

## 10 CULTURAL RESOURCES

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This chapter provides an evaluation of the potential historical, cultural, and paleontological resource effects of implementing the proposed City of Folsom 2035 General Plan (2035 General Plan). As established in the Notice of Preparation for the proposed 2035 General Plan (see Appendix A, *Notice of Preparation*), urban development and other activities subject to the plan may result in adverse effects to historical, cultural, and paleontological resources.

The following environmental assessment includes a review of historical, cultural, and paleontological resources potentially affected by the implementation of the 2035 General Plan, including known and unknown historical and cultural resources within the 2035 Plan Evaluation Area. This analysis includes a review of regulations, requirements, plans, and policies applicable to historical and cultural resources.

The existing condition of the historical and cultural resource environment in the 2035 Plan Evaluation Area was determined by a review of local documentation and listings, cultural resource documents, historical records, geological maps, and paleontological literature. Existing conditions were also assessed through site visits, surveys, local knowledge, and photographic record. Potential impacts related to historical and cultural resources were determined by comparing potential activities to the existing environment, based on CEQA assessment criteria, and by considering the policies, regulations, and guidelines adopted by the City of Folsom and by federal and state resource agencies.

### 10.1 SETTING

The environmental and regulatory setting of the 2035 Plan Evaluation Area with respect to historical, cultural, and paleontological resources is described below for both the physical environment and the body of federal, state, and local policies and regulations that govern such resources.

#### 10.1.1 ENVIRONMENTAL SETTING

This section provides an overview of cultural and paleontological resources in Folsom, including an overview of the historical themes and a discussion of the types of cultural resources likely to be encountered.

Cultural resource is the umbrella term used by most regulatory authorities (such as CEQA) to describe several different types of properties: prehistoric and historical archaeological sites; architectural properties, such as buildings, bridges, and infrastructure; and locations important to Native Americans. Regulatory authorities differ in terms of how significant cultural resources are defined. For instance, the implementing regulations for Section 106 of the National Historic Preservation Act (NHPA) define an historic property as any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the National Register of Historic Places (NRHP) (36 CFR 800.16). Also in common use is CEQA's historical resource definition, which includes buildings, sites, structures, objects, or districts that are eligible for listing or are listed in the California Register of Historical Resources (CRHR), each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance.

Paleontological resources are the recognizable remains of once-living, non-human organisms. Identified as fossils, these resources represent a record of history of life on the planet dating back as far as 4 billion years ago. Paleontological resources can include fossilized shells, bones, leaves, tracks, trails, and other fossilized floral or faunal materials. Paleontological resources are not related to human history, and are among the resources considered in the CEQA Guidelines.

The methods, sources sought, and results for cultural resources are presented below. Paleontological resources are addressed separately, thereafter.

## **METHODS AND SOURCES CONSULTED FOR CULTURAL RESOURCES**

To characterize existing conditions in Folsom, the consulting team conducted a records search at the North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS). The team also reviewed literature on file at their cultural resources library in Sacramento, and at the California Room of the California State Library, also in Sacramento. Information from the records search was used to determine the number and types of known cultural resources in Folsom, whereas the literature review informed the prehistoric archaeological, ethnographic, and historic contexts (see citations later in this section). In addition, the consulting team examined the Folsom Plan Area Specific Plan DEIR/DEIS (Folsom 2011) and associated cultural resources reports.

The consulting team conducted the records search at the NCIC on November 23, 2010, December 16, 2010, and January 5, 2011 (Records Search Nos. SAC-10-153, -153A, and SAC-11-03). The NCIC maintains the CHRIS's official records of previous cultural resource studies and known cultural resources for a six-county area that includes Sacramento County. The area was plotted on topographic maps (U.S. Geological Survey 1980a, 1980b) and compared to the NCIC's base maps of previous cultural resource studies and known cultural resources. For each cultural resource within Folsom, sufficient portions of the corresponding resource record form were copied to identify the resource as to official primary number and trinomial, historic and common name, resource type, significance status, and location. The consulting team also consulted several overview studies and local resource registers and inventories. To update the records searches completed from 2010 to 2011, cultural resource records searches completed for recent City of Folsom environmental documents were reviewed and incorporated, as necessary.

## **CULTURAL SETTING**

### *Prehistoric Archaeological Context*

The prehistoric archaeological framework of the Sacramento Valley has been described in the following sections in terms of archaeological patterns. A pattern is a general mode of life characterized archaeologically by technology, particular artifacts, economic systems, trade, burial practices, and other aspects of culture. Periods are also employed to further subdivide patterns: Paleoindian (12,000–8000 Before Present [B.P.]), Lower Archaic (8000–5000 B.P.), Middle Archaic (5000–2500 B.P.), Upper Archaic (2500–950 B.P.), Lower Emergent (950–450 B.P.), and Upper Emergent (450–150 B.P.).

### **Terminal Pleistocene and Early Holocene: 13,500 to 7000 B.P.**

At the end of the Pleistocene (roughly the beginning of the Paleoindian Period), circa 13,500 to 10,500 B.P., parts of the Sierra Nevada adjacent to the Central Valley were covered with large

glaciers, and the valley provided a major transportation route for animals and people. This transportation corridor, perhaps rivaled only by maritime coastal travel, was undoubtedly used heavily by early Californians. Evidence of human occupation during this period, however, is scarce, the hypothesized result of being buried by deep alluvial sediments that accumulated rapidly during the late Holocene.

Although rare, archaeological remains of this early period were reported in and around the Central Valley.

The economy of the Central Valley residents during the late Pleistocene is thought to have been based on the hunting of large Pleistocene mammals. Although no direct evidence of this exists in the Central Valley, the similarity of the artifact assemblages with those of other locations in western North America lends some support for the notion of a large-game economic focus. Much of the Pleistocene megafauna became extinct at the Pleistocene/Holocene transition. These extinctions were caused by warming temperatures, rising sea levels, and changing precipitation patterns. As the Central Valley gradually became both warmer and dryer, pine forests were replaced with vegetation similar to that found today. The rising sea level filled San Francisco Bay and created the Delta marshes. To survive without large game, people had to change their food procurement strategies to make use of a more diverse range of smaller plants and animals.

#### **Middle to Late Holocene: 7000 to 1200 B.P.**

Using a wider range of smaller resources meant that people had to have access to larger areas of land to hunt and collect the food and other resources they needed. Small groups of people probably moved through the valley, foothills, and Sierra Nevada to take advantage of seasonally available resources, and resources limited to particular ecozones. This mobile foraging strategy was essential to their survival.

During the Lower Archaic Period, beginning approximately 6000 B.P., a shift to a more specialized subsistence strategy began to take place. The more specialized strategy focused on ways of increasing the amount of food that could be produced from smaller portions of land. As the population slowly increased, it became more and more difficult for people to obtain seasonally available resources across large areas of land. The beginnings of this intensification can be seen in the Middle-Archaic Windmill Pattern (4500–2800 B.P.) and is based on the assemblage at the Windmill site (CA-SAC-107).

Hunting was not limited to terrestrial animals, as evidenced by fishing hooks and spears that have been found in association with the remains of sturgeon (*Acipenser sp.*), salmon (*Oncorhynchus sp.*), and other fish. Plants also were used, as indicated by ground-stone artifacts and clay balls that were used for boiling acorn mush. The bone tool industry appears minimal but includes awls, needles, and flakers. Other characteristic artifacts include charmstones, quartz crystals, bone awls and needles, and abalone (*Haliotis sp.*) and olive snail (*Olivella sp.*) shell beads and ornaments. Trade is reflected in the material from which utilitarian, ornamental, and ceremonial objects were produced.

Windmill Pattern origins are believed to be linked to the arrival of Utian peoples from outside California who were adapted to riverine and wetland environments. Settlement strategies during the Windmill period reflect seasonal adaptations; habitation sites in the valley were occupied during winter, but populations moved into the foothills during summer.

### **Late Horizon: 1200 B.P. to Historic Period**

The trends toward specialization, exchange, and spatial circumscription that characterized prior periods continued in the Late Horizon. Population continued to increase, and group territories continued to become smaller and more defined. The Delta region of the Central Valley reached population density figures higher than almost any other area of North America. Patterns in the activities, social relationships, belief systems, and material cultural continued to develop during this period, and took forms similar to those described by the first Europeans that entered the area.

The predominant generalized subsistence pattern during this period is called the Augustine Pattern (1200 B.P.); it shows a high degree of technological specialization. Exchange became well developed, and an even more intensive emphasis was placed on the use of the acorn, as evidenced by the presence in the archaeological record of shaped mortars and pestles, and numerous hopper mortars.

Other notable elements of the artifact assemblage associated with the Augustine Pattern include flanged tubular smoking pipes, harpoons, clam shell disc beads, bone awls for basketry, bone whistles and stone pipes, and an especially elaborate baked clay industry, which included figurines and pottery vessels (*Cosumnes Brownware*). The presence of small projectile point types, referred to as the Gunther Barbed series, suggests the use of bow and arrow. Other traits associated with the Augustine Pattern include the introduction of pre-interment burning of offerings in a grave pit during a mortuary ritual, increased village sedentism, maintenance of extensive exchange networks, population growth, and an incipient monetary economy in which beads were used as a standard of exchange.

### ***Nisenan Ethnography***

The Nisenan (also referred to as Southern Maidu) inhabited the 2035 Plan Evaluation Area prior to large-scale European and Euroamerican settlement of the surrounding area. Nisenan territory comprised the drainages of the Yuba, Bear, and American Rivers, and the lower drainages of the Feather River. The Nisenan, together with the Maidu and Konkow, their northern neighbors, form the Maidu language family of the Penutian linguistic stock. Three dialects have been noted: Northern Hill Nisenan, Southern Hill Nisenan, and Valley Nisenan. Although cultural descriptions of this group in the English language are known from as early as 1849, most of our current cultural knowledge comes from various anthropologists in the early part of the 20th century.

The basic subsistence strategy of the Nisenan was seasonally mobile hunting and gathering. Acorns, the primary staple of the Nisenan diet, were gathered in the valley along with seeds, buckeye, salmon, insects, and a wide variety of other plants and animals. During the warmer months, people moved to mountainous areas to hunt and collect food resources, such as pine nuts. Bedrock and portable mortars and pestles were used to process acorns. Nisenan settlement patterns were oriented to major river drainages and tributaries. In the foothills and lower Sierra Nevada, Nisenan located their villages in large flats or ridges near major streams. These villages tended to be smaller than the villages in the valley.

Trade provided other valuable resources that were not normally available in the Nisenan environment. The Valley Nisenan received black acorns, pine nuts, manzanita berries, skins, bows, and bow wood from the Hill Nisenan to their east, in exchange for fish, roots, grasses, shells, beads, salt, and feathers. To obtain, process, and utilize these material resources, the Nisenan had an array of tools to assist them. Wooden digging sticks, poles for shaking acorns loose, and baskets of

primarily willow and redbud were used to gather vegetal resources. Stone mortars and pestles were used to process many of the vegetal foods; baskets, heated stones, and wooden stirring sticks were used for cooking. Basalt and obsidian were primary stone materials used for making knives, arrow and spear points, clubs, arrow straighteners, and scrapers.

Nisenan settlement locations depended primarily on elevation, exposure, and proximity to water and other resources. Permanent villages were usually located on low rises along major watercourses. Village size ranged from three houses to 40 or 50 houses. Larger villages often had semi-subterranean dance houses that were covered in earth and tule or brush, and had a central smoke hole at the top and an entrance that faced east. Early Nisenan contact with Europeans appears to have been limited to the southern reaches of their territory. Spanish expeditions intruded into Nisenan territory in the early 1800s. In the two or three years following the gold discovery, Nisenan territory was overrun by immigrants from all over the world. Gold seekers and the settlements that sprang up to support them were nearly fatal to the native inhabitants. Survivors worked as wage laborers and domestic help, and lived on the edges of foothill towns. Despite severe depredations, descendants of the Nisenan still live in their original land area, and maintain and pass on their cultural identity.

### ***Historical Context***

The City of Folsom is located in Sacramento County, one of the original 27 counties created when California became a state in 1850. The County took its name from the river that forms its western boundary, named by Spanish explorers for the Holy Sacrament.

### **Early Exploration, Mining, and Settlement**

During the early 1800s, hunters and trappers including Jedediah Strong Smith and a group of Hudson's Bay Company trappers entered present day Sacramento County. Smith set up camp in the present day Folsom area in 1827, leading the way for other trappers who arrived in the region during the 1830s. These trappers hunted beavers along the American River. The region remained relatively unchanged through the late 1840s when gold was discovered in Coloma, spurring a population boom to the State.

In 1848, the discovery of gold in Coloma brought an influx of gold seekers to the Sacramento area. Thousands of miners descended upon the region and set up transitory communities such as Mormon Island, Negro Bar and Prairie City. The success of these communities relied on placer gold mining, using simple tools. Within weeks of the discovery of gold in Coloma, a mining camp was established at Mormon Island, located at the juncture of the north and south forks of the American River, now buried under present day Folsom Lake. By 1853, Mormon Island included a population of 2,500. Within two years, gold mines in the area were largely depleted and many miners then turned to railroad and agricultural work for sustenance. As the Sacramento Valley Railroad completed its 22-mile railroad connecting the City of Sacramento to Folsom (1856), the mining camp saw a dwindling population. By the late 1870s, mining camps and towns saw a general decline (especially south of the railroad); for example, Mormon Island had vanished by 1880.

During the mid 19th century, mining methods began shifting. Beginning in the 1860s, hydraulic mining replaced placer mining throughout the state, and specifically in the Sacramento County area. Hydraulic mining used more sophisticated tools and methods that garnered greater recovery and increased productivity, but which also produced debris in the canyons and rivers. This form of

mining required the building of dams, ditches, and flumes, which were constructed throughout the state including in the Sacramento area during the late 1800s. By the turn of the 20th century, hydraulic mining was replaced by dredge mining. Gold dredging occurred at low elevations, usually where rivers or major streams emerged from mountains, such as in Folsom, where operations such as the Natomas Company dredged over \$100 million dollars' worth of gold between 1906 and 1962.

Changes to local industry, including mining and agriculture, led to a rising population in the Sacramento Valley. Prior to the gold rush, a handful of ranches scattered on the Mexican land grants in the Sacramento Valley comprised the few settlements in the region. By 1850, the area's population surged. By 1860, Sacramento County had a population of over 38,000.

By the early 20th century, Sacramento County served as a major agricultural hub. Agriculture replaced mining and cattle ranching as the Central Valley's most profitable industry. More land became utilized for vineyards and orchards, and Sacramento became a central shipping-point for fruit to other areas by use of the continually expanding transcontinental railroad. In the Folsom area, agriculture remained modest, with only a small number of dairies, ranches, and farms.

Residential development and agricultural industry continued to flourish during the early 20th century. Residential growth led to developments in transportation, irrigation, and agriculture related industry. Railroad expansion into the Sacramento area shaped the first three decades of land development, and the increased use of personal vehicles during the 1930s led to more road and highway development. Additionally, with the success of agriculture came the demand for more water. Ditches, dams, and reservoirs were constructed throughout the county and statewide. In the late 1940s, construction began on the Folsom Dam. The dam would provide electrical energy and flood control to the Sacramento area, supporting agricultural industry and spurring more population growth in the Sacramento region. By 1960 the county had over 500,000 residents.

### *The City of Folsom*

The City of Folsom was established in 1848 when U.S. Army Captain Joseph Folsom and railroad pioneer Theodore Judah founded the town site near the Negro Bar mining spot on the American River, in the vicinity of present-day Folsom. The two men named the site Granite City, which was laid out in 1855. In 1856, the first train on the first railroad in the West arrived in Granite City from Sacramento. The new town became a center for stage and freight lines, which ran to the northern mining camps and farther northeast to Nevada. Following Captain Folsom's death, his successors renamed the town in his memory. By 1857, every lot in Folsom had been sold, and three new hotels had opened for business.

During the late 19th century Folsom experienced a surge of residential and infrastructure development. The State of California chose Folsom as the ideal site for a prison, and by 1880 Folsom State Prison opened its gates to its first inmates. State engineers finished construction on the city's historic truss bridge in 1893 to transport people and livestock across the American River. In 1895 the Folsom Powerhouse was constructed, facilitating the first long-distance transmission of electricity: 22 miles from Folsom to Sacramento. The powerhouse operated continuously from 1895 to 1952. Today, both the original powerhouse building and the distribution point in Sacramento are listed as California Historical Landmarks. Many buildings constructed in Folsom during the 1860s remain today, including the Wells Fargo building, built in 1860, and historic houses such as the Cohn House, which is listed as a National Landmark, and the Burnham Mansion and Hyman

House, both constructed during the late 19th century. By 1917, the Rainbow Bridge opened to accommodate automobiles. Folsom's Chamber of Commerce filed incorporation papers with the Secretary of State in 1946, officially establishing Folsom as a city. During the late 20th century, Folsom experienced continued residential and community growth.

## **PALEONTOLOGICAL RESOURCES**

Paleontological resources (fossils) are the remains and/or traces of prehistoric life. Fossils are typically preserved in layered sedimentary rocks, and the distribution of fossils is a result of the sedimentary history of the geologic units within which they occur. The Society of Vertebrate Paleontology has established three categories of sensitivity for paleontological resources: high, low, and undetermined. Areas where fossils have been previously found are considered to have a high sensitivity and a high potential to produce fossils. Areas that are not sedimentary in origin and that have not been known to produce fossils in the past typically are considered to have low sensitivity. Areas that have not had any previous paleontological resource surveys or fossil finds are considered to be of undetermined sensitivity until surveys and mapping are performed to determine their sensitivity. (Society of Vertebrate Paleontology 1995)

Vertebrate fossils have been documented in nine different locations within Sacramento County. The finds encompass several hundred specimens, all within the Riverbank Formation. The Modesto-Riverbank formation extends into the far western portion of the 2035 Plan Evaluation Area, south of Lake Natoma. Because of the large number of vertebrate fossils that have been recovered from the Riverbank Formation from Sacramento County and throughout the Central Valley, this formation is considered to have high sensitivity under criteria established by the Society of Vertebrate Paleontology (1995). Likewise, the Mehrten and Ione formations located within the 2035 Plan Evaluation Area may be considered to be sensitive for the presence of paleontological resources. Other geologic formations found in the 2035 Plan Evaluation Area, such as the Laguna Formation, mine/dredge tailings, and Holocene alluvium along local drainage features, would not be expected to contain fossils. (Folsom 2011)

## **KNOWN CULTURAL RESOURCES IN THE 2035 PLAN EVALUATION AREA**

### *Archaeological Resources*

According to the records searches performed by the consulting team, there are at least 238 recorded archaeological resources in Folsom. This count is regarded as a minimum because there are a number of archaeological sites inundated in Folsom Reservoir for which precise locational data are unavailable. Additionally, not all of the property within the 2035 Plan Evaluation Area has been subjected to survey, and with time, evidence of past human presence becomes older and converts to archaeological sites. The FPASP area has been inventoried previously for cultural resources, and approximately 260 prehistoric and historic-era districts, sites, features, and isolated artifacts have been identified (Folsom 2011). Archaeological resources are discussed below under separate headings for prehistoric and historic archaeological resources.

### **Prehistoric Archaeological Resources**

Of the presently known archaeological resources in the 2035 Plan Evaluation Area, 98 contain prehistoric archaeological materials: 87 are prehistoric archaeological sites representing California Indian occupation, and 13 contain both prehistoric and historic materials. Sites with prehistoric components consist predominantly of bedrock milling features with no other archaeological

materials noted. Bedrock milling features are also found in the area with midden, lithic scatters (flaked and ground stone), and rock art. A few sites, such as CA-SAC-172 and CA-SAC-173, were simply called villages; presumably these archaeological resources contained habitation debris such as midden. Lithic scatters are common in the area as well. The area also contains isolated artifacts and sites with house pits. The prehistoric sites with historic materials appear to represent Indian habitation and food-processing sites that Euroamerican and Chinese miners later mined and occupied. Future archaeological study is needed to determine whether these and other prehistoric/historic archaeological resources represent historic-period Indian activities, as some historical studies indicate that many California Indians prospected for gold through about 1850. This latter topic of study is especially important for understanding the social context of California Indians in 19th-century Folsom.

Prehistoric archaeological resources are widely distributed throughout the 2035 Plan Evaluation Area. The majority of such sites are situated adjacent to or near the American River and other watercourses, although archaeological sites are abundant in upland areas near smaller streams. Archaeological resources found in the latter context are typically smaller bedrock milling sites. Intensive mining north and south of Folsom, as well the damming of the North and South Forks of the American River, have rendered it difficult to estimate the density, types, and distribution of prehistoric archaeological resources in the 2035 Plan Evaluation Area. Both land uses resulted in the destruction and obfuscation of archaeological sites under water, tailings, and structures. Recent urban and suburban development has also resulted in the damage and destruction of archaeological sites, although development proposals subject to federal, state, or local environmental regulations do result in the identification of many archaeological resources.

Eligibility determinations and other attributes of prehistoric archaeological resources are shown in Appendix G of this Draft PEIR. Confidential archaeological site information, including locations of known sites, is restricted from public distribution by federal and state law.

### **Historic Archaeological Resources**

A total of 203 recorded archaeological resources currently known to exist in the 2035 Plan Evaluation Area contain historic archaeological materials. Of these, 13 resources contain prehistoric archaeological materials in addition to historic items (see Prehistoric Archaeological Resources above) and 190 contain only historic materials. More than 50 percent of the historic archaeological resources are directly related to mining, consisting of placer mining grounds, adits and shafts, tailings, mining camps, and mining ditches. Although some mining sites are relatively small and discrete, the 2035 Plan Evaluation Area is home to the Folsom Mining District (CA-SAC-308H), the setting for the Natomas Ground Sluice Diggings, Prairie City Diggings, and other extensive mining operations. Vast acreages within the area consist of dredge tailings, punctuated by shafts and other remnants of gold-mining endeavors. Other common historic archaeological materials comprise ranches and homesteads, evidenced by foundations and structure pads, privy pits, wells, rock walls and fences, and landscaping. Less common in Folsom are transportation features, such as historic railroads, bridges, and roads.

The Folsom Mining District (CA-SAC-308H) is an extensive conglomerate of historic mining features. This historic district has been recorded and studied in a largely piecemeal fashion and later subsumed under a single State trinomial designation: CA-SAC-308H. This resource is a district in the sense established by the Office of Historic Preservation, possessing “a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by



plan or physical development”. Here, “district” is a matter of classification and does not inherently stipulate particular treatments or regulations for CA-SAC-308H. As of September 30, 2010, however, seven portions of this district were evaluated for significance according to the criteria of the NRHP and the CRHR. Four were determined ineligible for listing in the NRHP. These elements of CA-SAC-308H have not been evaluated for eligibility to the CRHR. Such evaluations would need to be made should a proposed project affect these elements of CA-SAC-308H. Three elements of CA-SAC-308H have been determined eligible for the NRHP and are listed on the CRHR. Should these district elements be affected by future projects, the lead agency would be required to determine whether project impacts are significant, and propose reasonable mitigation measures to reduce the severity of impacts.

Eligibility determinations and other resource attributes are shown in Appendix G of this Draft PEIR. Confidential archaeological site information, including locations of known sites, is restricted from public distribution by federal and state law.

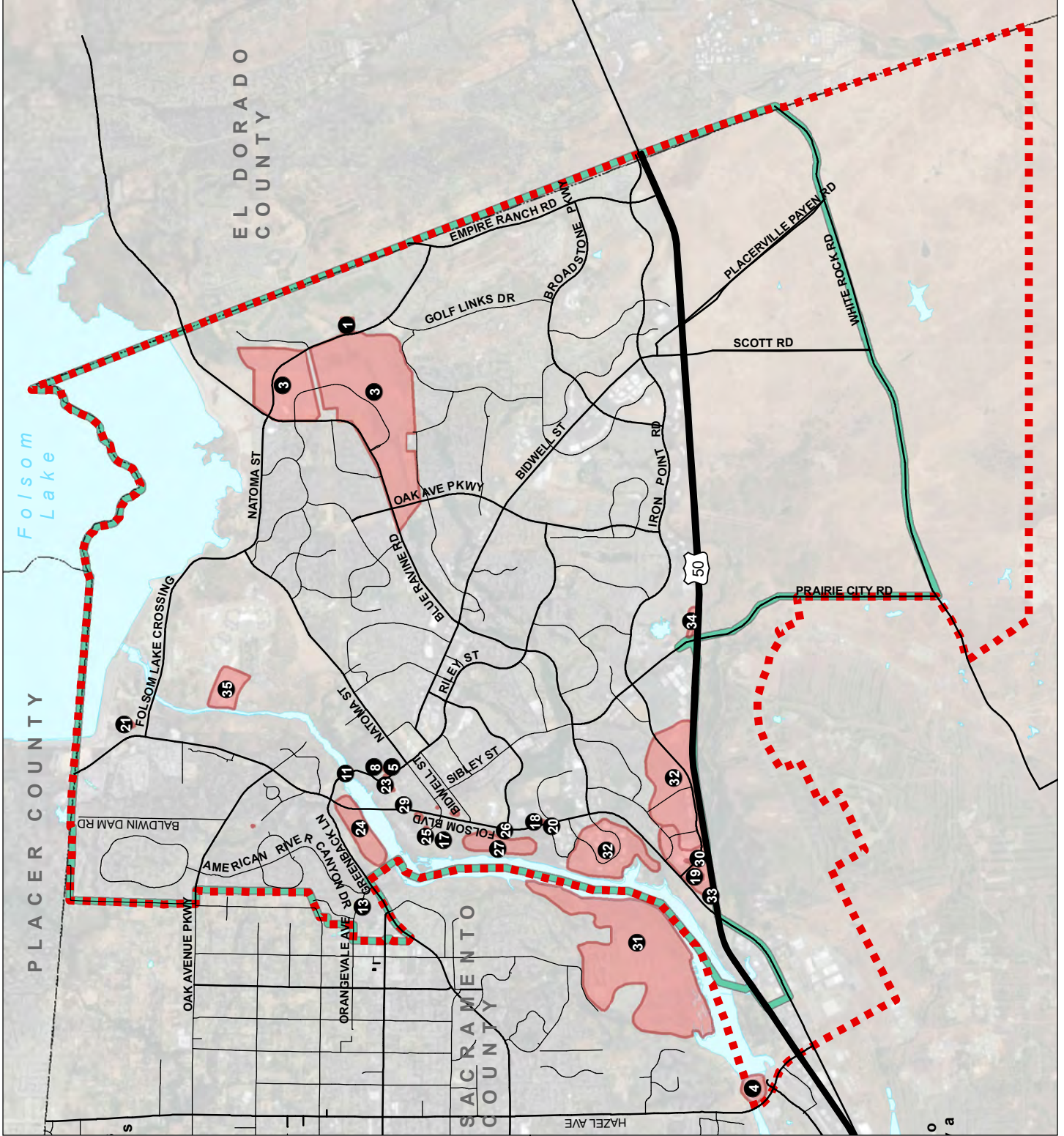
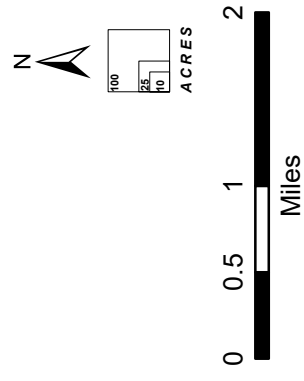
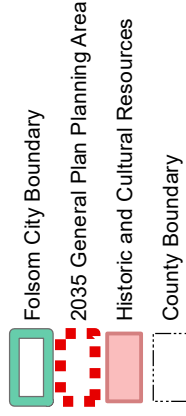
### *Historic-Era Resources*

There are 35 historic-era resources known to exist currently in the 2035 Plan Evaluation Area that are listed on the NRHP, CRHR, or the City’s local register. These historic resources are mapped in Figure 10-1 and listed in Table 10-1. Listed historic built environment resources include structures such as water conveyance structures (Natomas Ditch System, Blue Ravine Segment; Coloma Road-Nimbus Dam), a bridge (Rainbow Bridge), and cemeteries (e.g., Chung Wah Cemetery).

The built environment in Folsom generally includes residential, commercial and light industrial buildings. While portions of the area contain buildings that are 50 years in age or older, there are a substantial number of properties containing buildings that were constructed within the last 50 years. The Folsom Historic District has a high density of historic buildings and structures, and is protected by Chapter 17.52 of the Folsom Municipal Code (FMC) and the Historic District Design and Development Guidelines.

Figure 10-1  
City of Folsom

# Significant Historic Built Environment Resources



Created by  
Planning Partners 2018.  
Additional Sources:  
City of Folsom, 2017;  
County of Sacramento, 2017.

**Table 10-1 Significant Historic Built Environment Resources in the 2035 Plan Evaluation Area**

| #  | Primary/Trinomial          | Resource Name                              | Address   | Register                          |
|----|----------------------------|--|---|-----------------------------------|
| 1  | P-34-479/ CA-SAC-452-H     | Former Jacob Broder Ranch Complex Location | Vicinity of Blue Ravine Road and Green Valley Road                | N/A                               |
| 2  | P-34-507/CA-SAC-480        | Folsom Train Depot                         | 200 Wool Street   | NRHP/HRI                          |
| 3  | P-34-461/ CA-SAC-434-H     | Natomas Ditch System, Blue Ravine Segment  | Off Blue Ravine Road  | NRHP                              |
| 4  | P-34-3898                  | Coloma Road-Nimbus Dam                     | Along Nimbus Dam Road, north of Hwy 50                            | SHL                               |
| 5  | P-34-2339                  | Folsom Powerhouse                          | West bank of American River, in Folsom Lake State Recreation Area | NRHP/ SHL                         |
| 6  | P-34-3895                  | Folsom-Overland Pony Express Route         | Not Available   | SHL                               |
| 7  | Not Available              | Terminal of CA's First Passenger RR        | Not Available   | SHL                               |
| 8  | P-34-956                   | Cohn House                                 | 305 Scott Street  | NRHP                              |
| 9  | Not Available              | Railroad Section Gang Foreman's Residence  | 815 Oakdale Street  | NRHP                              |
| 10 | P-34-439/ CA-SAC-412-H     | Ashland Freight Station                    | 200 Wool Street   | NRHP                              |
| 11 | N/A                        | Rainbow Bridge (Bridge #24C-67)            | Greenback Lane over the American River                            | NRHP/ CA Bridge Inventory         |
| 12 | P-34-2331                  | Chung Wah Cemetery                         | Mormon Street vicinity, near Lake Natoma                          | NRHP                              |
| 13 | N/A                        | Orangevale Avenue Bridge                   | 6615 Orangevale Avenue  | Eligible for CRHR                 |
| 14 | N/A                        | Historic Railroad Alignment                | 7000 Baldwin Dam Road   | Eligible for CRHR                 |
| 15 | N/A                        | Various Historic Residences                | 600, 700, and 800 blocks of Figueroa Street                       | Eligible for CRHR                 |
| 16 | N/A                        | Saint John the Baptist Church              | 100 Natoma Street   | Eligible for CRHR                 |
| 17 | N/A                        | Odd Fellows and Mason Cemeteries           | Within Lakeside Memorial Lawn Cemetery                            | Eligible for CRHR                 |
| 18 | N/A                        | Eucalyptus and Olive Grove                 | 13417 Folsom Boulevard  | Eligible for CRHR                 |
| 19 | N/A                        | Chinese Diggings                           | Not Available   | Eligible for NRHP                 |
| 20 | N/A                        | Murer House                                | 1121 Folsom Boulevard   | Eligible for NRHP                 |
| 21 | N/A                        | Folsom Dam and Powerplant                  | 7794 Folsom Dam Road  | Eligible for NRHP, Listed on CRHR |
| 22 | N/A                        | Folsom Dam Power Substation                | 7794 Folsom Dam Road  | Eligible for NRHP, Listed on CRHR |
| 23 | N/A                        | Murer Gas Station                          | 701 Sutter Street   | Eligible for NRHP, Listed on CRHR |
| 24 | N/A                        | Negro Bar                                  | Negro Bar Recreation Area   | CPHI SAC-017                      |
| 25 | N/A                        | Young Wo Cemetery                          | Natoma Street near Sutter Street                                  | Eligible for CRHR                 |
| 26 | P-34-009, 008/CA-SAC-308-H | Folsom Mining District                     | Not Available   | Eligible for NRHP                 |

**Table 10-1 Significant Historic Built Environment Resources in the 2035 Plan Evaluation Area**

| #  | Primary/Trinomial      | Resource Name                                   | Address         | Register  |
|----|------------------------|---|-----------------|---|
| 27 | P-34-335/ CA-SAC/308-H | Folsom Mining District                          | Not Available   | Eligible for NRHP, CRHR   |
| 28 | P-34-453/CA-SAC-426-H  | Townsite, Folsom Chinatown                      | Not Available   | Eligible for NRHP, CRHR   |
| 29 | P-34-455/CA-SAC-428-H  | Sacramento Valley Railroad                      | Not Available   | Eligible for NRHP, CRHR   |
| 30 | P-34-2262              | Natoma Diggings                                 | Not Available   | Eligible for NRHP   |
| 31 | P-34-2269              | Natomas/Colorado-Pacific Dredge tailings        | Mississippi Bar | Contributor to District eligible for the NRHP, Listed on the CRHP |
| 32 | P-34-2276/CA-SAC-308-H | Natoma Ground Sluice Diggings                   | Not Available   | Eligible for the NRHP/HRI   |
| 33 | N/A                    | Natoma Ground Sluice Diggings, water conveyance |                 | Eligible for NRHP   |
| 34 | P-34-3873              | Prairie City Townsite                           | Not Available   | SHL   |
| 35 | N/A                    | Folsom Prison Historic District                 | Folsom Prison   | Recommended eligible for NRHP, CRHR                               |

Note: SHL = State Historic Landmark

Source: *National Register of Historic Places, 2011; California Register of Historical Resources, 2011; City of Folsom Cultural Resources Inventory, 2007.*

## KNOWN PALEONTOLOGICAL RESOURCES IN THE 2035 PLAN EVALUATION AREA

According to the records searches performed by the consulting team, there are no known paleontological resources in the 2035 Plan Evaluation Area (UCB 2018). A review of known paleontological resources sites in Sacramento County confirmed that the Modesto-Riverbank, Mehrten, and Ione formations located within the 2035 Plan Evaluation Area may be considered to be sensitive for the presence of paleontological resources.

### 10.1.2 REGULATORY SETTING

The following regulations of federal, state, and local agencies govern various aspects of cultural and paleontological resources. These regulations are summarized below and discussed in detail in Appendix C.

#### FEDERAL LAWS AND REGULATIONS

##### *National Historic Preservation Act of 1966, Section 106*

The NHPA is a federal law created to require that federal agencies take into account the effects of their actions on historic properties before carrying out those actions. The NHPA includes regulations that apply specifically to federal land-holding agencies, but also includes regulations (Section 106) that pertain to all projects funded, permitted, or approved by any federal agency that have the potential to affect historical and cultural resources.

*American Indian Religious Freedom Act of 1978 (42 U.S.C. 1996 and 1996a)*

The American Indian Religious Freedom Act establishes that traditional religious practices and beliefs, sacred sites, and the use of sacred objects shall be protected and preserved.

*Paleontological Resources*

Paleontological resources are protected from vandalism and unauthorized collection on federal land by the Federal Antiquities Act of 1906 (PL 59-209; 16 United States Code Section 431 et seq.; 34 Stat. 25). The National Environmental Policy Act of 1969, as amended, requires analysis of potential environmental impacts to important historic, cultural, and natural aspects of our national heritage (United States Code, Section 4321 et seq.; 40 Code of Federal Regulations, Section 1502.25). The U.S. Bureau of Land Management uses the Potential Fossil Yield Classification (PFYC) to classify geological formations by their potential to yield important fossils. The lowest sensitivity is PFYC Class 1 and the highest is PFYC Class 5.

**CALIFORNIA LAWS AND REGULATIONS***California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and Guidelines (14 California Code of Regulations 1500 et seq.)*

CEQA provides direction on determining the significance of impacts to archaeological and historical resources. Public Resources Code Sections 21083.2 and 21084.1, and Section 15064.5 of the State CEQA Guidelines require that lead agencies determine whether projects may have a significant effect on archaeological and historical resources. This determination applies to those resources that meet significance criteria qualifying them as “unique” or “important,” on the CRHR, or determined eligible for listing on the CRHR. Potential eligibility is also based on the integrity of the resource. Appendix G of the CEQA Guidelines lists direct or indirect effects that would destroy a unique paleontological resource or site or unique geologic feature as potentially significant environmental impacts.

*California Register of Historical Resources*

The CRHR is restricted to properties that are to be protected from substantial adverse change (Public Resources Code Section 5024.1). The CRHR lists properties that have been formally determined to be eligible for listing in the National Register of Historic Places, State Historical Landmarks, and listed as eligible as Points of Historical Interest. All other resources require nomination in order to be included on the Register.

*California Public Resources Code Section 5097*

Part of the Native American Historic Resource Protection Act, Code Section 5097 specifies the archaeological, paleontological, and historical and sacred site procedures that must occur both prior to and during construction of any major public works project on state or public lands. It describes the procedures to be followed in the event there is a discovery of human remains.

*California Assembly Bill 52 (California Public Resources Code Section 5097.4)*

Effective July 1, 2015, Assembly Bill 52 amended CEQA to mandate consultation with California Native American tribes during the CEQA process to determine whether or not the proposed project may have a significant impact on a Tribal Cultural Resource, and that this consideration be made

separately from cultural and paleontological resources. A discussion of AB 52 and impacts to Tribal Cultural Resources is provided separately, in Chapter 18 of this Draft PEIR.

### ***California Health and Safety Code Sections 7050.5***

Health and Safety Code 7050.5 establishes the intentional disturbance, mutilation, or removal of interred human remains a misdemeanor. This code also requires that upon the discovery of human remains outside of a dedicated cemetery excavation or disturbance of land cease until a county coroner makes a report. The code also requires that the county coroner contact the NAHC within 24-hours if he or she determines the remains to be of Native American origin.

### ***California Historical Building Code***

The CHBC is intended to save California's architectural heritage by recognizing the unique construction issues inherent in maintaining and adaptively reusing historic buildings. The CHBC provides alternative building regulations for permitting repairs, alterations and additions necessary for the preservation, rehabilitation, relocation, related construction, change of use, or continued use of a "qualified historical building or structure."

### ***California Senate Bill 18***

California Senate Bill 18 (SB 18 - Government Code 65352.3) states that prior to the adoption or amendment of a city or county's General Plan, or the dedication of open space that includes Native American Cultural Places, the city or county shall conduct consultation with California Native American tribes that are on the contact list maintained by the Native American Heritage Commission (NAHC). Because SB 18 is not a CEQA requirement, the consultation record is maintained separately by the City. A discussion of SB 18 and impacts to Tribal Cultural Resources is provided separately, in Chapter 18 of this Draft PEIR.

### ***California Code of Regulations (Title 14, Division 3, Chapter 1)***

Section 4307 of the California Code of Regulations regarding Geological Features applicable to lands administered by the California Department of Parks and Recreation states: "No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, oil, minerals, rocks, paleontological features, or features of caves."

Section 4309 of the California Code of Regulations regarding Special Permits applicable to lands administered by the California Department of Parks and Recreation states: "The Department may grant a permit to remove, treat, disturb, or destroy plants or animals or geological, historical, archaeological or paleontological materials; and any person who has been properly granted such a permit shall to that extent not be liable for prosecution for violating the foregoing."

## **LOCAL LAWS AND REGULATIONS**

The City of Folsom has adopted ordinances and standard conditions to protect historical and cultural resources during the construction and operation of urban development. These requirements are found in the City's Standard Construction Specifications.

### *Folsom Municipal Code (FMC Chapter 17.52)*

The City has established Chapter 17.52 (Historic District) with the following purposes:

1. To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950;
2. To maintain, restore, and reconstruct historic structures and sites within the historic district;
3. To encourage an active business climate which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950;
4. To retain the residential areas within the historic district;
5. To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950;
6. To increase the awareness, understanding, and appreciation of the history of the city; and
7. To preserve and enhance open space areas.

To implement these purposes, Chapter 17.52: Establishes a Historic District Commission; Delineates 12 different areas and establishes appropriate regulations for each area within the Historic District; Requires design review; and, Establishes area specific design standards.

Chapter 17.52 additionally codifies the Historic District Design and Development Guidelines. These Guidelines consist of goals and policies; and, district-wide property development policies; property development policies by area;

### *Standard Construction Specifications*

Requirements of the City's Standard Construction Specifications and Details, General Provisions related to cultural resources include:

- Article 11. Cultural Resources

### *City of Folsom Historic Register*

The City maintains a local historical registry (cultural resources inventory) of important buildings and structures associated with Folsom's history between about 1850 and 1950. Most of these are located within the 98-block historic district bisected by Sutter Street in "Old Folsom." Development within the historic district is guided by the 1998 *Historic District Design and Development Guidelines* and the City's Historic District Commission. The City's inventory includes two ethnographic Native American sites, one bridge, one railroad alignment, 21 houses and residences, two cemeteries, one church, and one cultural landscape.

### *Historic District Commission*

The City's Historic District Commission implements the following goals and procedures, established by the City Council with respect to historic resources:

- To preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950;
- To maintain, restore, and reconstruct historic structures and sites within the historic district;
- To encourage an active business climate which promotes the development of a diverse range of businesses compatible with the historic district as it developed between the years 1850 and 1950;

- To retain the residential areas within the historic district;
- To ensure that new residential and commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950;
- To increase the awareness, understanding, and appreciation of the history of the city; and
- To preserve and enhance open space areas. Folsom Municipal Code Chapter 17.52.

### ***Folsom Plan Area/Russell Ranch Adopted Mitigation Measures***

Mitigation measures adopted by the City during its approval of the Folsom Plan Area Specific Plan and the Russell Ranch project related to historical and cultural resources include:

#### **Folsom Plan Area Specific Plan EIR/EIS**

- 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.
- 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.
- Mitigation Measure 3A.5-3: Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.
- 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.

#### **Russell Ranch Project EIR**

- Mitigation Measure 4.4-2(a): Conduct Construction Worker Awareness Training, Conduct On-Site Monitoring if Required, Stop Work if Cultural Resources are Discovered, Assess the Significance of the Find, and Perform Treatment or Avoidance as Required.
- Mitigation Measure 4.4-2(b): Suspend Ground-Disturbing Activities if Human Remains are Encountered and Comply with California Health and Safety Code Procedures.
- Mitigation Measure 4.4-3: Conduct Construction Worker Awareness Training, Stop Work if Paleontological Resources are Discovered, Assess the Significance of the Find, and Prepare and Implement a Recovery Plan as Required.

### **10.1.3 PROPOSED GENERAL PLAN GOALS AND POLICIES**

The following policies from the proposed 2035 General Plan address historical and cultural resources, as well as guide the location, design, and quality of development to minimize impacts to historical and cultural resources.

#### **NATURAL AND CULTURAL RESOURCES ELEMENT**

**Policy NCR 1.1.4 Native and Drought Tolerant Vegetation.** Encourage new developments to plant native vegetation, including that which is important to Native American lifeways and values, and drought tolerant species and prohibit the use of invasive plants. (New Policy)



**Goal NCR 5.1:** Encourage the preservation, restoration, and maintenance of cultural resources, including buildings and sites, to enrich our sense of place and our appreciation of the city's history.

**Policy NCR 5.1.1: Historic Buildings and Sites.** Whenever feasible, require historic buildings and sites to be preserved or incorporated into the design of new development.

**Policy NCR 5.1.2: Cultural Resources Inventory.** Maintain an inventory of prehistoric and historic resources, including structures and sites.

**Policy NCR 5.1.3: Nominate Additional Cultural Resources.** Nominate additional buildings and sites to the City of Folsom Cultural Resources Inventory of locally significant cultural resources.

**Policy NCR 5.1.4: Applicable Laws and Regulations.** Ensure compliance with City, State, and Federal historic preservation laws, regulations, and codes to protect and assist in the preservation of historic and archeological resources, as listed in the City of Folsom Historic Preservation Master Plan, including the use of the California Historical Building Code as applicable, including, but not limited to, Senate Bill 18, Assembly Bill 52, Appendix G to the CEQA Guidelines, and, where applicable, Section 106 of the National Historic Preservation Act.

**Policy NCR 5.1.5: Funding Sources.** Strive to obtain Federal, State, and private funding and incentives for maintaining and rehabilitating historic buildings and sites.

**Policy NCR 5.1.6: Historic District Standards.** Maintain and implement design and development standards for the Historic District.

## 10.2 ENVIRONMENTAL EFFECTS

### 10.2.1 SIGNIFICANCE CRITERIA

As set forth in Appendix G, Question V of the State CEQA Guidelines, the following criteria have been established to quantify the level of significance of an adverse effect to historical and cultural resources evaluated pursuant to CEQA. An impact would exceed an impact threshold under these circumstances:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. *(V.a)*
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. *(V.b)*
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. *(V.c)*
- Disturb any human remains, including those interred outside of dedicated cemeteries. *(V.d)*

## CULTURAL RESOURCES

Pursuant to Section 15064.5 of the CEQA Guidelines, a historical resource is presumed significant if it is listed on the CRHR, or has been determined to be eligible for listing by the State Historical Resources Commission. A historical resource may also be considered significant if the lead agency determines, based on substantial evidence, that the resource meets the criteria for inclusion in the CRHR or a local register.

Section 15064.5(b) of the CEQA Guidelines further provides standards for determining what constitutes a “substantial adverse change” that must be considered a significant impact on a historic resource. A “substantial adverse change” means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” Material impairment means demolishing or altering “in an adverse manner those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources.”

The section further states that archaeological resources not otherwise determined to be historical resources may be significant if they are unique. Pursuant to Public Resources Code Section 21083.2, a unique archaeological resource is defined as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets one of the following criteria:

- Contains information needed to answer important scientific questions and there is a demonstrable public interest in that information;
- Has a special and particular quality, such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

According to Section 15064.5 of the CEQA Guidelines, all human remains are significant.

A non-unique archaeological resource means an archaeological artifact, object, or site that does not meet the above criteria. A non-unique archaeological resource need be given no further consideration under CEQA. Impacts to non-unique archaeological resources are not significant under CEQA.

## **PALEONTOLOGICAL RESOURCES**

According to the CEQA Guidelines Appendix G, a project would have a significant impact on paleontological resources if it would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. CEQA Guidelines indicate that a project that directly or indirectly destroys a unique paleontological resource or site or a unique geologic feature is considered to have a significant effect on the environment unless mitigated. Unique paleontological resources are significant, nonrenewable fossils that are rare or unique regionally, diagnostically, or taxonomically. This definition includes vertebrate and invertebrates fossils that are previously unknown within the given context, or fossils that will aid in further scientific interpretations.

A fossil may be considered significant if it provides data useful in determining the age(s) of a rock unit or sedimentary stratum, therefore contributing to an increased knowledge of the depositional history of a region and the timing of geologic events therein. A paleontological resource may also be considered significant if it provides important information on the evolutionary trends among organisms, particularly relating living inhabitants of the earth to extinct organisms or if it demonstrates unusual or specular circumstances in the history of life. The significance of a paleontological resource may also be determined by its relative abundance, or lack thereof, within a region. For example, if a fossil type is in short supply or is not found in other geologic locations and it is in danger of being depleted or destroyed by the elements, vandalism, or commercial

exploitation, the resource is likely to be considered significant. Adverse impacts to paleontological resources would include the physical destruction or damage of fossil-bearing geologic formations and the resulting loss of fossil resources. Other adverse impacts could occur within increased public accessibility to known fossil-bearing localities.

## 10.2.2 ANALYSIS METHODOLOGY

The historical, cultural, and paleontological resources analysis evaluates whether implementation of urban development and construction of infrastructure that would occur from total buildout under the 2035 General Plan could result in adverse effects to historical, cultural, paleontological, and unique geologic resources. These potential impacts could occur throughout the 2035 Plan Evaluation Area, although the majority of the land available for new development of urban uses (77 percent of the 2035 Plan Evaluation Area-wide total or 2,218 acres) would be located within the FPASP area south of Highway 50. North of Highway 50, 441 acres in 453 parcels are planned for urban uses by 2035.

## 10.2.3 LESS-THAN-SIGNIFICANT IMPACTS

There are no impacts of this type for this issue area.

## 10.2.4 POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS

The following discussion examines the potential impacts of the proposed project based on the impact threshold criteria described above.

| <b>Impact CUL-1 Cause a substantial adverse change in the significance of a historical resource</b> |   |
|---|---|
| Applicable Regulations  | National Historic Preservation Act, California Public Resources Code Section 21000 et. seq., California Historical Building Code. |
| Adopted Mitigation Measures   | FPASP Mitigation Measures 3A.5-1a, 3A.5-1b, Russell Ranch Mitigation Measures 4.4-1, 4.4-2(a).                                    |
| Proposed GP Policies that Reduce Impacts  | Policies NCR 5.1.1 - 5.1.6.   |
| Significance after Implementation of GP Policies  | Significant; mitigation required.   |
| Mitigation Measures   | None available.   |
| Significance after Mitigation   | Significant and unavoidable.  |

Implementation of the proposed 2035 General Plan would result in urban infill and development and other construction activities that could lead to substantial adverse changes in the significance of historical resources within the 2035 Plan Evaluation Area, specifically existing and identified historical resources, or those considered eligible for National Register or California Register listing. Although the proposed 2035 General Plan contains policies to maintain and protect historical resources, the increase in development and construction anticipated under total buildout of the 2035 General Plan could affect known and unknown historical sites within the 2035 Plan Evaluation Area during ground-disturbing activities, or destroy or alter historic buildings or structures, resulting in a significant impact.

As described above, the 2035 Plan Evaluation Area contains a variety of historic resources, including federal, state, and locally recognized resources. There are 35 historic-era resources located in Folsom

that are listed on the NRHP, CRHR, or a local register. Known historic resources are located primarily in historic Folsom (see Figure 10-1). The Folsom Historic District has a high density of historic buildings and structures and is protected by FMC Chapter 17.52 and the Historic District Design and Development Guidelines. Existing buildings that have not been identified as historic, but will be fifty years or older during the life of the 2035 General Plan, may be identified, evaluated, and designated as historic, though these buildings are not currently known. Other important cultural resources associated with Chinese settlement and historic settlement, ranching, mining, and water and transportation facilities occur throughout the 2035 Plan Evaluation Area.

As described in the environmental setting, there are numerous recorded archaeological resources in the 2035 Plan Evaluation Area. The density of identified historic and prehistoric resources suggests that the entire 2035 Plan Evaluation Area is sensitive for additional undiscovered prehistoric and historic cultural resources. Thus, the 2035 Plan Evaluation Area in general is considered highly sensitive for historic and prehistoric resources.

The development of land uses consistent with the 2035 General Plan would result in urban infill and redevelopment that could result in the demolition of or damage to existing historic or potentially historic buildings and structures and/or damage to subsurface historic resources, or indirect impacts to the settings of these resources. Additionally, infrastructure improvements could result in damage to or demolition of other prehistoric or historic resources.

Table 10-2 includes existing federal, state, and City regulations, in addition to policies from the 2035 General Plan and mitigation measures for development of the FPASP area that protect or manage historical resources. The table also sets forth how each cited regulation acts to protect sensitive resources.

| <b>Table 10-2 Regulatory Requirements and Proposed 2035 General Plan Goals/Policies Related to Historic Resources</b> |  |
|---|--|
| <b>Measure Identification</b>   | <b>How the Regulation or Policy Avoids or Reduces Impact</b>   |
| <b>FEDERAL REGULATIONS</b>  |  |
| <i>National Historic Preservation Act</i>   | Requires federal agencies to take into account the effects of their actions to historic properties in advance for projects funded, permitted, or approved by any federal agency that could affect historical resources.  |
| <b>STATE REGULATIONS</b>  |  |
| <i>Public Resources Code Section 21000 et. seq.</i>   | Requires that lead agencies determine whether projects may have a significant effect on archaeological and historical resources.   |
| <i>California Historical Building Code</i>  | Provides alternative building regulations for historical buildings or structures so that the buildings can be maintained.  |
| <b>CITY REQUIREMENTS</b>  |  |
| <i>FMC Chapter 17.52</i>  | To protect Historic Folsom, establishes a Historic District Commission; delineates 12 different areas and establishes appropriate regulations for each area within the Historic District; requires design review; and, establishes area specific design standards. |

**Table 10-2 Regulatory Requirements and Proposed 2035 General Plan Goals/Policies Related to Historic Resources**

| <b>Measure Identification</b>   | <b>How the Regulation or Policy Avoids or Reduces Impact</b>  |
|---|---|
| <i>Standard Construction Specifications and Details, General Provisions, Article 11. Cultural Resources</i> | Requires contractors to stop work upon the discovery of unknown cultural or historic resources. An archaeologist must then be retained to evaluate the significance of the resource to establish mitigation requirements.   |
| <b>FOLSOM PLAN AREA SPECIFIC PLAN EIR/EIS</b>   |   |
| <i>Mitigation Measure 3A.5-1a</i>   | The programmatic agreement provides a management framework for identifying historic properties, determining adverse effects, and resolving those adverse effects as required under Section 106 of the NHPA.   |
| <i>Mitigation Measure 3A.5-1b</i>   | Requires an inventory of cultural resources prior to development and evaluation for listing on the CRHR. Where possible, destruction of resources should be minimized or avoided, or treatment is required where damage or destruction cannot be avoided.   |
| <b>RUSSELL RANCH PROJECT EIR</b>  |   |
| <i>Mitigation Measure 4.4-1</i>   | The First Amended Programmatic Agreement provides a management framework for identifying historic properties, determining adverse effects, and resolving those adverse effects as required under Section 106 of the NHPA.   |
| <i>Mitigation Measure 4.4-2(a)</i>  | Requires construction worker awareness training, on-site monitoring if required, and stopping work if cultural or potentially historic resources are discovered. Requires assessing the significance of the find and performing treatment or avoidance as required.   |
| <b>2035 GENERAL PLAN GOALS AND POLICIES</b>   |   |
| <i>Policy NCR 1.1.4 Native and Drought Tolerant Vegetation</i>  | Encourage new developments to plant native vegetation, including that which is important to Native American lifeways and values, and drought tolerant species and prohibit the use of invasive plants.  |
| <i>Goal NCR 5.1</i>   | Encourages the preservation, restoration, and maintenance of cultural resources, including buildings and sites.   |
| <i>Policy NCR 5.1.1: Historic Buildings and Sites</i>   | Require historic buildings and sites to be preserved or incorporated into the design of new development, whenever feasible.   |
| <i>Policy NCR 5.1.2: Cultural Resources Inventory</i>   | Requires the maintenance of an inventory of prehistoric and historic resources, including structures and sites, which would minimize the chance that a historic resource would unknowingly be adversely impacted.   |
| <i>Policy NCR 5.1.3: Nominate Additional Cultural Resources</i>   | Calls for the nomination of additional buildings and sites to the City of Folsom Cultural Resources Inventory of locally significant cultural resources, which would lead to protection of additional resources.  |
| <i>Policy NCR 5.1.4: Applicable Laws and Regulations</i>  | Requires compliance with City, State, and Federal historic laws and regulations to protect and assist in the preservation of historic and archeological resources, which includes carrying out project-level cultural resources surveys, evaluations of significance, determinations of impact, and development of appropriate preservation or mitigation measures. |
| <i>Policy NCR 5.1.5: Funding Sources</i>  | Encourages obtaining Federal, State, and private funding and incentives for maintaining and rehabilitating historic buildings and sites, which would preserve existing resources.   |
| <i>Policy NCR 5.1.6: Historic District Standards</i>  | Requires maintaining and implementing design and development standards for the Historic District, which increases value and appreciation of surrounding historic buildings.   |

Source: Planning Partners 2018.

Federal and state requirements, in addition to the City's Standard Construction Specifications would act throughout the 2035 Plan Evaluation Area to protect important cultural resources as development occurred during the life of the 2035 General Plan. Within the FPASP area, the *Folsom Plan Area Specific Plan EIR/EIS* and the *Russell Ranch Project EIR* established mitigation measures that would substantially reduce the level of direct impacts on identified cultural and historic resources in the FPASP area. Further, the policies proposed in the Natural and Cultural Resources element of the 2035 General Plan include a variety of regulations and incentives aimed at preserving both publicly and privately owned historic and cultural resources. These policies would protect historic resources by requiring the preservation of historic buildings and sites, whenever feasible, identifying resources and updating the City's Cultural Resources Inventory, enforcing applicable laws and regulations, and encouraging preservation through financial assistance. With the proposed policies, the probability of demolition of historic properties would be substantially reduced. Compliance with this policy would ensure that historic resources are preserved, if feasible.

Existing City zoning designations also seek to preserve historic resources. The entire Historic District is designated under its own base district, the Historic District (HD). The HD zone covers approximately 50 acres and allows both residential and commercial uses, among others, but is mainly concerned with design standards and preservation. The Historic District Commission oversees development within the HD zone, but nowhere else.

Even with implementation of existing regulations, mitigation measures, and 2035 General Plan policies, the process of environmental review may not prevent the demolition or damage of all historic properties. Some properties that are not currently considered for potential historic significance could become eligible as historic resources during the life of the 2035 General Plan. Also, ground-disturbing work could still result in direct impacts to cultural resources, some of which are likely to be eligible for listing on the CRHR and NRHP. Because this potential impact would not be fully reduced, and because it may not be feasible to avoid all direct impacts to identified resources, this impact would be considered to be significant. In some instances, it may be infeasible to protect a historic resource and it may need to be demolished, or it may be infeasible to minimize damage or destruction of known historic resources during construction. Because demolition or damage of historic resources could potentially occur as a result of 2035 General Plan buildout, this impact would be considered to be significant.

**Significance of Impact:** Significant and unavoidable.

**Mitigation Measure CUL -1:** None available.

Demolition or destruction of a historical resource cannot be mitigated to a less-than-significant level under CEQA (CEQA Guidelines Section 15126.4 (b)). Development projects with such impacts may be undertaken in the future with the implementation of the 2035 General Plan. Therefore, although General Plan policies would reduce the potential impacts on historical resources, because the 2035 General Plan itself would allow development to occur where potential historic resources could be affected, implementation of the 2035 General Plan could ultimately result in a significant and unavoidable impact, even after following the procedures set forth by federal, state, and local laws. No further mitigation is available.

| <b>Impact CUL-2 Cause a substantial adverse change in the significance of an archaeological resource</b> |   |
|--|---|
| Applicable Regulations   | American Indian Religious Freedom Act, Public Resources Code Section 21000 et. seq., AB 52 Public Resources Code Section 5097, SB 18 Government Code 65352.3. |
| Adopted Mitigation Measures  | FPASP Mitigation Measures 3A.5-1b, 3A.5-2, Russell Ranch Mitigation Measure 4.4-2(a).   |
| Proposed GP Policies that Reduce Impacts   | Policies NCR 5.1.2 - 5.1.4.   |
| Significance after Implementation of GP Policies   | Significant; mitigation required.   |
| Mitigation Measures  | CUL-2: Add new Implementation Program NCR 7: Management of Inadvertently Discovered Cultural Resources  |
| Significance after Mitigation  | Significant and unavoidable.  |

Implementation of the proposed 2035 General Plan would lead to construction activities such as grading and sub-surface excavation due to urban development, or the construction of infrastructure associated with proposed land uses that could cause a substantial adverse change in archaeological resources. This would be a significant impact.

Of the presently known archaeological resources in Folsom, 98 contain prehistoric archaeological materials: 87 are prehistoric archaeological sites representing California Indian occupation, whereas 13 contain both prehistoric and historic materials. Sites with prehistoric components consist predominantly of bedrock milling features with no other archaeological materials noted.

A total of 203 recorded archaeological resources in the 2035 Plan Evaluation Area, including north of Highway 50, contain historic archaeological materials. More than 50 percent of the historic archaeological resources are directly related to mining, consisting of placer mining grounds, adits and shafts, tailings, mining camps, and mining ditches. In addition, the FPASP area contains numerous identified prehistoric and historic-era cultural resources. While the densest concentration of resources occurs in the northwest corner of the FPASP area, documented prehistoric and historic cultural resources occur throughout the FPASP area.

As described in the environmental setting, there are numerous recorded archaeological resources in the 2035 Plan Evaluation Area. The density of identified historic and prehistoric resources suggests that the entire 2035 Plan Evaluation Area is sensitive for additional undiscovered prehistoric and historic cultural resources. Thus, the city in general is considered sensitive for historic and prehistoric resources.

Future development consistent with the 2035 General Plan would not impact identified archaeological sites within the 2035 Plan Evaluation Area that are currently under protection through state or local programs. However, based on the numerous resources identified, it is likely that potentially significant archaeological resources may be discovered due to excavation activities related to future development and construction. These resources may be obscured by surface vegetation or thin overlying strata of culturally sterile soils, with little surface manifestation; thus, it is unlikely that a surface inventory effort would identify all cultural resources that could be disturbed or destroyed by ground-disturbing construction activities associated with the 2035 General Plan buildout. Therefore, implementation of the proposed 2035 General Plan would lead to construction activities such as grading and sub-surface excavation due to urban development, or the construction

of infrastructure associated with the buildout of proposed land uses that could cause a substantial adverse change in archaeological resources. It is technically infeasible to allow construction activities without risk of damage to previously undiscovered archaeological resources, and damage of archaeological resources could potentially occur as a result of 2035 General Plan buildout. If these resources were determined to be “significant” under CEQA and impacts could not be mitigated to a level that is less than significant, disturbance or destruction would be a significant impact.

Table 10-3 includes existing federal, state, and City regulations, in addition to policies from the 2035 General Plan and mitigation measures for development of the FPASP area that protect archaeological resources. The table also sets forth how each cited regulation acts to protect sensitive resources.

| <b>Table 10-3 Regulatory Requirements and Proposed 2035 General Plan Goals/Policies Related to Archaeological Resources</b> |   |
|---|---|
| <b>Measure Identification</b>   | <b>How the Regulation or Policy Avoids or Reduces Impact</b>  |
| <b>FEDERAL REGULATIONS</b>  |   |
| <i>American Indian Religious Freedom Act</i>  | Establishes that traditional religious practices and beliefs, sacred sites, and the use of sacred objects shall be protected and preserved.   |
| <b>STATE REGULATIONS</b>  |   |
| <i>Public Resources Code Section 21000 et. seq.</i>   | Requires that lead agencies determine whether projects may have a significant effect on archaeological and historical resources.  |
| <i>Public Resources Code Section 5097 et seq.</i>   | Specifies the archaeological, paleontological, and historical and sacred site procedures that must occur both prior to and during construction of any major public works project on state or public lands.  |
| <i>SB 18 Government Code 65352.3</i>  | Prior to the adoption or amendment of a City or County’s General Plan, the City or County must conduct consultation with California Native American tribes that are on the contact list maintained by the NAHC.   |
| <b>CITY REQUIREMENTS</b>  |   |
| <i>Standard Construction Specifications and Details, General Provisions, Article 11. Cultural Resources</i>                 | Requires contractors to stop work upon the discovery of unknown cultural or historic resources. An archaeologist must then be retained to evaluate the significance of the resource to establish mitigation requirements.   |
| <b>FOLSOM PLAN AREA SPECIFIC PLAN EIR/EIS</b>   |   |
| <i>Mitigation Measure 3.A.5-1b</i>  | Requires an inventory of cultural resources prior to development and evaluation for listing on the CRHR. Where possible, destruction of resources should be minimized or avoided, or treatment is required where damage or destruction cannot be avoided.           |
| <i>Mitigation Measure 3.A.5-2</i>   | Requires construction worker awareness training, on-site monitoring if required, and stopping work if cultural or potentially historic resources are discovered. Requires assessing the significance of the find and performing treatment or avoidance as required. |
| <b>RUSSELL RANCH PROJECT EIR</b>  |   |
| <i>Mitigation Measure 4.A-2(a)</i>  | Requires construction worker awareness training, on-site monitoring if required, and stopping work if cultural or potentially historic resources are discovered. Requires assessing the significance of the find and performing treatment or avoidance as required. |



**Table 10-3 Regulatory Requirements and Proposed 2035 General Plan Goals/Policies Related to Archaeological Resources**

| Measure Identification  | How the Regulation or Policy Avoids or Reduces Impact   |
|---|---|
| <b>2035 GENERAL PLAN GOALS AND POLICIES</b>                     |   |
| <i>Policy NCR 1.1.4 Native and Drought Tolerant Vegetation</i>  | Encourage new developments to plant native vegetation, including that which is important to Native American lifeways and values, and drought tolerant species and prohibit the use of invasive plants.  |
| <i>Goal NCR 5.1</i>   | Encourages the preservation, restoration, and maintenance of cultural resources.  |
| <i>Policy NCR 5.1.2: Cultural Resources Inventory</i>           | Requires the maintenance of an inventory of prehistoric and historic resources, including structures and sites, which would minimize the chance that a historic resource would unknowingly be adversely impacted.   |
| <i>Policy NCR 5.1.3: Nominate Additional Cultural Resources</i> | Calls for the nomination of additional buildings and sites to the City of Folsom Cultural Resources Inventory of locally significant cultural resources, which would lead to protection of additional resources.  |
| <i>Policy NCR 5.1.4: Applicable Laws and Regulations</i>        | Requires compliance with City, State, and Federal historic laws and regulations to protect and assist in the preservation of historic and archeological resources, which includes carrying out project-level cultural resources surveys, evaluations of significance, determinations of impact, and development of appropriate preservation or mitigation measures. |

Source: Planning Partners 2018.

Compliance with existing regulations and the above General Plan policies would reduce impacts on undiscovered archaeological resources since the City will require analysis and mitigation, as appropriate, consistent with Section 15064.5 of the State CEQA guidelines.

The *Folsom Plan Area Specific Plan EIR/EIS* and the *Russell Ranch Project EIR* mitigation measures would reduce the potentially significant impacts from possible damage or destruction of previously unknown archaeological resources within the FPASP area. However, although construction worker personnel training would be conducted, construction monitoring would occur (if determined to be necessary by the qualified archaeologist), and evaluation and treatment of resources after they are discovered as required under CEQA would occur, the potential remains that “significant” (under CEQA) cultural deposits could be disturbed during construction and other ground-disturbing activities before they can be identified and protected.

Even with implementation of existing regulations, mitigation measures, and 2035 General Plan policies, ground-disturbing work could still result in direct impacts to unknown archaeological resources, some of which would be considered “significant” under CEQA. Because this potential impact would not be fully reduced, and because it would not be feasible to avoid all direct impacts to identified resources, this impact is considered significant.

Therefore, implementation of the 2035 General Plan, within the context of project-level CEQA review, may or may not result in mitigation to reduce the impact to less than significant. In some instances, it may be infeasible to protect an archaeological resource and it may need to be removed, or it may be infeasible to minimize damage or destruction of unknown archaeological resources during construction. Because damage to archaeological resources could potentially occur as a result of 2035 General Plan buildout, this impact is considered significant.

**Significance of Impact:** Significant.

### **Mitigation Measure CUL-2:**

Add new **Implementation Program NCR 7: Management of Inadvertently Discovered Cultural Resources.**

Develop a program for the management of inadvertently discovered cultural resources. The program will consist of, but will not necessarily be limited to the following standards:

The City will require, through permit or tentative map conditions or contractual obligations, that in the event of any inadvertent discovery of archaeological resources, all such finds will be subject to PRC 21083.2 and CEQA Guidelines 15064.5. Procedures for inadvertent discovery are listed below.

In the event of the inadvertent discovery of previously unknown archaeological sites during excavation or construction, all construction affecting the site shall cease and the contractor shall contact the City.

- All work within 100 feet of the find will be halted until a professional archaeologist can evaluate the significance of the find in accordance with NRHP and CRHR criteria.
- If any find is determined to be significant by the archaeologist, representatives of the City will meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan will be prepared by an archeologist, outlining recovery of the resource, analysis, and reporting of the find. The Treatment Plan will be submitted to the City for review and approval prior to resuming construction.

**Environmental Effects of Measure:** Implementation of Mitigation Measure CUL-2 would result in procedures that would reduce or avoid impacts to unknown archaeological resources from development projects. Implementation of the measure would not result in an expansion of the area within the 2035 Plan Evaluation Area devoted to urbanized land uses, and would not act to increase the intensity of existing or planned land uses. This measure would not directly result in any increased construction activities or increases in effects to cultural resources. No environmental effects would occur beyond those identified in this Draft PEIR.

**Level of Significance After Mitigation:** Significant and unavoidable.

Even with implementation of 2035 General Plan policies and implementation of all feasible mitigation measures, because it is technically infeasible to allow construction activities without risk of damage to previously undiscovered archaeological resources, and damage of archaeological resources could potentially occur as a result of 2035 General Plan buildout, this impact is considered significant and unavoidable.

| <b>Impact CUL-3 Damage or destruction of previously unknown unique paleontological resources during construction-related activities</b> |  |
|---|--|
| Applicable Regulations  | California Public Resources Code Section 5097.                                       |
| Adopted Mitigation Measures   | FPASP Mitigation Measures 3A.7-10, Russell Ranch Mitigation Measure 4.4-3.           |
| Proposed GP Policies that Reduce Impacts  | None applicable.   |
| Significance after Implementation of GP Policies  | Significant; mitigation required.  |
| Mitigation Measures   | CUL-3: Add new Implementation Program NCR 8: Management of Paleontological Resources |
| Significance after Mitigation   | Less than significant.   |

Paleontological resources may be present in fossil-bearing sediments and geologic units either at or below the ground surface. Ground-disturbing activities in geologic units with high paleontological sensitivity have the potential to damage or destroy paleontological resources that may be present. Implementation of the proposed 2035 General Plan would lead to construction activities such as grading and sub-surface excavation due to urban development, or the construction of infrastructure associated with the buildout of proposed land uses, that could damage or destroy fossils in these geologic units. This would be a significant impact.

Although most areas of the 2035 Plan Evaluation Area north of Highway 50 have been previously disturbed by development activities, portions of the undeveloped parcels north of Highway 50 and the FPASP area are underlain by paleontologically sensitive rock formations. Therefore, construction activities could damage or destroy previously unknown, unique paleontological resources. Most of the 2035 Plan Evaluation Area, including the FPASP area, is underlain by non-sedimentary rock formations of igneous or metamorphic origin. Because of the way in which these rocks formed, they would not contain vertebrate fossils or fossil plant assemblages. However, various areas of the 2035 Plan Evaluation Area, including the western edge of the FPASP area, are underlain by sediments of the Ione, Mehrten, Laguna, and, Modesto-Riverbank Formations. Vertebrate mammal, plant, and invertebrate fossils have been recovered from these formations. Because of the large number of fossils that have been recovered from the formations throughout the Central Valley, they are considered paleontologically sensitive rock units under the Society of Vertebrate Paleontology guidelines (1995), thus suggesting that there is a potential for uncovering additional similar fossil remains during construction-related earthmoving activities in these formations in the 2035 Plan Evaluation Area.

Table 10-4 includes existing state and City regulations, in addition to mitigation measures for development of the FPASP area, that protect unique paleontological resources. The table also sets forth how each cited regulation acts to protect sensitive resources.

**Table 10-4 Regulatory Requirements and Proposed 2035 General Plan Goals/Policies Related to Paleontological Resources**

| Measure Identification                        | How the Regulation or Policy Avoids or Reduces Impact   |
|---|---|
| <b>FEDERAL REQUIREMENTS</b>                   |   |
| <i>None applicable</i>                        | --  |
| <b>STATE REGULATIONS</b>                      |   |
| <i>Public Resources Code Section 5097</i>     | Specifies the archaeological, paleontological, and historical and sacred site procedures that must occur both prior to and during construction of any major public works project on state or public lands.                  |
| <b>CITY REQUIREMENTS</b>                      |   |
| <i>None applicable</i>                        | --  |
| <b>FOLSOM PLAN AREA SPECIFIC PLAN EIR/EIS</b> |   |
| <i>Mitigation Measure 3.A.7-10</i>            | Requires construction worker awareness training and stopping work if paleontological resources are discovered. Requires assessing the significance of the find, and preparing and implementing a recovery plan as required. |
| <b>RUSSELL RANCH PROJECT EIR</b>              |   |
| <i>Mitigation Measure 4.4-3</i>               | Requires construction worker awareness training and stopping work if paleontological resources are discovered. Requires assessing the significance of the find, and preparing and implementing a recovery plan as required. |
| <b>2035 GENERAL PLAN GOALS AND POLICIES</b>   |   |
| <i>None applicable</i>                        | --  |

*Source: Planning Partners 2018.*

Existing state regulations and City requirements do not directly apply to potential impacts to paleontological resources, nor do any proposed 2035 General Plan policies. Both the *Folsom Plan Area Specific Plan EIR/EIS* and the *Russell Ranch Project EIR* resulted in the adoption of mitigation measures that would reduce potentially significant impacts related to damage or destruction of unique paleontological resources within the FPASP area because construction workers would be alerted to the possibility of encountering paleontological resources, and in the event that resources were encountered, fossil specimens would be recovered and recorded, and would undergo appropriate curation. However, these mitigation measures do not apply to development outside of the FPASP boundaries.

There are 453 total vacant parcels encompassing 441 acres available for development with implementation of the 2035 General Plan in the 2035 Plan Evaluation Area north of Highway 50 outside of the FPASP boundaries. Of these parcels, 377 are lots within existing single-family residential subdivisions totaling 163 acres. Of the remaining 76 parcels, the majority are designated for commercial or multi-family uses totaling 278 acres. Based on review of aerial imagery, the overwhelming majority of both the single-family residential and commercial or multi-family use parcels are portions of subdivisions or larger developments, and have been disturbed by prior rough grading and the construction of roads and utilities.

There are currently no policies within the 2035 General Plan to protect paleontological resources, nor are there existing state and City regulations that directly apply to potential impacts to

paleontological resources. For the FPASP area, mitigation measures would ensure that undiscovered paleontological resources would be protected in the event of discovery. While it is possible that ground-disturbing activities during project development may uncover previously unknown paleontological resources in the 2035 Plan Evaluation Area outside of the FPASP boundaries, it is highly unlikely since the majority of the area has been previously disturbed. Therefore, this impact would be less than significant, and no mitigation would be required.

**Significance of Impact:** Significant.

**Mitigation Measure CUL-3:**

Add new **Implementation Program NCR 8: Management of Paleontological Resources.**

Develop a program for the management of paleontological resources. The program will consist of, but will not necessarily be limited to, the following standards and requirements:

Prior to approval of a discretionary project, it shall be determined through literature review and records research, the paleontological sensitivity of the geologic units affected by the project. If paleontological resources may be present, conditions will be added to the project approval to monitor for and salvage paleontological resources during ground-disturbing activities.

**Environmental Effects of Measure:** Implementation of Mitigation Measure CUL-3 would result in procedures that would reduce or avoid impacts to unknown paleontological resources from development projects. Implementation of the measure would not result in an expansion of the area within the 2035 Plan Evaluation Area devoted to urbanized land uses, and would not act to increase the intensity of existing or planned land uses. This measure would not directly result in any increased construction activities or increases in effects to cultural resources. No environmental effects would occur beyond those identified in this Draft PEIR.

**Level of Significance After Mitigation:** Less than significant.

Because of the low likelihood of encountering paleontological resources north of Highway 50, implementation of Mitigation Measure CUL-3 to extend protections to areas north of Highway 50 acting in concert with previously adopted, similar measures for the FPASP area would ensure that undiscovered paleontological resources would be protected in the event of discovery. For these reasons, after mitigation, this would be a less-than-significant impact.

| <b>Impact CUL-4 Disturb interred human remains during construction</b> |  |
|--|--|
| Applicable Regulations   | American Indian Religious Freedom Act, California Public Resources Code Section 5097, California Health and Safety Code Sections 7050.5 – 7055, SB 18 - Government Code 65352.3. |
| Adopted Mitigation Measures  | FPASP Mitigation Measure 3A.5-3, Russell Ranch Mitigation Measure 4.4-2(b).  |
| Proposed GP Policies that Reduce Impacts                               | Policy NCR 5.1.4.  |
| Significance after Implementation of GP Policies                       | Less than significant; no mitigation required.   |

Human burials outside of dedicated cemeteries often occur in prehistoric archeological environments. Although much of the area north of Highway 50 is built out, the potential still exists for these resources to be present. Excavation during construction activities in the 2035 Plan Evaluation Area, particularly within the FPASP area, would have the potential to disturb these resources, including Native American burials, which are almost always unmarked. Because existing federal, state, and local regulations and mitigation measures for development in the FPASP would limit potential impacts to interred human remains, this would be a less-than-significant impact.

While no documented prehistoric or historic burial sites are known to occur within the areas planned for growth with implementation of the 2035 General Plan, the density and number of identified resources in the 2035 Plan Evaluation Area suggests that there is at least the potential that interred human remains exist. Ground-disturbing activities associated with buildout of the 2035 General Plan may inadvertently disinter or destroy these remains.

Table 10-5 includes existing federal, state, and City regulations, in addition to mitigation measures for development of the FPASP area that direct treatment of human remains. The table also sets forth how each cited regulation acts to protect sensitive resources.

| <b>Table 10-5 Regulatory Requirements and Proposed 2035 General Plan Goals/Policies Related to Human Remains</b> |  |
|--|--|
| <b>Measure Identification</b>  | <b>How the Regulation or Policy Avoids or Reduces Impact</b>   |
| <b>FEDERAL REGULATIONS</b>   |  |
| American Indian Religious Freedom Act  | Establishes that traditional religious practices and beliefs, sacred sites (such as burial sites), and the use of sacred objects shall be protected and preserved.   |
| <b>STATE REGULATIONS</b>   |  |
| <i>California Public Resources Code Section 5097</i>   | Specifies the archaeological, paleontological, and historical and sacred site procedures that must occur both prior to and during construction of any major public works project on state or public lands. |
| <i>California Health and Safety Code Sections 7050.5 – 7055</i>  | Requires that construction or excavation must be stopped in the vicinity of discovery of human remains until the County Coroner can determine whether the remains are those of a Native American.          |
| <i>SB 18 - Government Code 65352.3</i>   | Requires the City to conduct consultation with California Native American tribes prior to the adoption or amendment of a City or county’s general plan, which could identify burial sites.                 |

**Table 10-5 Regulatory Requirements and Proposed 2035 General Plan Goals/Policies Related to Human Remains**

| Measure Identification  | How the Regulation or Policy Avoids or Reduces Impact   |
|---|---|
| <b>CITY REQUIREMENTS</b>  |   |
| <i>Standard Construction Specifications and Details, General Provisions, Article 11. Cultural Resources</i> | Requires contractors to stop work upon the discovery of unknown cultural or historic resources. An archaeologist must then be retained to evaluate the significance of the resource to establish mitigation requirements.   |
| <b>FOLSOM PLAN AREA SPECIFIC PLAN EIR/EIS</b>   |   |
| <i>Mitigation Measure 3.A.5-3</i>   | Requires suspending ground-disturbing activities if human remains are encountered and compliance with California Health and Safety Code Procedures.   |
| <b>RUSSELL RANCH PROJECT EIR</b>  |   |
| <i>Mitigation Measure 4.4-2(b)</i>  | Requires suspending ground-disturbing activities if human remains are encountered and compliance with California Health and Safety Code Procedures.   |
| <b>2035 GENERAL PLAN GOALS AND POLICIES</b>   |   |
| <i>Policy NCR 5.1.4: Applicable Laws and Regulations</i>  | Requires compliance with City, State, and Federal historic laws and regulations to protect and assist in the preservation of historic and archeological resources, which includes carrying out project-level cultural resources surveys, evaluations of significance, determinations of impact, and development of appropriate preservation or mitigation measures. |

Source: Planning Partners 2018.

Compliance with existing State law, implementation of the *Folsom Plan Area Specific Plan EIR/EIS* and the *Russell Ranch Project EIR* mitigation measures, and adherence to proposed 2035 General Plan policies would reduce the potentially significant impact associated with the possible destruction of human remains within the 2035 Plan Evaluation Area by immediately suspending work in the vicinity of the discovery and complying with State laws requiring contact with the applicable county coroner and a professional archaeologist to determine the nature of the find, and subsequent contact with the NAHC and appropriate treatment if the remains are determined to be those of a Native American.

In accordance with the California Health and Safety Code and City Standard Construction Specifications, if human remains are uncovered during ground-disturbing activities anywhere in the 2035 Plan Evaluation Area, 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 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]).

Existing federal, state, and City regulations and a proposed 2035 General Plan policy, in conjunction with mitigation measures applicable to the FPASP area, would ensure that development carried out under the proposed 2035 General Plan would have a less-than-significant impact to the potential

disturbance of human remains. This impact would be less than significant, and no mitigation would be required.

**Significance of Impact:** Less than significant.

**Mitigation Measure:** None required.