and third paragraphs of the discussion of Impact 3A.16-8 under the Centralized Development Alternative on page 3A.16-35 of the DEIR/DEIS have been revised to indicate that while SMUD can provide service to the SPA, additional facilities would be required.

SMUD-2-26

*The comment details requested revisions to the discussion of DEIR/DEIS Impact 3A.16-8, "Increased Demand for Electricity and Infrastructure," under the Reduced Hillside Development Alternative, to indicate that SMUD would require additional electrical facilities.*

As shown in Chapter 5 of this FEIR/FEIS, the second and third paragraphs of the discussion of Impact 3A.16-8 under the Reduced Hillside Development Alternative on pages 3A.16-35 and 3A.16-36 of the DEIR/DEIS have been revised to indicate that while SMUD can provide service to the SPA, additional facilities would be required.

SMUD-2-27 through  
SMUD-2-28

*The comments state that the DEIR/DEIS does not provide quantitative future cumulative demand numbers for public utility providers affected by the project. The comments further state that it is therefore difficult to determine whether or how the service providers would address future regional demands. The comments ask for additional data to support the less-than-significant impact conclusion for utilities under cumulative conditions.*

The City's approach to the cumulative impact analysis is described on page 4-2 of the DEIR/DEIS. Because the Folsom South of U.S. 50 Specific Plan project is a long-term project and numerous other projects might be proposed over the lifespan of the project's

buildout, the plan approach is used in addition to a list of related projects to ensure that long-term growth throughout the region would be considered.

This approach (considering regional growth based on plans, and also considering specific, related projects) allows for a comprehensive discussion of cumulative impacts at the regional scale while also capturing the potential for more localized cumulative effects. Future development in Sacramento County would increase the demand for utilities in the region. In terms of cumulative impacts, the appropriate service providers would be responsible for ensuring adequate provision of public utilities within their jurisdictional boundaries. The cumulative discussion of utilities, beginning on page 4-58 of the DEIR/DEIS, provides an evaluation of project demand in the context of overall demand for the individual providers (see also page 3A.16-5 of the DEIR/DEIS). Precise quantification of future regional electrical demand as requested by the commenter is not appropriate in the context of this program-level evaluation.

SMUD-2-29

*The comment requests a text change, replacing the word “metropolitan” with “municipal” on page 4-58 of the DEIR/DEIS.*

As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page 4-58 of the DEIR/DEIS has been revised in response to this comment.

SMUD-2-30

*The comment details requested revisions to the discussion of cumulative electricity impacts on page 4-63 of the DEIR/DEIS.*

As shown in Chapter 5, “Errata” of the FEIR/FEIS, the text on page 4-63 of the DEIR/DEIS has been revised generally in response to this comment. The City declines to make one proposed revision, pertaining to capacity to serve additional residential units in the existing City of Folsom based on implementation of the GPA; the requested change pertains to the capacity to serve the SPA.

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September 10, 2010

Gail Furness de Pardo  
Community Development Department  
City of Folsom  
50 Natoma St.  
Folsom, CA 95630



Dear Ms. Furness de Pardo:

Thank you for the opportunity to comment on the Draft Environmental Impact Report/Draft Environmental Impact Statement for the Folsom South of U.S. 50 Specific Plan Project.

WATER SUPPLY

Under principles firmly established in California water law, water may be transferred only if the change may be made without injuring any legal user of the water and without unreasonably affecting fish, wildlife, or other in-stream beneficial uses. | 1  
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We are concerned that the proposed water supply for Folsom’s South of Highway 50 development will violate this principle in California law by injuring other legal users of water and unreasonably affecting fish and wildlife because there is no permanent and enforceable mechanism to assure that total water usage will not increase within the settlement contract lands and within the City of Folsom over what has historically occurred in the settlement contract lands. | 3  
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Natomas Mutual obtained water rights prior to the construction of Shasta Dam. Following the construction of the dam, the Bureau of Reclamation (Bureau) entered into a settlement contract with Natomas Mutual to assure that the Bureau did not interfere with Natomas Mutual’s water rights and to assure payment to the Bureau by Natomas Mutual for low-flow period water supply benefits provided by Shasta Dam. | 7  
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The settlement contract specifies a “place of use” for the water. The settlement contract specifies that Natomas Mutual shall not transfer or sell all or part of the settlement contract without approval from the Bureau. | 9  
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The City of Sacramento is supplying water to urbanizing lands within Natomas Mutual’s place of use. This reduces the need for the Bureau to supply water to the place of use. Both Natomas Mutual’s water supply and the City of Sacramento’s water supply are tied by contracts to the Bureau’s overall supply. Thus, the City supplying water to the place of use actually assists in meeting the Bureau’s obligation under the Natomas Mutual-Bureau contract to supply water to the place of use.

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Natomas Mutual had a study done of water use in 2004 as compared to water use in 2007. The study concluded that (1) water use was lower because of changing crop demands, and (2) the transfer of 8,000 acre-feet to the City of Folsom would not limit the use of water by Natomas Mutual’s agricultural water users. Essentially the study said that Natomas Mutual would not need the water, so it was “OK” to sell the water to the City of Folsom.

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Based on the study and the draft EIR, it appears that Natomas Mutual is selling (1) water that its water users do not need because the City of Sacramento is supplying City/Bureau water to urbanizing lands within the place of use, and (2) water that its water users currently do not need because of changes in cropping patterns from 2004 to 2007.

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If the assignment of 8,000 acre-feet is to be permitted, Folsom should have a permanent and enforceable agreement with both Natomas Mutual and the Bureau to assure that there is a reduction in water use within the place of use sufficient to supply the amount of the assignment to the City of Folsom. This agreement would assure that the transfer does not injure any other legal user of the water and without unreasonably affecting fish, wildlife, or other instream beneficial uses.

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If changed cropping patterns are to be the basis of “reduced water use” then reduced water use must become permanent. If agricultural cropping patterns change toward more water intensive crops, Natomas Mutual landowners must not be able to increase water use, because that water will be being used in Folsom.

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The EIR should describe:

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- 1) The amount of water that has been used in the place of use specified in the settlement contract.
- 2) The amount of water to be used in the place of use after the assignment.
- 3) The amount of assignment water to be used in Folsom.
- 4) Whether more water will be used in the place of use and Folsom as compared to the place of use prior to the assignment.
- 5) What permanent and enforceable mechanism will be put in place to assure that more water is not used?

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- 6) If more water will be used, then what are the environmental impacts in Central Valley Project water service areas, in the Delta, and on fish and wildlife, including endangered species? | 34  
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Thank you for your consideration.

Sincerely,

Warren V. Truitt  
President, SARA

cc: Michael Finnegan, Bureau of Reclamation  
Victoria Whitney, State Water Resources Control Board





SARA-1 through  
SARA-2

*The comments state that under California water law, water may be transferred only if the change may be made without injuring any legal user of the water and without unreasonably affecting fish, wildlife, or other in-stream beneficial uses.*

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

SARA-3 through  
SARA-6

*The comments express concern that the Project's water supply will violate California law by injuring other legal users of water and unreasonably affecting fish and wildlife because there is no permanent and enforceable mechanism to assure that total water usage will not increase within the settlement contract lands and within the City of Folsom over what has historically occurred in the settlement contract lands.*

The actions proposed as part of the Off-site Water Facility Alternatives, described in Chapter 2 and evaluated in Section 3B.10, "Land Use and Agricultural Resources" of the DEIR/DEIS, are consistent with the provisions of NCMWC's settlement contract with Reclamation, which underwent renewal in 2005. The City proposes the purchase of up to 8,000 AFY of "Project" water from NCMWC, which water would derive from Reclamation's releases from storage in Shasta Reservoir. These actions would involve existing CVP settlement contract water and, therefore, would not infringe on the rights of any other existing water users or adversely affect wildlife (see pages 3B.3-42 through 3B.3-62 of the DEIR/DEIS).

The proposed water supply would be subject to existing contract shortage provisions, which could result in up to 25% reductions in available "Project" water. Because the City's purchased capacity within the Freeport Regional Water Project (Freeport Project) would be restricted to 6.5 mgd on average, the City would be unable to divert the entire 8,000 AFY in water years where these supplies might otherwise be available and, instead, this water would be put to beneficial use consistent with the provisions of NCMWC's contract. As a result, total water use within the Folsom SPA would be limited by the purchased capacity within the Freeport Project, as described on pages 2-82 through 2-83 of the DEIR/DEIS.

Total water use within NCMWC would continue to fluctuate, contingent on cropping patterns within its service area, thereby requiring the remaining portion of its contract allotment in some years and less in others. These annual changes in water use are reflected in the corresponding changes in cropping patterns shown in Table 3B.10-1 on page 3B.10-5 of the DEIR/DEIS. Additionally, based on the potential for continued urban development by the City of Sacramento and Sutter County in portions of NCMWC's service area, the City considered water use within NCMWC based on 2004 and 2007 cropping patterns.

Even if urban development continues into NCMWC's service area into the future, no net increase in total water usage within NCMWC's service area beyond its total settlement contract amount of 120,200 AFY is expected. Rather, given current building code

standards (e.g., CalGreen) and water conservation requirements for new development (e.g., California Urban Water Conservation Council BMPs), urban growth within the Natomas Basin would likely have a reduced water demand on a per acre basis when compared to current agricultural uses within NCMWC's service area. Additionally, the Natomas Joint Vision MOU signed by the City of Sacramento and Sacramento County encourages a 1:1 ratio of open space to development, thereby potentially further limiting total urban water use.

As shown in Chapter 5, "Errata" of this FEIR/FEIS, the discussion under the "Water Supply" heading on page 4-59 of the DEIR/DEIS has been modified to expand on the City's reasoning for concluding a less-than-significant impact for water use within the NCMWC service area.

SARA-7 *The comment states that NCMWC obtained water rights before the construction of Shasta Dam.*

NCMWC maintained both appropriative and riparian water rights along the Sacramento River before the construction of Shasta Dam.

SARA-8 *The comment states that following the construction of the Shasta Dam, Reclamation entered into a settlement contract with NCMWC to assure that Reclamation did not interfere with NCMWC's water rights and to assure payment to Reclamation by NCMWC for low-flow period water supply benefits provided by Shasta Dam.*

The comment is generally correct. NCMWC's settlement contract was not officially executed with Reclamation until 1964, following the completion of the Cooperative Studies in 1956. The Cooperative Studies were used to determine the Base Supply and Project Water allocations for Reclamation's Sacramento River Division of the CVP.

SARA-9 *The comment states that the Reclamation and NCMWC settlement contract specifies a "place of use" for the water.*

NCMWC's place of use is depicted in Exhibit B of its settlement contract with Reclamation. Please refer to Appendix G of the Water Supply Assessment, which is contained in Appendix M1 of the DEIR/DEIS.

SARA-10 *The comment states that the settlement contract specifies NCMWC shall not transfer or sell all or part of the settlement contract without approval from Reclamation.*

The comment is correct that, under NCMWC's settlement contract, Reclamation's authorization is necessary for the proposed water assignment and the diversion of the assigned water at the Freeport diversion. NCMWC's contract specifically contemplates such an assignment to serve areas outside of NCMWC's service area.

SARA-11 through  
SARA-12

*The comments state that the City of Sacramento is supplying water to urbanizing lands within NCMWC's place of use and that this reduces the need for Reclamation to supply water to the place of use.*

The statement is generally correct. However, not all new development within the Natomas Vision Area would be within City of Sacramento's jurisdiction. Some of these areas, such as the Metro Air Park, are within County jurisdiction and could be served by NCMWC water supplies. However, it is inaccurate to presume that the need for

Reclamation water within NCMWC's place of use would be reduced as a consequence of new development within the Natomas Basin. The comment does not factor in changes in cropping patterns within NCMWC's service area, which would result in differing water demands from year to year. There is no reason that increased rice production could not occur in the future thereby necessitating the full use of NCMWC's water supplies, minus the amount permanently assigned to the City.

SARA-13

*The comment states that both NCMWC's water supply and the City of Sacramento's water supply are tied by contracts to the Bureau's overall supply.*

The comment is partially correct. In addition to CVP water, the City of Sacramento maintains its own water rights.

SARA-14

*The comment states that the City of Sacramento's supplying of water to portions of NCMWC's place of use actually assists Reclamation in meeting its obligation under NCMWC's contract to supply water to the place of use.*

The comment attempts to connect the project's water assignment with new development in the Natomas Basin and increased water use within the Natomas Basin as a consequence of the City of Sacramento's senior water rights to that of the CVP. This issue is indirectly assessed within the cumulative analysis for the project on pages 4-12, 4-19, and 4-40 through 4-41 of the DEIR/DEIS, through the City's consideration of the Sacramento River Reliability Project, which presumably could supply new development within the City in the Natomas Joint Vision area. Additionally, details for the Natomas Joint Vision, including that of its water use, continue to emerge, and the issues raised in the comment would be more appropriately addressed in the forthcoming environmental documentation for the Natomas Joint Vision Area being prepared by the City of Sacramento.

SARA-15

*The comment states that NCMWC had a study done of water use in 2004, as compared to water use in 2007.*

The comment refers to the 2007 Wagner and Bonsignore evaluation, provided in Appendix M2 of the DEIR/DEIS, with its general findings summarized on page 3B.10-18 of the DEIR/DEIS.

SARA-16 through  
SARA-17

*The comments state that the 2007 Wagner and Bonsignore evaluation concluded that (1) water use was lower because of changing crop demands, and (2) the transfer of 8,000 acre-feet to the City of Folsom would not limit the use of water by NCMWC's agricultural water users.*

The comment is generally correct. However, the evaluation concluded that NCMWC could permanently assign up to 10,000 AFY of CVP water to the City without adversely affecting crop patterns. Furthermore, the evaluation concluded that water assignment would be possible as a result of greater irrigation efficiencies and drainage improvements (e.g., recirculation of tailwater drainage) within NCMWC's service area.

SARA-18

*The comment states that the 2007 Wagner and Bonsignore evaluation essentially said NCMWC would not need the assigned water, and therefore it would be “OK” to sell the water to the City of Folsom.*

The 2007 Wagner and Bonsignore evaluation concludes that NCMWC would have sufficient water supplies to supply 2004 and 2007 cropping patterns with the assignment of up to 10,000 AFY of CVP “Project” water. With a reduced assignment of 8,000 AFY, the study’s findings suggest that no supplemental groundwater pumping would be required to support 2004 or 2007 cropping patterns.

SARA-19

*The comment states that based on the findings of the 2007 Wagner and Bonsignore evaluation and as referenced in the DEIR/DEIS, it appears that NCMWC would be selling water that its water users did not need because the City of Sacramento would be supplying City/Bureau water to urbanizing lands within NCMWC’s place of use.*

It would be inappropriate for the City to speculate on future land use decisions within the Natomas Joint Vision area, along with any associated water use. The DEIR/DEIS considers the Natomas Joint Vision area and the Sacramento River Water Reliability Project in its cumulative analysis and acknowledges on page 4-41 that larger water supply projects combined with other water transfers in the future could contribute to reduced flows within the Sacramento River. However, as stated in the DEIR/DEIS, the magnitude of the changes associated with the assignment would be less than significant and would not be cumulatively considerable.

SARA-20

*The comment states that based on the findings of the 2007 Wagner and Bonsignore evaluation, NCMWC appears to be selling water that NCMWC water users currently do not need because of changes in cropping patterns from 2004 to 2007.*

As presented in the 2007 Wagner and Bonsignore evaluation and summarized on page 3B.10-18 of the DEIR/DEIS, NCMWC would be capable of supplying water under the conditions of both 2004 and 2007 cropping patterns, even with the proposed water assignment of up to 10,000 AFY to the City. More importantly, the 2007 Wagner and Bonsignore evaluation concludes that NCMWC would maintain sufficient contract supplies should there be an increase in agricultural production in the future.

SARA-21 through  
SARA-23

*The comments suggest that if the assignment of 8,000 acre-feet is to be permitted, the City should have a permanent and enforceable agreement with both NCMWC and Reclamation to assure that a reduction in water use exists within the place of use, sufficient to supply the amount of the assignment to the City.*

Reclamation retains discretion over the approval of the assignment, per NCMWC’s settlement contract. The City of Folsom has no authority to impose conditions on the City of Sacramento, which maintains its own water rights and land use authority, or Reclamation, which operates the CVP, would be unreasonable. The assignment would be subject to the terms and conditions of NCMWC’s settlement contract with Reclamation.

SARA-24 through  
SARA-25

*The comments request that if the assignment of 8,000 acre-feet is to be permitted, an agreement should be implemented that would assure that the transfer would not injure any other legal user of the water and would not unreasonably affect fish, wildlife, or other instream beneficial uses.*

See responses to comments SARA-21 through SARA-23.

SARA-26

*The comment suggests that if changed cropping patterns are to be the basis of “reduced water use,” then reduced water use should become permanent.*

USACE and the City have no authority to set a condition reflecting specific cropping patterns within NCMWC’s service area. Furthermore, NCMWC has to retain the flexibility to supply variable water demands in response to changing commodity prices and corresponding cropping patterns.

SARA-27 through  
SARA-28

*The comments state that if agricultural cropping patterns changed toward more water intensive crops, NCMCW landowners would not be able to increase their water use because that water would be already taken by the Folsom SPA.*

As provided in the 2007 Wagner and Bonsignore evaluation (provided in Appendix M2 of the DEIR/DEIS), the collective water supplies available to NCMWC for landowners within its service area following the assignment would be sufficient to accommodate 2004 and 2007 cropping patterns. This is important because 2004 was marked by a substantial increase in rice production. It would be inappropriate for the City to condition NCMWC’s water use within its service area in conjunction the assignment. Ultimate water delivery by Reclamation would be contingent on NCMWC’s demonstrated water needs.

Furthermore, the comments discount the discussion of the project assignment’s potential growth-inducing impacts, described on pages 4-68 and 4-69 of the DEIR/DEIS.

SARA-29

*The comment suggests that the DEIR/DEIS should describe the amount of water that has been used in the place of use specified in the settlement contract.*

The 2007 Wagner and Bonsignore evaluation, included in Appendix M2 of the DEIR/DEIS, provides the estimated water use for the NCMWC service area in 2004 and 2007.

SARA-30

*The comment suggests that the DEIR/DEIS should describe the amount of water to be used in the place of use after the assignment.*

Following the project assignment, NCMWC would have the supplies shown in Table 3A.18-2 on page 3A.18-2 of the DEIR/DEIS, minus the 8,000 AFY of “Project” water. Additionally, NCMWC would continue to be able to take advantage of several irrigation and drainage improvements within its service area for the recirculation of tailwater. Beyond NCMWC’s water use, it would be inappropriate for the City to speculate on total water use by the City of Sacramento within the Natomas Joint Vision area. Additionally, urban growth within the Natomas Basin would likely have a reduced water demand on a per acre basis when compared to current agricultural uses within NCMWC’s service area. See responses to comments SARA-3 through SARA-6.

- SARA-31 *The comment suggests that the DEIR/DEIS should describe the amount of assignment water to be used in the SPA.*
- A description of water use within the SPA is provided on pages 2-79 and 2-80 of the DEIR/DEIS. Furthermore, as discussed on page 2-84 of the DEIR/DEIS, the City is proposing the purchase of 8,000 AFY of CVP water, a higher quantity of water, to factor in the 25% shortage provision that could occur in dry years, thereby reducing the quantity delivered to 6,000 AFY. This shortage provision would leave a margin of only 400 AFY between the demands of the SPA at buildout and the available surface water supply. No additional potable water supply could be derived from the assignment because of the capacity restriction within the Freeport Project (see responses to comments SARA-3 through SARA-6). As discussed on pages 4-68 through 4-69 of the DEIR/DEIS under the topic of growth-inducing impacts, the City acknowledges that with additional conservation or the addition of non-potable water supplies, the assigned water supply could be stretched further, thereby indirectly contributing to the secondary effects of growth.
- SARA-32 *The comment suggests that the DEIR/DEIS should describe whether more water would be used in the place of use and Folsom as compared to the place of use before the assignment.*
- See response to comment SARA-30.
- SARA-33 *The comment suggests that the DEIR/DEIS should describe what permanent and enforceable mechanism would be put in place to assure that more water was not used.*
- The suggested action would be beyond the authority of USACE and the City and, therefore, beyond the scope of the DEIR/DEIS. As stated in the response to comment SARA-30, NCMWC's water use would not increase beyond its collective supplies, as shown in Tables 3A.18-1 and 3A.18-2 on page 3A.18-2 of the DEIR/DEIS.
- SARA-34 *The comment asks if more water was used, what environmental impacts would occur in CVP water service areas.*
- See responses to comments SARA-31 and SARA-33. The potential secondary effects of growth are described on page 4-69 of the DEIR/DEIS.
- SARA-35 *The comment asks if more water was used, what environmental impacts would occur in the Delta.*
- See responses to comments SARA-31 and SARA-33.
- SARA-36 *The comment asks if more water was used, what the environmental impacts would be on fish and wildlife, including endangered species.*
- See responses to comments SARA-31 and SARA-33.



Sacramento Area Creeks Council PO Box 162774 Sacramento, CA 95816

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Re: DEIR Folsom South of 50 Specific Plan Project

Dear Ms. de Pardo:

The Sacramento Area Creeks Council is a non-profit organization that promotes the protection, restoration and maintenance of natural streams in Sacramento County. I was an active member of the Alder Creek Watershed Assessment and Management Planning stakeholder group which met from 2007 into this year. The Plan, which is advisory, is dated February of 2010. Most of the Specific Plan Project Area is within the Alder Creek Watershed.

I am incorporating some of the Assessment Results presented in the Management Plan into my DEIR comments that follow the excerpts in italics below:

### ***4.3 Assessment Results***

#### ***4.3.1 Climate, Geology, and Soils***

***The climate, geology, and soils of the Alder Creek watershed heavily influence all other natural resource areas and land uses, particularly through the relationship between seasonal temperature and precipitation patterns and physical land form and stability.***

#### ***Functions and Values***

◆ ***Biological diversity – Plants and animals in the watershed have evolved over time, driven in large part by seasonal, annual, and year-to-year variations in climate that are recognized as mechanistic drivers. The result is a diverse community of specialized organisms that have adapted to tolerate high levels of environmental variation***

◆ ***Channel stability and groundwater recharge – The watershed's underlying geology provides creek stability, grade control, and upland topography and supports localized groundwater recharge and presence.***

◆ ***Varied uses and productivity – Soils in the watershed infiltrate rainfall, withstand runoff, and support aquatic ecosystems and human land uses. Importantly, soils are critical in supporting diverse vegetation communities and specialized habitats, including rare plants and vernal pool/swale complexes, especially in undeveloped areas of the upper watershed.***

#### ***Conditions of Concern***

◆ ***Climate change – In recent years, the scientific consensus has broadened to consider increasing concentrations of greenhouse gases, attributable to anthropogenic activities, as the primary cause of global climate change. The issue of global climate change plays an increasing role in scientific and policy debates over multiple issue areas, such as land use***

planning, transportation planning, energy production, habitat and species conservation, management of water resources, and agricultural production. This is reflected in aggressive legislation enacted and enforced in recent years by the State of California. Of particular concern for natural resources are existing and future increases in greenhouse gas/carbon emissions, resulting impacts on temperature and the hydrologic cycle (including precipitation), and subsequent impacts to water supply/management (e.g., domestic water supply, agricultural water supplies, flood control), water quality and health and diversity of the watershed's biological community. A greenhouse gas emissions inventory completed in 2009 for the Sacramento region estimated that the largest contributors to carbon dioxide equivalent emissions in this area are transportation (i.e., automobiles/vehicle miles traveled) and energy usage (e.g., electricity and natural gas) (Sacramento County 2009). For additional information, see:

<<http://www.climatechange.saccounty.net/ReportsPublications/default.htm>>.

◆ **Groundwater recharge** – As described in Chapter 2, there are believed to be only limited areas (eastern portion of the watershed and creek corridors) which promote groundwater recharge in the Alder Creek watershed; however, the extent of capability is unknown and preserving these processes is generally important in sustaining vegetation communities and contributing to water supplies.

◆ **Soil erosion** – Upland soils throughout the watershed are prone to erosion due to disturbance and topography, which can lead to the decreased ability to support native vegetation communities, sedimentation of waterways, and overall degradation of natural resources.

### **General Recommendations**

General recommendations to address issues related the climate, geology, and soils of the Alder Creek watershed are provided below. These recommendations are integrated with other resources areas and are described in additional detail in Chapter 5.

◆ **Climate change mitigation and adaptation** – Although many uncertainties exist regarding local greenhouse gas emission contributions and hydrologic effects, all future land planning activities in the watershed should consider the potential risks associated with climate change. Specifically, strategies should be developed to mitigate existing and future greenhouse gas emission impacts and adapt to temperature shifts and increased hydrologic variability. New urban development should be carefully designed to minimize emissions and accommodate the projected environmental changes. For example, strategies such as preservation/conservation of open space and oak woodlands can help to sequester carbon, transit-oriented development can reduce vehicle miles traveled, green building techniques can lower energy usage, and low impact development design can conserve water, infiltrate runoff and promote groundwater recharge.

◆ **Groundwater recharge area mapping and protection** – Additional work should be conducted to determine areas in the watershed with high groundwater recharge potential, and efforts should be made to protect and preserve these areas as open space. Enhanced knowledge of groundwater recharge opportunities should influence the design of new stormwater management infrastructure for developing areas of the watershed.

◆ **Soil conservation** – Substantial soil conservation practices should be developed and implemented for all projects that would disturb soils. Additionally, creek corridors should be protected and maintained to provide sediment interception buffers between the creek channel and surrounding land use actions and activities.



### **4.3.2 Hydrology, Geomorphology, and Water Quality**

*Urbanization modifies natural watershed and stream hydrologic and geomorphic processes by creating increased runoff volumes and increasing the duration of streamflow. These changes are mainly the result of increasing impervious surfaces, installing drainage infrastructure, and irrigating landscaped areas. Potential changes to the watershed's hydrologic regime include increased runoff volumes and dry-weather flows, increased frequency and number of runoff events, increased long-term cumulative duration of flows, and increased peak flows. These changes are referred to as hydrograph modification, or "hydromodification." Hydromodification intensifies sediment transport and the natural erosion and deposition process and often leads to channel enlargement, degradation and loss of habitat and associated riparian species, and sediment deposition in downstream reaches that can impede flow conveyance and create flooding problems. A conceptual depiction of pre- and post-development hydrographs is provided in Exhibit 4-2.*

*The Alder Creek watershed is an urbanizing watershed. Urban development (largely since the mid 1990s) in the portion of the watershed north of U.S. 50 has already contributed to hydromodification and water quality effects and has changed hydrologic flow patterns from intermittent to perennial in portions of the upper, middle, and lower watershed. Large-scale, mixed-use developments planned in the upper and middle watershed areas south of U.S. 50 will contribute further to hydromodification in the watershed. A detailed assessment report addressing hydrology and geomorphology was prepared by NHC (2009) and additional recommendations were prepared by cbec (2010) (see Appendices C and E, respectively) to identify and evaluate hydrologic and geomorphic conditions of concern associated with current and future development and to identify management strategies to address these concerns.*

#### **Functions and Values**

◆ **Geomorphic and hydrologic interrelated processes** – Geomorphic and hydrologic processes influence the form and function of Alder Creek and play a role in shaping the characteristics, functions, and values of other resources in and adjacent to the riparian corridor, including water quality, vegetation and wildlife, and land uses.

◆ **Water Supply** – The hydrology and geomorphology of the Alder Creek watershed has been manipulated and altered to provide water for historic mining operations and grazing lands in the watershed.

◆ **Flood protection** – channels throughout the watershed provide natural conveyance facilities for floodwaters and stormwater detention basins and drainage infrastructure protects developed land north of U.S. 50, including various highway and road crossings, from flooding.

◆ **Stormwater runoff conveyance and treatment** – Alder Creek and its tributaries receive, convey, and treat (through natural processes such as filtration and uptake), stormwater runoff generated throughout the watershed. Also, constructed drainage infrastructure conveys the water downstream and under road crossings. Stormwater detention basins and other facilities in the developed areas north of U.S. 50 treat urban runoff before delivery to the creek.

◆ **Water quality** – Alder Creek flows to Lake Natoma and the American River, which supports a wide variety of existing and potential designated beneficial uses, including:

- municipal and domestic water supply,
- agricultural water supply,
- primary (i.e., swimming) and secondary contact (e.g., canoeing) recreation,
- freshwater fish habitat, and
- wildlife habitat.

2 cont.

### **Conditions of Concern**

◆ **Channel process alterations** – Urban development and the associated increased stormwater runoff and altered hydrograph, as well as the construction of on-stream impoundments, cause significant changes in natural channel processes. These changes can result in alterations in natural processes and lead to problems that include erosion and incision. Alder Creek in the upper watershed appears to be relatively stable because abundant bedrock is present in the bed and medium to large cobble materials are present in the banks. However, the creek channel does not exist in a static condition, as evidenced by occurrences of lateral channel adjustment and noticeable localized channel incision. Development in the upper watershed can result in the loss or reduction of sediment recruitment sources that are important for maintaining sediment transport processes. The Natomas Company Dam and Alder Reservoir in the middle watershed profoundly affect the Alder Creek channel in the middle watershed, resulting in aggradation in the upstream segment and degradation downstream (see Exhibit 2-10).

Alder Creek in the lower watershed has been modified significantly over time because of Lake Natoma and Caltrans highway culverts' backwater effects and the effects of receiving runoff from the middle and upper watershed.

◆ **Limited water quality, bioassessment, and hydrology data** – Water quality monitoring data are limited throughout the watershed. Additional data are necessary to more thoroughly identify and monitor potential constituents of concern.

◆ **Nonpoint sources of pollutants** – Nonpoint source loadings that may contribute potential contaminants include agricultural runoff in the upper watershed and urban stormwater runoff and discharge from the upper and lower watershed. Currently, the lower American River is listed on the California Clean Water Act Section 303(d) list because specific pollutants are present in the river. The water quality constituents of concern, based on limited data for Alder Pond and other local watersheds with similar land use conditions, are:

- nutrient loading (e.g., nitrogen and phosphorus), largely a result of landscape irrigation runoff (fertilizers) and car washing (detergents) in urbanized areas of the watershed,
- metals (e.g., copper, lead, zinc) as a result of automobile use associated with U.S. 50, other roadways and parking lots, and
- coliforms/pathogens as a result of pet and animal waste.

◆ **Mercury contamination** – Legacy gold-dredging operations in the middle reach of the Alder Creek watershed have resulted in exposed dredge tailings that dominate the topography of the area. The middle reach of Alder Creek bisects these deposits, allowing the flow to come into contact with sediments that may be contaminated with mercury and other metals.

Operators of floating dredgers coated the sluices with mercury to amalgamate the gold particles, occasionally spilling the mercury into the surrounding environment.

Reconnaissance-level surveys of mercury contamination in edible fish tissue taken from several sites in Lake Natoma, including the vicinity of the mouth of Alder Creek, showed that concentrations of mercury found in fish tissue samples were high enough to warrant publishing a health advisory and fish consumption guidelines for Lake Natoma (including nearby creeks and ponds) and the lower American River (Saiki et al. 2004). See Chapter 2 for more details about these study results.

### **General Recommendations**

General recommendations to address issues related the hydrology, geomorphology, and water

quality of the Alder Creek watershed are provided below. These recommendations are integrated with other resources areas and are described in additional detail in Chapters 5 and 7.

◆ **Hydrology/stormwater runoff management** – In the absence of controls, hydromodification from future urbanization has the potential to exceed thresholds of stability in creek channels. Recommended hydromodification management strategies to protect Alder Creek from the impacts of anticipated urban growth will require project-level analyses consistent with the City of Folsom and Sacramento County hydromodification management standards to assess local conditions and specify appropriate solutions. Solutions will likely require a mix of flow and volume control alternatives, including low-impact development (LID), flow duration control (FDC), and instream modification design strategies:

- LID strategies are an effective design and management tool that can provide improved runoff conditions in a developed watershed. However, it is unlikely that LID practices alone can reduce future runoff volumes to the extent necessary to reverse the effects of hydromodification.
- FDC is a strategy for sizing and designing stormwater detention/retention basins that is intended to maintain the channel integrity of receiving streams by basing designs on the full range of flows rather than one or more discrete events (e.g., bankfull, 2-year or 10-year storm event flows) and by ensuring that basin discharges are released at an acceptable fraction of the receiving channel's threshold for bank erosion.
- Instream solutions involve modifying the receiving stream channel and should be limited to restoration projects meant to reconnect a floodplain and/or stabilize stream channel morphology. Reshaping a stream channel or restoring a floodplain to convey new urban flows while reducing the potential for erosion, aggradation, and damage to habitat, can improve channel stability and prevent erosion. However, the channel modification must be carried far enough downstream to a point where the effect of development is insignificant.

◆ **Erosion and Sediment Controls** – Develop and implement robust erosion and sediment controls to limit erosion potential and the release and exposure of upland sediments, including those with potential legacy mercury concentrations.

◆ **Water quality, bioassessment, and hydrology data and monitoring** – Existing water quality data are limited and large data sets are needed to allow analysis of trends over time. It is recommended that future monitoring in Alder Creek be guided by the stakeholder group, with projects and tasks conducted by, or in collaboration with, local municipalities and agency stormwater programs, private landowners, environmental organizations, and community volunteer groups. This monitoring could include creek monitoring and bioassessment sampling similar to the monitoring and sampling being conducted for the program in the adjacent Willow Creek watershed. Citizen monitors could be trained and coordinated to conduct bioassessments in Alder Creek. The results from future monitoring should be compared with existing data to identify trends.

### **Conditions of Concern**

◆ **Loss and/or conversion of sensitive vegetation communities/habitats** – With much of the upper watershed north of U.S. 50 relatively built out, concern regarding loss of sensitive habitats is focused on the upper and middle watershed areas south of U.S. 50. Widely distributed blue oak woodlands, oak savanna, and grasslands occur in the upper and middle watershed. While large-scale development plans for the Folsom SOI Area and Easton project include the conservation of relatively large areas, loss and/or conversion of resources will

still occur. Potential future loss and/or conversion of sensitive resources would affect:

- oak/riparian woodland – direct loss and fragmentation;
- vernal pools and swales – direct loss, water quality and hydrologic impairment;
- creeks – change from intermittent or ephemeral to perennial,;
- riparian corridors – potential degradation of vegetation composition ; and
- ponds – accelerated eutrophication, increased need for maintenance, loss of function, and nuisance vegetation growth.

◆ **Habitat fragmentation and loss of connectivity** – Planned transportation and utility infrastructure construction (e.g., road crossings) in support of future development in the upper and middle watershed has the potential to result in habitat fragmentation, loss of movement pathways, and overall connectivity in the watershed and throughout the larger region.

◆ **Reduced wildlife habitat value** – Urban/developed areas typically lack vegetation cover and associated habitat values. Urban areas tend to have little habitat value for wildlife species because the natural habitat has been greatly modified. These areas support many nonnative and common wildlife species.

◆ **Loss of riparian habitat** – Development and associated infrastructure (e.g., bridges, pipelines) result in the direct loss of riparian habitat and the secondary loss via degradation of natural buffers.

◆ **Loss of floodplain function** – Altered hydrology and encroachment on the creek corridor can result in loss of floodplain function that is vital in supporting riparian vegetation recruitment and succession, nutrient and material exchange, and sediment transport and deposition processes.

◆ **Invasive weeds** – Invasive weeds are widely distributed throughout the riparian corridor of Alder Creek, especially the segment of creek in the middle and lower watershed. Infestations are along all reaches and across all geomorphic surfaces of the channel (e.g., at creek bottom, on the top of bank and terrace). Invasive weeds alter riparian ecosystem functions by competing with native species, hindering conveyance of floodwaters, affecting the transport and storage of sediment, altering geomorphic processes that sustain channel and floodplain landforms, affecting nutrient cycling, and altering the provision of wildlife habitat. Increased development in the watershed has the potential to result in increased spread of invasive weeds through introduction, disturbance, and native habitat alteration/degradation.

2 cont.

### **General Recommendations**

◆ **Creek corridor and open space preservation** – Creek corridor and open space preservation should be made a priority in areas that are undergoing development and areas (e.g., developed areas) where opportunities for preservation exist. Creek corridors could be preserved through the creation of creek setback buffers to provide multiple functions (e.g., active floodplain, riparian habitat, floodflow conveyance, trails). The width of the buffers and uses allowed within buffer (e.g., natural state, recreation, landscaping, utilities, stormwater management) should be developed based on:

- preservation objectives (e.g., water quality maintenance, wildlife movement, biodiversity, aesthetics),
- habitat functions and values,
- topography,
- soils and geology (e.g., erodibility, presence of bedrock, percolation rate),
- flood frequency and magnitude, and

- existing and future adjacent land uses.

Open space preservation strategies should be developed and implemented in coordination with regional efforts (e.g., Sacramento Valley Conservancy, South Sacramento County Habitat Conservation Plan) with the objectives of protecting sensitive resources and maximizing connectivity between habitats and other open space areas.

◆ **Tree planting** – Tree planting projects should be implemented throughout the watershed. Urban and open space tree planting projects provide many benefits, including heat island cooling, riparian and stream shade (water cooling and nuisance species management), wildlife habitat, streambank stability, and detritus and woody debris for the aquatic food web. These projects could be carried out by community volunteers (e.g., Friends of Folsom Parkways), the City of Folsom Parks Department, and others in coordination with the Sacramento Tree Foundation.

◆ **Invasive weed mapping and control** – Invasive weed removal strategies for different species should be identified and implemented. Suppression and/or eradication of invasive weeds requires long-term stewardship of affected areas, and successful management of invasive weed species prevents decreased riparian habitat quality and stream channel function. There is also a need to educate and inform the existing and new community residents about appropriate plant selection for landscapes.

#### **4.4 Opportunities and Constraints**

As discussed above, undeveloped portions of the watershed south of U.S. 50 are characterized by relatively undisturbed plant communities that provide habitat for a diversity of native plants and wildlife. The water quality and aquatic habitat functions of Alder Creek in this portion of the watershed are relatively intact. The location of the watershed, at the junction between the Sierra Nevada foothills near eastern Sacramento County and the American River Parkway, likely makes the watershed a movement corridor for several species of wildlife. However, this portion of the watershed will experience significant development pressure in the coming years. Therefore, this portion of the watershed presents both significant opportunities, in terms of terrestrial and aquatic habitat preservation, as well as recreational uses and other uses that benefit from or are facilitated by habitat preservation, and significant challenges to preserve these values in the face of urbanization. Identifying and understanding these opportunities and challenges (summarized below) was an important first step in developing recommended policies and projects for this Plan. A map illustrating opportunities and constraints in the Alder Creek watershed is provided in Exhibit 4-3.

##### **4.4.1 Opportunities**

The following opportunities relating to biological resources, water quality and hydrologic processes, and connectivity have been identified for the Alder Creek watershed.

##### **Biological Resources**

Significant biological resources are found throughout the southern portion of the watershed. The presence of these resources provides an opportunity to preserve native communities and species representative of the Central Valley and adjacent Sierra Nevada foothills through targeted designation of open space areas. These areas should encompass the greatest diversity of native communities and species, including rare, threatened, and endangered species. The areas should also be as large and interconnected as possible to facilitate movement of species between open space preserves (e.g., American River Parkway, Deer Creek Hills Preserve, Cosumnes River corridor) and persistence of species in those preserves. Open space preserves

can be further enhanced by buffering preserves wherever possible from potentially incompatible surrounding land uses (e.g., by locating parks, rather than housing, adjacent to open space areas).

#### **Water Quality and Aquatic Ecological Processes**

Despite the developed nature of the northern portion of the upper watershed and modification of watershed hydrology, the middle and lower portions of Alder Creek still appear to exhibit relatively good water quality and aquatic ecological heather (based on bioassessments). An opportunity exists to preserve these conditions to the maximum extent possible by maintaining a natural hydrograph to the extent possible; protecting the 200-year floodplain of Alder Creek and associated riparian corridor; continuing to prohibit the direct diversion of untreated urban runoff into stream channels, swales, and wetlands; detaining stormwater offstream; and reducing nutrient loading and protecting water quality.

#### **Connectivity**

Because most of the watershed is undeveloped, an opportunity exists to preserve connectivity. "Connectivity" is a broad term that relates to various types of connection. It refers to habitat connectivity between preserved open space areas, primarily to benefit wildlife populations as described above. It also refers to hydrologic connectivity among stream channels, swales, and wetlands. The term also can refer to multimodal connectivity (e.g., pedestrians, bicyclists) between existing regional trails networks and areas of future development. The preservation of Alder Creek through the dedication of a preserved creek corridor and the use of clear-span bridges or bottomless culverts, along with the creation of a regional trail network in the creek corridor, offers the most significant opportunity to maintain each of these aspects of connectivity in the watershed and throughout the larger region consistent with Sacramento Valley Conservancy's Twenty-First Century Vision for Open Space (Exhibit 4-4).

2 cont.

#### **4.4.2 Constraints**

The following constraints relating to biological resources, water quality and hydrologic processes, and connectivity have been identified for the Alder Creek watershed.

#### **Biological Resources**

The primary constraints related to biological resources are habitat loss and fragmentation that are likely to result from future development in the watershed. This could result in the loss of rare, threatened, or endangered species, and although this loss is likely to be mitigated, mitigation may occur outside the watershed, resulting in a net loss of these resource values in the watershed. Habitat loss is likely to be most pronounced in grassland and oak woodland habitats; thus, options for the preservation of habitat for species reliant on these habitat types for breeding and foraging are likely to be most constrained.

#### **Water Quality and Hydrologic Processes**

Water quality and hydrologic processes are likely to be constrained by future development and increased nutrient loading, sediment delivery, and modified hydrology that may accompany development in the watershed. Increased nutrient loading is likely to pose significant constraints for the maintenance of many aquatic habitats through the increased potential for eutrophication and depletion of dissolved oxygen via aquatic vegetation growth. Sediment delivery, particularly legacy mercury-laden sediments that exist in dredge tailings that may be mobilized during development activities, is also likely to constrain opportunities for the maintenance of water quality as it pertains to the aquatic ecosystem. Future development in the headwaters of Alder Creek, where seeps, swales, ephemeral drainages, seasonal wetlands, and other aquatic habitats provide major contributions to the flow of Alder Creek and help to

*regulate the hydrology of the creek, is likely to disrupt hydrologic processes. Additional analysis and evaluation should be conducted on the Natomas Company Dam and the impoundment behind the dam to address any potential safety issues and determine long-term management strategies for the reservoir and dam. Additional analysis also should be conducted at Alder Pond, which is formed by Lake Natoma backwater and is the receiving water for the watershed.*

**Connectivity**

*Roads, utilities, and other infrastructure are likely to constrain connectivity between open space areas, hydrologic connectivity, and connectivity between recreational trails and other trails that would facilitate nonmotorized mobility between adjacent areas of development by creating barriers to the free movement of wildlife, water, and people. As described for water quality, opportunities to maintain connectivity, particularly hydrologic connectivity, are likely to be most constrained in the upper watershed, where the hydrologic system consists of an interconnected network of seeps, wetlands, swales, and drainages.*

2 cont.

Chapter 5 of the Plan goes into useful detail and suggests development planning policies that would provide watershed protection. Page 5-12 shows El Dorado Hills Town Center, an example of a project that retains surface water features instead of piping stormwater. Other examples under development design and implementation recommendation DDI-2 incorporate natural drainages into development design are shown on pages 5-37 through 5-39. See also page 5-43, Recommendation DDI-4.

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The DEIR needs to consider more natural-type drainage as an alternative to the proposed piping of stormwater in the northeast area/upper watershed. Please see above excerpts from the plan for the stream hydrology and geomorphic and water quality impacts that could be avoided.

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The DEIR should consider mitigation of erosion and sedimentation and creek channel alteration by an alternative stormwater system with many dispersed drainage outfalls as opposed to the larger outfalls proposed. Dispersed and distributed stormwater drainages decrease the overall impact of discharging concentrated stormwater to the receiving creek. Smaller drainage areas with drainage swales and culverts flowing into the creek in a fashion that is similar to natural drainage patterns should be analyzed. This alternative drainage system in the headwaters and upper watershed could avoid large pulses of water into the receiving creek that cause channel alteration, reformation, and often substantial scour at the outfall locations.

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Please consider incorporating the Alder Creek Watershed Management Action Plan into the mitigation measures for impacts to hydrology, water quality, and biological resources.

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Thank you for the opportunity to comment on this wide-ranging and significant project.

Sincerely,



Alta Tura, President





- SACC-1 *The comment states that most of the project site is within the Alder Creek Watershed.*
- The DEIR/DEIS acknowledges that the majority of the project site is located within the Alder Creek Watershed (see page 3A.9-1 of the DEIR/DEIS and Exhibit 3A.9-1, “Project Site Watershed and Outfall Locations”).
- SACC-2 *The comment provides eight pages of excerpts from the Assessment Results section of the Alder Creek Watershed Management Action Plan (City of Folsom 2010).*
- The Alder Creek Watershed Management Action Plan is described on page 3A.9-32 of the DEIR/DEIS. The comment does not suggest any deficiencies or request any changes in the analysis contained in the DEIR/DEIS; therefore, no further response is required.
- SACC-3 *The comment states that Chapter 5 of the Alder Creek Watershed Management Action Plan (City of Folsom 2010) provides useful detail and suggests development of planning policies that would provide watershed protection.*
- The Alder Creek Watershed Management Action Plan is discussed on page 3A.9-36 of the DEIR/DEIS. The commenter is correct that this plan provides recommendations related to assessment and protection of hydrologic and geomorphic processes and functions for Alder Creek. However, the Alder Creek Watershed Management Action Plan has not been adopted by the City of Folsom as a set of enforcing regulations or policies; therefore, CEQA does not require that the project’s compliance be analyzed in the DEIR/DEIS. However, the City notes that the Alder Creek Watershed Management Action Plan was provided to the project applicant(s) so that elements of that Plan, to the extent practical and feasible, could be incorporated in project design.
- SACC-4 *The comment states that page 5-12 of the Alder Creek Watershed Management Action Plan (City of Folsom 2010) provides an example of a project that retains surface water features instead of piping stormwater (i.e., the El Dorado Hills Town Center).*
- See response to comment SACC-3. The stormwater facilities proposed as part of the project would be constructed along the natural drainage courses within the SPA to mimic natural drainage patterns, as described on page 2-20 of the DEIR/DEIS. Stormwater runoff would be collected in surface swales, catch basins, drainage inlets, underground pipes, and detention basins. Also, during smaller rain events, runoff would be conveyed within the creek banks while larger flows would utilize up to the design depth of the detention basins. The project also would employ an LID stormwater management system to reduce excess stormwater runoff and increase infiltration potential and surface storage (see DEIR/DEIS Chapter 2, “Alternatives” at pages 2-20 and 2-23, and Mitigation Measure 3A.9-2 on page 3A.9-29).
- SACC-5 *The comment states that the Alder Creek Watershed Management Action Plan (City of Folsom 2010) contains other examples in Recommendation DDI-2 that incorporate natural drainages into development designs.*
- See responses to comments SACC-3 and SACC-4. The project would maintain at least 30% of the SPA as natural open space, including most of Alder Creek as well as most of

the stream and intermittent drainage channels found in the area, as described on page 2-24 of the DEIR/DEIS.

SACC-6

*The comment states that the Alder Creek Watershed Management Action Plan (City of Folsom 2010) Recommendation DDI-4 provides an example of how to incorporate natural drainages into development design.*

See responses to comments SACC-3 and SACC-4. The Sacramento County and City of Folsom Phase I MS4 NPDES permit identifies the need to address changes in the hydrograph (hydromodification), which could result from urbanization of a watershed, and would require LID controls to more closely mimic the predeveloped hydrologic condition. Mitigation Measure 3A.9-2 on page 3A.9-29 of the DEIR/DEIS would require the preparation and submittal of final drainage plans, which include performance standards to demonstrate that project-related on- and off-site runoff would be appropriately contained in detention basins or managed through other improvements (e.g., source controls, biotechnical stream stabilization) to reduce flooding and hydromodification impacts. The final drainage plan would need to have approval from the City of Folsom Community Development and Public Works Department and the El Dorado County Department of Transportation.

The final drainage plans could include use of: LID techniques to limit increases in stormwater runoff; enlarged detention basins to minimize flow changes; bioengineered stream stabilization to minimize bank erosion; minimization of slope differences between stormwater or detention facility outfall channels and the receiving channel gradient; and minimization of encroachments into the channel and floodplain corridor. Several of these techniques are consistent with the recommendations made in the Alder Creek Watershed Management Action Plan Recommendation DDI-4.

SACC-7

*The comment states that the DEIR/DEIS should consider more natural-type drainage as an alternative to the proposed piping of stormwater in the northeast upper watershed area.*

See response to comment SACC-5.

SACC-8

*The comment states that recommendations from the Alder Creek Watershed Management Action Plan (City of Folsom 2010) can help avoid impacts to stream hydrology, geomorphology, and water quality.*

See response to comment SACC-3. Several of the recommendations from the Alder Creek Watershed Management Action Plan have already been incorporated into the project design, and have been incorporated into Mitigation Measures 3A.9-2 and 3A.9-3 (on pages 3A.9-29 and 3A.9-38 of the DEIR/DEIS, respectively). Final drainage plans, as required in Mitigation Measure 3A.9-2, would demonstrate that project-related on- and off-site runoff would be appropriately contained to reduce flooding and hydromodification impacts. The development and implementation of BMPs and a water quality maintenance plan, as required in DEIR/DEIS Mitigation Measure 3A.9-3, would conform to applicable state and local regulations and would reduce contaminant levels in urban runoff.

SACC-9 through  
SACC-10

*The comments state that the DEIR should consider mitigation of erosion, sedimentation, and creek channel alteration by an alternative stormwater system with many dispersed drainage outfalls as opposed to the larger outfalls currently proposed.*

The commenter suggests an alternative stormwater system in order to be consistent with recommendations and guiding principles contained in the Alder Creek Watershed Management Action Plan. See responses to comments SACC-3 and SACC-6. Stormwater infrastructure for the project would be designed and constructed to limit peak storm flows to the level existing before development. DEIR/DEIS Mitigation Measure 3A.9-1 (pages 3A.9-25 and 3A.9-26) and Mitigation Measure 3A.9-2 (pages 3A.9-29 and 3A.9-30) contain policies designed to reduce erosion, sedimentation, and creek channel alteration as a result of project construction and operation. An EIR need not consider all potential alternatives to the project but merely a reasonable range. (CEQA Guidelines section 151526.6[a].) The DEIR/DEIS analyzes a reasonable range of alternatives and need not include multiple variations of the alternatives that it does consider, including, for example, an alternative that would implement a different drainage system in the SPA. (See *Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* [1982] 134 Cal.App.3d 1022 [EIR was not required to study what project opponents characterized as an “obvious alternative” when document already analyzed reasonable range of alternatives].) The commenter suggests that the DEIR/DEIS analyze an alternative to the proposed on-site drainage system but an EIR is not required to consider alternatives to a component of a project and should instead focus on alternatives to the project as a whole. (*California Native Plant Society v. City of Santa Cruz* [2009] 177 Cal.App.4th 957, 993 [EIR upheld despite opponents’ claim that City should have evaluated an off-site alternative to one of the trails in the plan].)

SACC-11

*The comment states that systems more similar to natural drainage patterns should be analyzed.*

See responses to comments SACC-3, SACC-6, and SACC-9 through SACC-10. Stormwater infrastructure for the project would be designed and constructed to limit peak storm flows to the level existing before development. DEIR/DEIS Mitigation Measure 3A.9-1 (pages 3A.9-25 and 3A.9-26) and Mitigation Measure 3A.9-2 (pages 3A.9-29 and 3A.9-30) contain policies designed to reduce erosion, sedimentation, and creek channel alteration as a result of project construction and operation.

SACC-12

*The comment states that an alternative drainage system in the headwaters and upper watershed could avoid impacts to receiving creeks that cause channel alteration, reformation, and scour at outfall locations.*

The commenter suggests an alternative project design in order to be consistent with recommendations and guiding principles contained in the Alder Creek Watershed Management Action Plan. See responses to comments SACC-3, SACC-6, and SACC-9 through SACC-10. Stormwater infrastructure for the project would be designed and constructed to limit peak storm flows to the level existing before development. DEIR/DEIS Mitigation Measure 3A.9-1 (pages 3A.9-25 and 3A.9-26) and Mitigation Measure 3A.9-2 (pages 3A.9-29 and 3A.9-30) contain policies designed to reduce erosion, sedimentation, and creek channel alteration as a result of project construction and operation.

SACC-13

*The comment requests that mitigation measures for impacts to hydrology, water quality, and biological resources incorporate the Alder Creek Watershed Management Action Plan.*

The Alder Creek Watershed Management Action Plan has not been adopted. Although many of the mitigation measures proposed in the DEIR/DEIS are similar to elements of the plan, the plan is not required under CEQA to be incorporated into mitigation measures because it is not an adopted plan, regulation, or law.