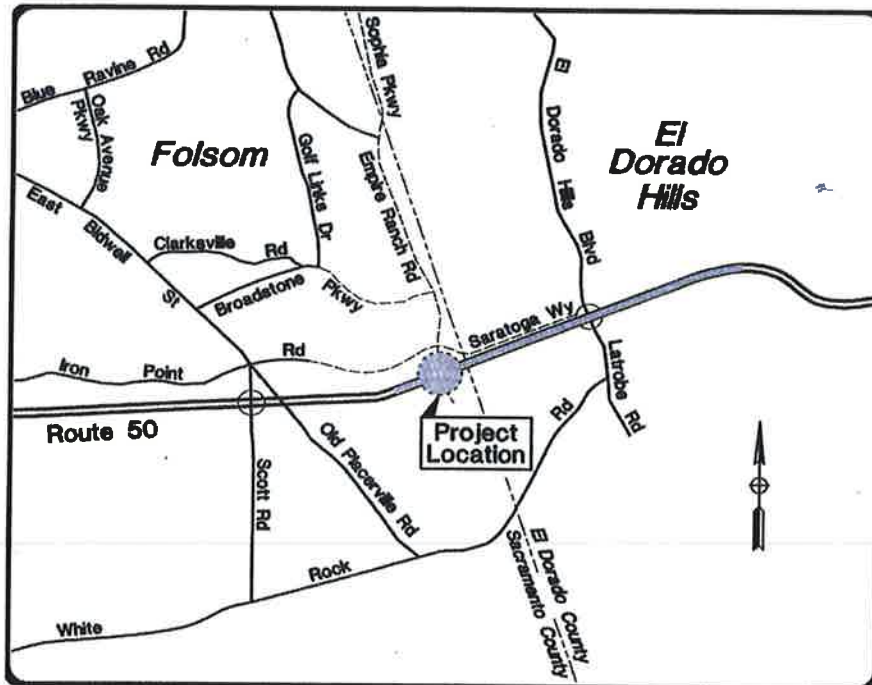


# EMPIRE RANCH ROAD/ROUTE 50 INTERCHANGE PROJECT

CITY OF FOLSOM, CALIFORNIA  
DISTRICT 3 – SAC-50, KP 35.4/37.2 (PM 22.0/23.1)  
AND ED-50-KP 0.0/1.4 (PM 0.0/0.9)  
EA# 03-1C9500

## FINAL ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL ASSESSMENT



Prepared by the  
U.S. Department of Transportation  
Federal Highway Administration  
and the  
City of Folsom, California

MARCH 2007



Report Number: FHWA-CA-EA/Final EIR 2007

SCH Number: 2003092002  
03-SAC-50, KP 35.4/37.2 and 03-ED-50-KP 0.0/1.4  
(PM 22.0/23.1 and 0.0/0.9)  
EA 03-1C9500

**Empire Ranch Road/Route 50 Interchange Project**

**FINAL ENVIRONMENTAL IMPACT REPORT/  
ENVIRONMENTAL ASSESSMENT**

Submitted Pursuant to:

California Environmental Quality Act, Division 13, Public Resources Code  
and the National Environmental Policy Act, 42 U.S.C. 4332(2)(C)

by the

U.S. Department of Transportation—Federal Highway Administration, the City of Folsom, and the  
California Department of Transportation

**Prepared by the  
U.S. Department of Transportation  
Federal Highway Administration  
and the  
City of Folsom, California**

**MARCH 2007**

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## 1.0 INTRODUCTION

This document is a compilation of comments submitted on the Draft Environmental Impact Report (EIR) and responses to those comments. Comments have been submitted in the form of letters following the review of the Draft EIR document.

### *Final EIR Components*

The basic Final Environmental Impact Report (Final EIR) for the Empire Ranch Road/Route 50 Interchange Project consists of both the Draft EIR document, and the Responses to Comments. Other components (separate from the Final EIR) of the environmental review process generally include the public meeting comments, the Statements of Facts and Findings and Overriding Considerations, resolutions, staff reports and official notices.

### *Public Review of Draft EIR*

On December 6, 2006, the 45-day public review period was initiated at the State Clearinghouse. Officially, the review period ended on January 19, 2007 all comment letters received are included in the Final EIR. Responses are provided for each comment letter on the Draft EIR.

On December 20, 2006, the Folsom Planning Commission held a public hearing and received testimony from members of the public (one member from the public provided public testimony). Comments expressed during the Planning Commission (i.e., meeting minutes) are included in the Final EIR, and responses are provided.

## 1.1 FINAL EIR PROCESS

### *Response to Comments*

The Responses to Comments provides a record of the changes that are required in the Draft EIR, as well as responses and clarifications raised by the comment letters. Together, the Draft EIR and the Responses to Comments record the environmental review process and findings, from the issuance of the Notice of Preparation, through the document certification.

The Responses to Comments include the original comment letter submitted by the commenting party (citizen, agency, etc.) followed by the EIR response. To facilitate reader convenience, each comment has been assigned a comment code, with each response linked by the same code. Due to the similarity or duplication of some comments, the reader may be referred to a previous (or subsequent) response provided elsewhere in the Response to Comment portion of the Final EIR.

*Decision-Makers Roles*

The City Council will need to review the Draft EIR and Responses to Comments in conjunction with their recommended decisions on the proposed interchange/Route 50 project, and other decisions subject to environmental review for the Final EIR. The City Council will review the adequacy and completeness of the Final EIR and certify the Final EIR as appropriate. The City Council will use the information to understand the range of potential impacts due to the project in making their decision on the project.

## **2.0 RESPONSE TO COMMENTS**

### **2.1 WRITTEN COMMENTS AND RESPONSES**

The section that follows includes the comment letters submitted by various public agencies and private parties, and the responses to those comments. Commentators on the Draft EIR for the Empire Ranch Road/Route 50 Interchange project are listed follows:

County of Sacramento, Department of Transportation (January 18, 2007)

County of Sacramento, Planning and Community Development (January 22, 2007)

US Department of the Interior Fish and Wildlife Service (December 26, 2006)

Brian G. Habersack (January 22, 2007)

Sacramento Metropolitan Air Quality Management District (January 22, 2007)

El Dorado Hills Citizens Alliance (email January 15, 2007)

El Dorado Hills Citizens Alliance (email January 20, 2007)

Bob and Kim Jones (email January 18, 2007)

Sacramento Municipal Utility District (email January 18, 2007)

City of Folsom Planning Commission Meeting (December 20, 2006)



Municipal Services Agency

Department of Transportation

Tom Zlotkowski, Director

Terry Schutten, County Executive  
Cheryl Creson, Agency Administrator

County of Sacramento

January 18, 2007

Ms. Gail Furness De Pardo  
City of Folsom  
50 Natoma Street  
Folsom, CA-95630

**SUBJECT: NOTICE OF COMPLETION AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL ASSESSMENT (DEIR) FOR THE EMPIRE RANCH ROAD INTERCHANGE PROJECT**

Dear Ms. Furness De Pardo:

The Sacramento County Department of Transportation has reviewed the Draft Environmental Impact Report for the Empire Ranch Road Interchange project. We generally find the document acceptable and only have one general comment at this time. As you are probably aware there currently exists a multi-jurisdictional coalition that is analyzing regional transportation issues in the East Sacramento/West El Dorado County region. The City of Folsom is involved with this effort. That coalition has established land use and infrastructure baseline and cumulative condition assumptions that should be used on future studies in the region. This project should be subject to the land use and infrastructure assumptions recently identified by this coalition.

DOT-1

If you have any questions please call me at 874-6291.

Sincerely,

Matthew G. Darrow, P.E., T.E., P.T.O.E.  
Senior Civil Engineer

MGD:mgd

c: Steve Hong, IFS



*"Leading the Way to Greater Mobility"*

Design & Planning: 906 G Street, Suite 510, Sacramento, CA 95814 . Phone: 916-874-6291 . Fax: 916-874-7831  
Operations & Maintenance: 4100 Traffic Way, Sacramento, CA 95827 . Phone: 916-875-5123 . Fax: 916-875-5363  
www.sacdot.com

**County of Sacramento, Department of Transportation (January 18, 2007)**

**Response DOT-1:** As the County points out, the city of Folsom is participating in the regional transportation planning efforts for the East Sacramento County/West El Dorado County region. The City is aware of the land use and regional infrastructure relationships developed by the coalition in support of future regional transportation planning. The Empire Ranch Road/Route 50 Interchange has been planned to accommodate growth occurring at a more local level and to provide sub-regional transportation network solutions, rather than those needed to support regional planning forecasts and infrastructure demands. The design has been established to accommodate traffic forecasts for year 2025 conditions, and specifically, without a connection extending to the south of Route 50. The interchange design is not currently a high capacity interchange, although the design retains sufficient flexibility to add future ramp geometry to increase capacity, should demand increase. Likewise, the interchange retains the flexibility to provide a future connection south of Route 50, subject to additional environmental review and approval of a new connection by Caltrans. For these reasons, the proposed project does not utilize the land use and infrastructure baseline and cumulative condition assumptions developed by the coalition to address regional planning forecasts.





**Municipal Services Agency**

**Planning and Community Development**

Robert Sherry, Director

Terry Schutten, County Executive  
Cheryl Creson, Agency Administrator

**County of Sacramento**

- Leighann Moffitt, Long Range Planning
- Dave Pevny, Community Planning
- Ana Rhodes, Administration
- Carl P. Simpson, Code Compliance
- Tricia Stevens, Special Projects
- Michael Tateishi, Accounting & Fiscal Services

January 22, 2007

Gail Furness de Pardo  
Interim Assistant Community Development Director  
50 Natoma Street  
Folsom, CA 95630

**RE: DRAFT ENVIRONMENTAL IMPACT REPORT - EMPIRE RANCH ROAD INTERCHANGE PROJECT**

Dear Ms. Furness de Pardo:

The Sacramento County Planning and Community Development Department has reviewed the Draft Environmental Impact Report for the Empire Ranch Interchange Project. Sacramento County has received three applications for hard rock mining in the east county area. The Draft Environmental Impact Report should recognize these applications and their potential impact on the Empire Ranch interchange project. Attached is a map that shows the location of the proposed mining areas. For any inquiries relating these mining proposals, please contact Mike Winter, Aggregate Resource Manager, at (916) 874-6141.

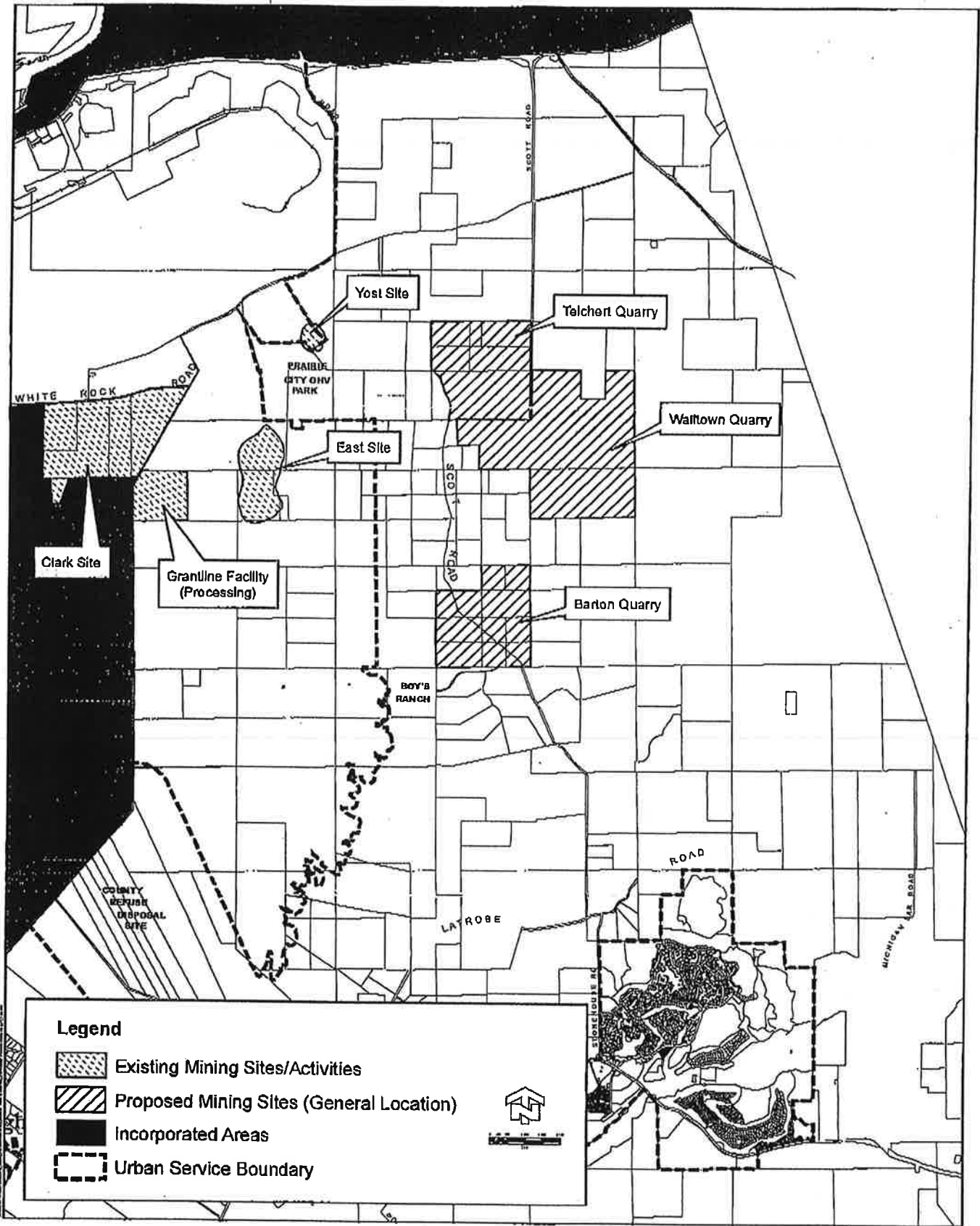
RS-1

Thank you for providing the opportunity to review this document. For any general inquiries, please contact Surinder Singh or Tim Tadlock of my staff at (916) 874-6141.

Sincerely,

Robert Sherry  
Planning Director

SS:TAT:ss:tat



Existing and Proposed Aggregate Mining Sites in the Eastern Portion of Sacramento County

**County Of Sacramento, Planning And Community Development (January 22, 2007)**

**Response RS-1:** The City appreciates the notification regarding the three proposed mining sites in Sacramento County south of White Rock Road. Based on the location of these sites, truck transport to and from the three sites and delivery of material would utilize both Scott Road and Prairie City Road to obtain access to Route 50. No access to the proposed Empire Ranch Road interchange is planned in light of the intentional avoidance of a connection from the interchange to the south. Accordingly, the implementation of the mining projects, including future vehicular truck traffic associated with those mining projects, is not expected to affect the proposed Empire Ranch Road interchange.



## United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825-1846  
[www.fws.gov/sacramento](http://www.fws.gov/sacramento)



DEC 26 2006

Dear Interested Party,

We have received a notice from you concerning a project within the Sacramento Fish and Wildlife Office's jurisdictional area. We are pleased to tell you that official species lists are now available on the Internet. For more information, see [www.fws.gov/sacramento/es/spp\\_list.htm](http://www.fws.gov/sacramento/es/spp_list.htm). That page includes a link to the species list generator.

We encourage you to obtain an on-line list for your project's action area to assist you in determining whether the project may affect any species listed, or proposed or candidate for listing, under the Endangered Species Act of 1973 or any critical habitat designated under the act.

FWS-1

*Action area* refers to the area that will be directly or indirectly affected by the project. This will usually be larger than the project footprint. See [www.fws.gov/sacramento/cs/action\\_area.htm](http://www.fws.gov/sacramento/cs/action_area.htm).

If you have questions about any species on the list or your responsibilities under the Endangered Species Act of 1973, as amended, contact the appropriate geographic branch of our office as shown on the following web page: [www.fws.gov/sacramento/es/branches.htm](http://www.fws.gov/sacramento/es/branches.htm).

If you do not have Internet access, or have any trouble making a list, call Harry Mossman at (916) 414-6674 or email him at [harry\\_mossman@fws.gov](mailto:harry_mossman@fws.gov).

TAKE PRIDE  
IN AMERICA 

**US Department of the Interior Fish and Wildlife Service (December 26, 2006)**

**Response FWS-1:** Comment noted. The official species list referenced in the comment was obtained at the project outset, and was integrated into and addressed in the Natural Environment Study (NES). The NES was required by Caltrans, and addresses the relevant federally and State-listed special status species (wildlife and plants), as well as jurisdictional waters. Information contained in the NES was also incorporated into the environmental document to assist in making findings for project impact on biological resources.

January 22, 2007

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

Re: Empire Ranch Road/Route 50 Interchange Project  
Comments to Draft Environmental Impact Report (DEIR)

Dear Ms. Furness de Pardo:

My family and I make our home in the El Dorado Hills community of Crescent Ridge, in very close proximity to the referenced Project. We have lived in this area since 1993 and have watched as the area has transitioned from a sleepy bedroom community to its current proportions – while still managing to retain a modicum of the original charm that continues to attract residents and businesses to this highly desirable area. As one might imagine, new expansion and development projects in the area draw my immediate attention as one that has a vested interest in the final shape the community will take.

As I made my way through the volume of report data accompanying the DEIR, I discovered some discontinuity between the supporting documentation that raises question in my mind as to the overall integrity of the DEIR. If the DEIR is relying on assessments that were made several years ago, which it indeed appears to be doing, a number of developments have occurred since that time which calls those assessments into question. The areas that raise concern to me include:

- Naturally Occurring Asbestos (NOA) – Page 5 of the pdf version of the Preliminary Environmental Site Assessment (PESA) concludes that “...it is reasonable to assume serpentinitic material (NOA) is not present within the project area...” although the later recommendation calls for “...observations of the construction activities (such as grading and excavation) by a geologist so that appropriate testing can be conducted...”. Similarly, the Air Quality Analysis (AQA) summarizes on page 6 of the pdf version that “...Sacramento is not among the counties listed as containing serpentine and ultramafic rock...[although]...El Dorado County is listed as one of the counties that have serpentine and ultramafic rock; however none is identified in the project vicinity. Therefore, the impact from naturally occurring asbestos (NOA) during project construction would be minimal to none...”. Allowing for the slight possibility that NOA may exist in the project area, the DEIR thus makes provision in handling Potential Impact 2.7.2 on page 151 of the pdf “...recommends a geologist be present to observe construction activities...” in the ‘unlikely’ event that NOA is discovered to exist at the site. Perhaps it is due to the age of the PESA and AQA that are being relied upon for the DEIR that the NOA oversight has occurred. A September 24, 2004 article written by Sacramento Bee staff writer Carrie Peyton Dahlberg reported

BH-1

that "... To be cautious, Folsom started requiring extra safety steps the day after asbestos was found at the Lago Vista High School site, said Michael Johnson, the city's community development director...[and]... Elliott Homes, which plans to build about 2,000 houses at its Empire Ranch subdivisions in Folsom, has detected asbestos on a section of its property that had been used as a rock crushing site...". Clearly, the discovery of NOA at the Logo Vista High School site and the Empire Ranch subdivision in September 2004 renders the 'no-NOA' conclusions found in both the PESA and AQA outdated regarding this Interchange Project. I recommend that a new PESA and AQA be conducted to re-evaluate the true impact of NOA on this project in the light of this more recent discovery. A detailed, measurable mitigation plan must then be developed to manage the NOA threat – or else cancel the project. My home is immediately downwind of the Interchange Project, and I have grave concerns over the health and safety of my family that could result from a casual approach to NOA by the City of Folsom or the Federal Highway Administration.

BH-1  
continued

- Disturbance/Destruction of Nesting and Foraging Habitat – The undeveloped area surrounding the Interchange Project in El Dorado County is among the last remaining tracts of native grasses and marshland in the area, and is home to various species of hawks, woodpeckers, kites, and other birds. Hawks nesting in the large oak trees atop Crescent Ridge forage between there and the Sacramento County line. My read through the Biological Environment section of the DEIR left me wondering if the authors had performed a recent field study of the area to determine the present state of this small wildlife corridor. If the source documents used for the DEIR are outdated concerning the NOA issue, have the potential impacts to wildlife resulting from the project been likewise insufficiently analyzed and evaluated?

BH-2

Holiday travels precluded my attendance of the December 20, 2006 Planning Commission meeting held by the City of Folsom – so I am not aware if any of the issues raised by the public at that time mirror my own. I appreciate the opportunity to herein express some of my concerns over the project and its potential impact to my family and community, and trust those items will be adequately addressed as the process moves forward.

Regards,

Brian G. Habersack  
393 Platt Circle  
El Dorado Hills, California 95762  
916-939-1516  
[bhabersack@gmail.com](mailto:bhabersack@gmail.com)

**Brian G. Habersack (January 22, 2007)**

**Response BH-1:** Refer to Response AQMD-1.

**Response BH-2:** In conjunction with preparation of the environmental document, a Natural Environment Study (NES) was prepared and reviewed/approved by Caltrans. The NES document evaluates the environmental setting in the context of potential project-related environmental impacts. Various site surveys were conducted on the project site, including surveys for wildlife and plants, special status species, and jurisdictional waters. Surveys for various bird species were conducted in the winter and summer of 2004 and findings were made regarding the potential project impacts. It was noted in the surveys and NES document that the project area does provide habitat for various raptor species as noted in the comment. Avoidance and minimization measures were specified in the environmental document to minimize the impacts to trees (including compliance with the City's tree ordinance) and effects on nesting birds.



January 22, 2007

Gail Furness de Pardo,  
Interim Assistant Community Development Director  
City of Folsom  
50 Natoma Street  
Folsom CA, 95630

**SUBJECT: Empire Ranch Road/Route 50 Interchange Project  
Environmental Impact Report/Environmental Assessment  
AQMD NO: SAC20030026**

Dear Ms. Furness de Pardo:

Thank you for submitting the *Empire Ranch Road/Route 50 Interchange Project Environmental Impact Report/Environmental Assessment* (EIR) to the Sacramento Metropolitan Air Quality Management District (District) for review. District staff comments follow.

1. This project may be located within a geologic unit that is likely to contain naturally occurring asbestos (NOA). Construction activities could cause asbestos particles to become airborne, causing a potential health hazard. The Air Resources Board has adopted an Asbestos Airborne Toxic Control Measure (ATCM) that includes specific requirements for testing suspect soils for NOA and/or mitigating construction activity (California Code of Regulations, Title 17, Section 93105). In order to protect public health and comply with the ATCM, the environmental document for this project should identify the potential NOA impact and specify the mechanism for compliance with the applicable sections of the ATCM, which includes a Dust Mitigation Plan (DMP) or a Geologic Evaluation (GE) for projects over 1 acre. A DMP or GE must be submitted and approved by SMAQMD prior to issuance of any construction related permits where soil disturbances will occur. A blank DMP form and an interim map of areas more likely to contain NOA are available on the District's website at [www.airquality.org](http://www.airquality.org). AQ-1
2. **District rules and regulations.** All projects are subject to the District's rules and regulations in effect at the time of construction. Please see the attached document, which describes several of the rules that may apply to this project. For a complete list of rules and regulations, please go to [www.airquality.org](http://www.airquality.org), or call the District at 916.874.4876. AQ-2

Please do not hesitate to contact me at 916.874.2694 or [jhurley@airquality.org](mailto:jhurley@airquality.org) if you have any questions regarding this letter.

Sincerely,

Joseph J. Hurley  
Assistant Air Quality Planner Analyst

C: Larry Robinson

## SMAQMD Rules & Regulations Statement

*The following statement is recommended as standard condition of approval or construction document language for all construction projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):*

All projects are subject to SMAQMD rules and regulations in effect at the time of construction. A complete listing of current rules is available at [www.airquality.org](http://www.airquality.org) or by calling 916.874.4800. Specific rules that may relate to construction activities may include, but are not limited to:

**Rule 201: General Permit Requirements.** Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration.

**Rule 403: Fugitive Dust.** The developer or contractor is required to control dust emissions from earth moving activities or any other construction activity to prevent airborne dust from leaving the project site.

**Rule 442: Architectural Coatings.** The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

**Rule 902: Asbestos.** The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

Other general types of uses that require a permit include dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

## **Sacramento Metropolitan Air Quality Management District (January 22, 2007)**

**Response AQ-1:** Comment noted. This issue was previously raised and has been reviewed and included in the geotechnical report updates. The Sacramento Bee article referenced in the comment was for a site that is not within the proposed project limits. The geotechnical report states that *it is reasonable to assume that naturally occurring asbestos (NOA) does not exist*. Nonetheless, until the design phase, field investigation and testing are started, confirmation that NOA is absent from the site remains somewhat uncertain. In addition, it could be argued that even conducting boring tests at the site may not provide absolute certainty that NOA is absent or present. Only construction activities can reveal the conditions affecting the subsurface conditions. As a result of the uncertainty of NOA absence/presence, a contingency plan is required to protect the health and safety of the general public. Accordingly, the site should be monitored by the geologist and if mitigation implemented as necessary. With this contingency, findings that *NOA should not be expected* remain valid.

In the extreme case, the geotechnical engineer has developed plans to mitigate NOA presence. If NOA is detected on the site, it must be wetted down and not allowed to become airborne. If the NOA is exported, special actions must be engaged at the deposit site to facilitate buried NOA materials, etc.

**Response AQ-2:** Comment noted. Compliance with the SMAQMD rules and regulations will be required, at such time as construction is initiated. It is anticipated that the project contractor (when selected) will bear the responsibilities for such compliance.

**Bill Mayer**

---

**From:** Gail Furness De Pardo [gdepardo@folsom.ca.us]  
**Sent:** Tuesday, January 16, 2007 8:24 AM  
**To:** Bill Mayer  
**Cc:** Tom Garcia; Dave Melis  
**Subject:** FW: Comments on DEIR for Empire Ranch Road interchange with US 50

Bill- FYI

-----Original Message-----

**From:** El Dorado Hills Citizens Alliance [mailto:alliance@edhca.net]  
**Sent:** Monday, January 15, 2007 11:35 PM  
**To:** Gail Furness De Pardo  
**Cc:** El Dorado Hills Citizens Alliance  
**Subject:** Comments on DEIR for Empire Ranch Road interchange with US 50

Gail,  
  
Please accept the comments appended below from the El Dorado Hills Citizens Alliance. Thank you for the opportunity to review the Draft EIR for the Empire Ranch Road interchange and to comment on this project, it's very important to El Dorado Hills as well as to Folsom.

---

Paul Raveling, president  
El Dorado Hills Citizens Alliance  
Reply to [alliance@edhca.net](mailto:alliance@edhca.net)  
or [Paul.Raveling@sierrafoot.org](mailto:Paul.Raveling@sierrafoot.org)  
Web site: <http://www.edhca.net>

(916) 933-5826 Personal home and home office  
(916) 849-5826 Cell phone  
Usually Wednesdays and Thursdays:  
(650) 506-8393 Office at Oracle Headquarters

---

**The El Dorado Hills Citizens Alliance strongly supports construction of the Empire Ranch Road interchange with US 50, as well as additional project which will depend on this interchange. This is very important to traffic flow in the road network which serves both Folsom and El Dorado Hills in the area on both sides of the county line.**

The DEIR traffic analysis is flawed (reasons cited below). However, the flaws make this project appear environmentally weaker than its actual value in terms of traffic relief to the road network within a radius of several miles of the project site. Some of the flaws involve obsolete data for El Dorado Hills. Others involve lack of projections for growth in both development and the road system in coming years within the Folsom Sphere Of Influence area south of US 50.

PR-1

Lack of such consideration can be understood on the basis of the Empire Ranch interchange being the first such development to go into environmental review, its EIR cannot rely on plans which have not yet been adopted. Nevertheless, it is important to understand the future role of this interchange in the context of other clearly probable development.

1/16/2007

There are several very significant factors that the DEIR's traffic analysis REALLY misstates or ignores:

1. The DEIR very substantially understates EDH population. Here's a nutshell summary from one graphic in the DEIR

	Population			Total Employment		
	Folsom	El Dorado	Total	Folsom	El Dorado	Total
Year 2000	50,340	13,720	64,060	21,340	5,530	26,870
Year 2025	77,220	40,170	117,390	38,440	30,360	68,800
Growth	26,880	26,450	53,330	17,100	24,830	41,930

No population statistics for El Dorado Hills are this low, regardless of source or area defined to represent EDH - additional notes are available on the EDH Citizens Alliance web site at <http://www.edhca.net/population.php>. The area defined by the El Dorado Hills Fire District is already near 43,000 population. The Folsom/EDH population center is already over 100,000 population, EDH and Cameron Park combined are almost 60,000.

Also, almost all east/west traffic from the rest of the county passes through EDH. The total population of El Dorado County is now about 180,000 and through traffic includes substantial US 50 travel to Lake Tahoe and beyond. Here's an abbreviated summary:

PR-2

	Population	
	El Dorado Hills according to DEIR	El Dorado Hills, actual from Fire District statistics
Year 2000	13,720	23,898
Year 2005	----	39,636
Year 2015		about 60,000 (estimated)
Year 2025	40,170	60,000 to 80,000 (estimated range)

The EDH population is already larger than the number that the traffic study assumes it will reach in 2025.

Another way to state this is that in January, 2006, the EDH population passed the level that the traffic study anticipated for year 2025. The Citizens Alliance estimates that today, January 15, 2007, the EDH population is 42,737.

2. **El Dorado Hills needs a southern extension of Empire Ranch Road to serve two areas:** The 885-acre Business Park and population in the area now being developed south of US 50. The largest single development is Blackstone, not yet at first occupancy but last reported to be planned for 2,840 housing units. This plus housing development in the Carson Creek and Euer Ranch areas needs arterial service to US 50 to the west of Latrobe Road. Empire Ranch is the most appropriate point of connection to US 50.

PR-3

3. **The 885-acre EDH Business Park is building out to an artificially capped employment ceiling of 10,000.** Latrobe Road, including the major intersections of White Rock Road and Town Center Drive, is not planned to have adequate capacity to serve the traffic needs of the Business Park. It is imperative for Business Park access to build the Empire Ranch interchange and connecting arterials on the south side of US 50. The Citizens Alliance is not aware that any traffic studies for such a connection exist, but we believe it likely that Business Park traffic alone will generate demand on the Empire Ranch Road interchange for at least 3,000 vehicles per hour in afternoon peak periods.

PR-4

**4. El Dorado Hills needs a connection from the future El Dorado-Rancho Cordova-Elk Grove Connector to interconnect with US 50 and to cross it at this point.** Crossing traffic needs to connect with three arterials north of US 50: Saratoga Way to the east, Empire Ranch Road to the north, and Iron Point Road to the west. The Saratoga and Empire Ranch connections are essential as a route for El Dorado Hills traffic from the north side of US 50. The US 50 is *absolutely* essential to allow through traffic between the connector and the rest of El Dorado County to bypass surface streets in El Dorado Hills.

PR-5

**5. Folsom is actively planning very substantial development in its Sphere of Influence south of US 50 and adjacent to El Dorado Hills.** The Empire Ranch Road interchange DEIR is predicated on having no such development in the Folsom SOI and no access to the EDH areas noted above. It is clear that this will not be the case.

PR-6

**A major requirement in El Dorado Hills is to avoid gridlock in an area centered on the intersection of Latrobe Road and White Rock Road.** To do this, the most important road network links are between White Rock Road (or the future Connector) and US 50 at the Empire Ranch Road interchange.

PR-7

**The need for an Empire Ranch Road interchange is *much* higher than is reported in the DEIR's traffic study.** The largest risk that follows from the traffic study's errors is that planning for the interchange may be underscoped. This will need to be a high-capacity interchange. If the interchange is built initially with a low capacity design it is important that its design be planned to permit future expansion without major reengineering.

PR-8

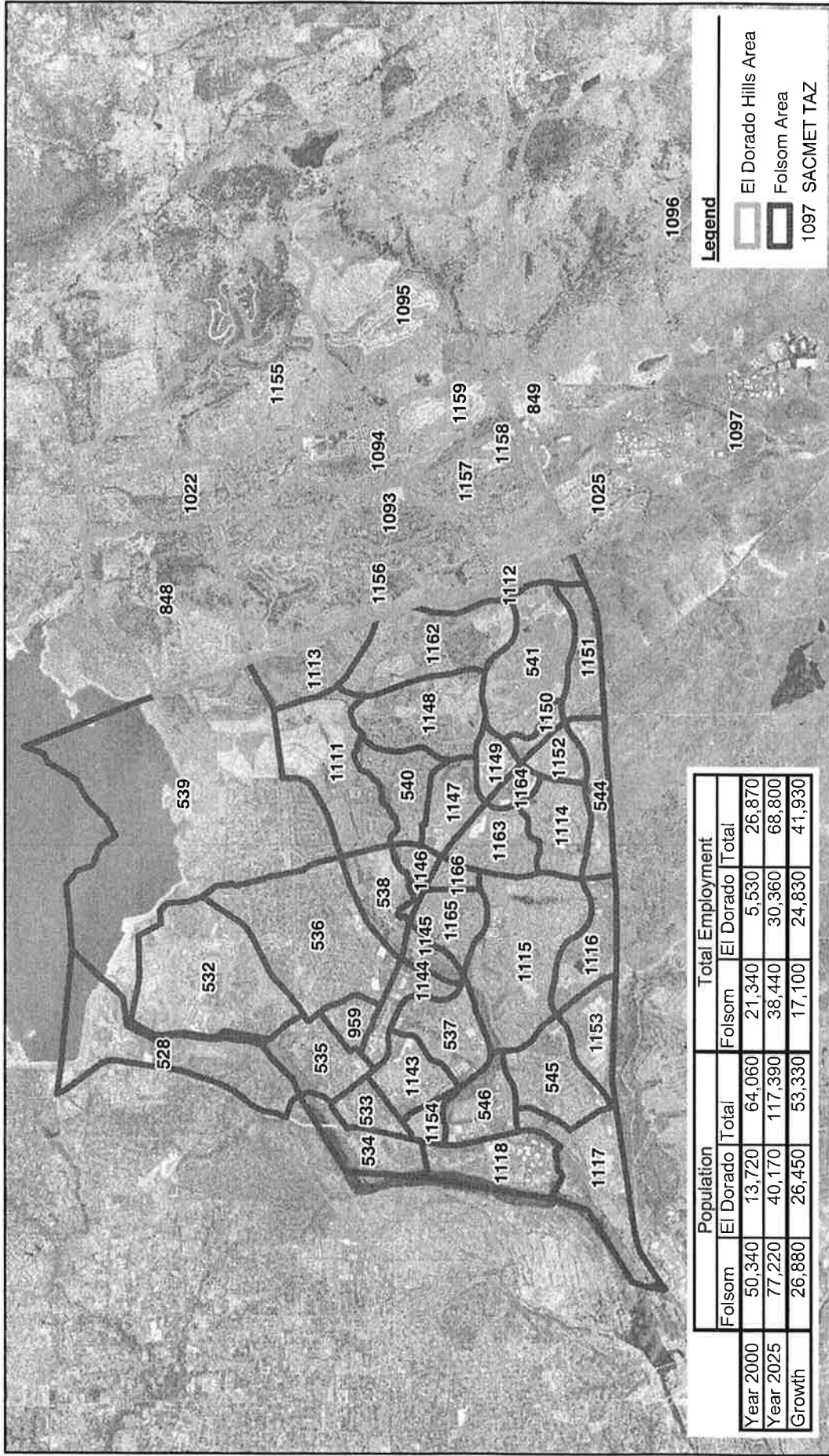
### **El Dorado Hills Citizens Alliance (Email January 15, 2007)**

**Response PR-1:** The proposed interchange project was designed to accommodate existing and approved development in Folsom and El Dorado County, but recognizes that growth may be approved south of Highway 50 in the future. As designed, the interchange maintains access control along the south side of Highway 50. If plans are approved to extend Empire Ranch Road to the south, a new environmental study would be required for approval of the break in access to the State's right of way. Any connection south of Highway 50 may also trigger the need for additional ramps or the widening of the overcrossing structure. This can be accommodated with the interchange design, but is not proposed as part of the project.

**Response PR-2:** The geographic area used to summarize the projected population of El Dorado Hills in the traffic operations report only considered the core area and not the entire El Dorado Hills area. The attached graphic (Figure 17 from the Final Traffic Report dated April 28, 2004) illustrates the area from which the estimated future (year 2025) population was captured. The projected population of the entire El Dorado Hills area would be greater than for just the core area, hence the difference in population numbers as indicated in the comment. The core area was used to provide a general indication of the rapid growth in population for the El Dorado Hills area.

**Response PR-3:** The proposed Empire Ranch Road/Route 50 interchange has been planned to accommodate growth occurring at a more local level and to provide sub-regional transportation network solutions, rather than those needed to support regional planning forecasts and infrastructure demands. The design has been established to accommodate traffic forecasts for year 2025 conditions, and specifically, without a connection extending to the south of Route 50. The interchange design is not currently a high capacity interchange, although the design retains sufficient flexibility to add future ramp geometry to increase capacity, should demand increase. Likewise, the interchange retains the flexibility to provide a future connection south of Route 50, subject to additional environmental review and approval of a new connection by Caltrans. The City of Folsom has intentionally avoided designing the proposed interchange project with a connection to the south, as such connection is not required to accommodate the project purpose and need. Additionally, a southern connection would be considered growth inducing, and would be inconsistent with Sacramento County's current General Plan land use designation for open space. Additional environmental impact would be expected from providing this connection, and is beyond the scale and scope of the current environmental document.

**Response PR-4:** Comment noted. As mentioned in Response PR-3, the City does not intend to provide a southern connection from the interchange, as such connection is not required to meet the project purpose and need. The City of Folsom acknowledges that the EDH Business Park, and other land developments in El Dorado County have limited growth opportunities due to prior conditions of approval and constrained circulation conditions. Accordingly, the proposed interchange retains the flexibility to accommodate future capacity upgrades as well as the potential to extend a connection to the south at such time as the demand triggers the need, and the appropriate environmental review and approvals are obtained. Future environmental review, approval of the new connection and circulation network enhancement would likely be pursued by El Dorado County in order to resolve the growth issues present within their jurisdiction.



Note: Total population is derived from an average of 2.63 persons per household.

Source: SACMET Model

**BASE YEAR 2000 AND 2025 POPULATION AND EMPLOYMENT IN STUDY AREA**  
**FIGURE 17**



**Response PR-5:** The El Dorado-Rancho Cordova-Elk Grove Connector is a planned regional transportation improvement that is needed to serve the region. This region is significantly larger in scope and scale than the sub-region served by the Empire Ranch Road/Route 50 interchange and supported roadway network. Future connections with the Connector, including a connection with the proposed interchange, are beyond the purpose and need established for the project, and have more regional implications for growth and environmental impact than has been identified by the City for the project. The City of Folsom acknowledges that such future regional transportation solutions should not be precluded. Accordingly, the proposed interchange retains the flexibility to accommodate future capacity upgrades as well as the potential to extend a connection to the south at such time as the demand triggers the need, and the appropriate environmental review and approvals are obtained. Future environmental review, approval of the new connection and circulation network enhancement would likely be pursued by El Dorado County and or agency coalitions/SACOG in order to resolve the regional transportation network.

**Response PR-6:** Comment noted. The City of Folsom has elected to separate the Empire Ranch Road/Route 50 interchange project from plans being studied for the southern Sphere of Influence/Annexation program. The proposed interchange is needed to serve the existing developed/planned area as supported by the project purpose and need. Given the current speculative nature of the SOI program, providing an association between the proposed interchange and the SOI would be considered growth inducing and would have greater environmental implications than identified in the current environmental document. The interchange design does not preclude serving the SOI in the future, pending additional new connection approvals and environmental review.

**Response PR-7:** Refer to Response PR-3 and PR-4. The resolution of capacity issues at White Rock Road and Latrobe Road are issues confronting El Dorado County. While the Empire Ranch Road interchange could assist in relieving congestion at this intersection, a new connection would be required to the south, including Caltrans approval and subsequent environmental review. Such actions are beyond the current scope and scale of the interchange project and are inconsistent with the project purpose and need.

**Response PR-8:** Traffic forecasts were prepared by a traffic consultant based on land use projections provided by the City and El Dorado County. The forecasts were approved by Caltrans and were utilized in the operations analysis and traffic impact analysis for the environmental document. The project purpose and need were developed based on the traffic forecasts and the project designed to accommodate the traffic demand. As mentioned in Response PR-3, the interchange design can be modified to increase capacity with the addition of loop ramping. A new connection to the south (which has not been precluded by project design), if approved by Caltrans, would also increase the interchange utilization.

**Bill Mayer**

**From:** Gail Furness De Pardo [gdepardo@folsom.ca.us]  
**Sent:** Monday, January 22, 2007 9:19 AM  
**To:** Bill Mayer  
**Cc:** Dave Melis; Tom Garcia  
**Subject:** FW: Interaction of Empire Ranch Rd interchange DEIR with El Dorado County General Plan DEIR

-----Original Message-----

**From:** El Dorado Hills Citizens Alliance [mailto:alliance@edhca.net]  
**Sent:** Saturday, January 20, 2007 9:04 PM  
**To:** Gail Furness De Pardo  
**Cc:** Hal Erpenbeck; John Hidahl; John Thomson; Paul Raveling; Norm Rowett; Rusty Dupray; Helen Baumann; Greg Fuz; Richard Shepard; Russ Nygaard  
**Subject:** Interaction of Empire Ranch Rd interchange DEIR with El Dorado County General Plan DEIR

Gail, please accept this as an additional comment on the Empire Ranch Road/US 50 interchange Draft EIR.

This week we received notice from the County of El Dorado of its own Draft Supplemental EIR public review process for a County General Plan amendment to increase permitted Floor Area Ratios (FAR) for commercial, industrial, and research & development land uses. If adopted, this amendment will produce an implicit requirement for much higher capacity at the Empire Ranch Road interchange and for US 50 through Folsom.

The primary source of the load will be the 885-acre El Dorado Hills Business Park, as well as neighboring commercial areas, Blue Shield, and the residential areas south of US 50 which are still at an early stage of buildout. The FAR amendment projects a total of 81,501 jobs in El Dorado Hills at buildout, double the projection in the previously adopted General Plan. This amendment is not accompanied by corresponding changes to the General Plan's Traffic and Circulation Element to accommodate the additional traffic. Consequently, the FAR DEIR projects county-wide Vehicle Hours Delay (VHD) per day per capita to increase from 0.63 (adopted General Plan) to 53.03 (with the FAR amendment) at maximum buildout.

Actual traffic consequences would be less for economic reasons. The General Plan requires new development to pay Traffic Impact Mitigation fees to fully fund its impacts. Mitigation costs increase *very* substantially when road systems are already loaded near their design capacity. If the County administers the General Plan requirements properly the cost of development in the Business Park can be expected to rise sufficiently to stop new construction in the Business Park well before buildout.

The actual result will be somewhere between the extremes of a very early stop to construction and the massive traffic impact that would occur at full buildout. The important point is that the El Dorado County FAR amendment will produce an actual traffic impact that must necessarily be handled in part by the Empire Ranch Road interchange. The FAR amendment alone infers a need for very much higher capacity at the Empire Ranch Road interchange than we had anticipated.

The El Dorado Hills Citizens Alliance recommends strongly that Folsom work *very* closely with El Dorado County, not only on traffic engineering but also on planning policy, which determines the load that the road network must handle in our combined population center. A reciprocal view would be that Folsom may need to participate in El Dorado County planning policy in the interest of managing the traffic that EDH and our county induces within your city limits.

PR-9

PR-10

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Paul Raveling, president  
El Dorado Hills Citizens Alliance  
Reply to [alliance@edhca.net](mailto:alliance@edhca.net)  
or [Paul.Raveling@sierrafoot.org](mailto:Paul.Raveling@sierrafoot.org)  
Web site: <http://www.edhca.net>

(916) 933-5826      Personal home and home office  
(916) 849-5826      Cell phone  
    Usually Wednesdays and Thursdays:  
(650) 506-8393      Office at Oracle Headquarters

**El Dorado Hills Citizens Alliance (Email January 20, 2007)**

**Response PR-9:** The FAR amendment to the El Dorado County GP (if approved) does change the buildout potential for employment related land uses in the Business Park and elsewhere. However, it does not change the total amount of projected employment for a given year such as 2025.

Employment in El Dorado County is generally tied to population growth and regional job growth. These factors were considered in the forecasts of employment in the Business Park. Even without the FAR amendment, the Business Park had more developable land area than would be reasonably absorbed by 2025. Therefore, increasing the land supply even higher with an FAR amendment has little effect on the actual employment numbers for a given market year like 2025.

**Response PR-10:** The project development team (PDT) responsible for the development of this environmental document, included representatives from the El Dorado County Department of Transportation. This project has been designed to be compatible with the proposed improvements at the El Dorado Hills Blvd/Latrobe Road interchange and the extension of the HOV (carpool) lanes to the east. The traffic model that was used to forecast future traffic volumes on the interchange and Highway 50 is a regional model, covering Sacramento and western El Dorado Counties.

**Bill Mayer**

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**From:** Gail Furness De Pardo [gdepardo@folsom.ca.us]  
**Sent:** Friday, January 19, 2007 3:03 PM  
**To:** Bill Mayer  
**Cc:** Dave Melis; Tom Garcia  
**Subject:** FW: Comments on Draft EIR/EA-Empire Ranch Road/Route 50 interchange project

FYI

-----Original Message-----

**From:** Bob Jones [mailto:rmjones@softcom.net]  
**Sent:** Thursday, January 18, 2007 11:22 PM  
**To:** Gail Furness De Pardo  
**Cc:** Richard Lorenz; Gordon Tornberg; Mark Rackovan  
**Subject:** Comments on Draft EIR/EA-Empire Ranch Road/Route 50 interchange project

Gail,  
In commenting to the City officials about the new Folsom Bridge project last year, our neighborhood committee expected that the City will be pursuing and supporting reasonable means to maximize new bridge-related traffic on major Folsom roads in order to minimize potential cut through traffic through our neighborhoods. We understood from our discussions with City officials that the City will be pursuing other major Folsom road projects, that are unrelated to the new bridge project, which would permit the capacity and needed flow rate to allow bridge-related traffic to easily utilize major Folsom roads to access the new bridge.

BKJ-1

For the Empire Ranch Road/ Route 50 interchange project, we believe that the timing of the opening of only the westbound offramp from Route 50 to northbound Empire Ranch Road should coincide with the opening of the new Folsom bridge across the American River below the Folsom Dam, which is expected for opening in late 2008. One primary reason for doing so would be to allow more direct and timely access via major Folsom roads to the new Folsom bridge from Westbound Route 50, I.E. via Northbound Empire Ranch Road to Westbound East Natoma Street, which merges into the proposed new eastern bridge alignment.

We believe that the City should take appropriate action to ensure that the construction of the westbound offramp from Route 50 will be accelerated as a first construction phase or first construction contract of the larger Empire Ranch Road/Route 50 interchange project. By accelerating the construction of the westbound offramp, the City will take another step towards maximizing new bridge-related traffic on major Folsom roads while also relieving congestion and traffic on northbound East Bidwell Street from Route 50. We understand that the entire interchange project is currently slated for a 2014 completion date, and if the westbound ramp can be accelerated and completed by late 2008 or early 2009, then, 5 years of earlier access for this needed traffic movement would be apparent.

Bob and Kim Jones  
102 Mc Hugh Court  
Folsom, CA 95630

**Bob and Kim Jones (Email January 18, 2007)**

**Response BKJ-1:** Comment noted. At present, the City has not identified a source of funding to construct the interchange improvements. The City anticipates that funding will become available in the near future, and that construction could be initiated as early as Year 2008/2009, although could be delayed until Year 2011. With funding in place and construction started, the interchange and the auxiliary lanes would be constructed as one project, as one phase. Acceleration of individual ramps is not anticipated.

**Bill Mayer**

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**From:** Gail Furness De Pardo [gdepardo@folsom.ca.us]  
**Sent:** Thursday, January 18, 2007 10:25 AM  
**To:** Bill Mayer  
**Cc:** Tom Garcia; Dave Melis  
**Subject:** FW: Empire Ranch Road/Route 50 Interchange Project

FYI

-----Original Message-----

**From:** Manjit Sekhon [mailto:MSekhon@smud.org]  
**Sent:** Thursday, January 18, 2007 9:31 AM  
**To:** Gail Furness De Pardo  
**Subject:** Empire Ranch Road/Route 50 Interchange Project

Gail,

I have reviewed the proposed Empire Ranch/Route 50 Interchange, the construction of east/westbound auxiliary lanes on U.S. Route 50 between Empire Ranch Road and El Doarado Hills Blvd., and the westbound auxiliary lane on U.S. Route 50 between E. Bidwell Rd. and the proposed interchange project and have the following comments regarding SMUD facilities in the area:

SMUD-1

1. There is an existing north/south 12kV overhead line across Route 50 at the proposed Empire Ranch Road/Route 50 interchange. A conduit system would be required in the bridge structure for undergrounding the existing and future SMUD facilities at this location.
2. There is an existing 69kV subtransmission line crossing at the E. Bidwell Rd./Placerville Road and Route 50 Intersection. This line is proposed to be extended in the south easterly direction along Placerville Road and then west along White Rock Road.

If you need further information, please contact me at (916) 732-6373.

Thank you,

Manjit Sekhon  
Distribution System Planning Engineer  
Sacramento Municipal Utility District

**Sacramento Municipal Utility District (Email January 18, 2007)**

**Response SMUD-1:** Comment noted. Construction drawings/improvements plans will consider the improvements recommended in the comment.



**CITY OF FOLSOM  
PLANNING COMMISSION MINUTES  
December 20, 2006**

**CALL TO ORDER PLANNING COMMISSION:** Chair Greg Eldridge; Vice Chair Pat Dunbar;  
Commissioners: Michael Gordon, Treaver Hodson, Brian Martell

**ABSENT:** Commissioners John Arnaz and Lance Klug

1. **Administer Oath of Office to Newly Appointed Planning Commissioners**

The secretary of the Commission administered Oaths of Office to Commissioners Eldridge, Dunbar, and Gordon.

**MINUTES:** The minutes of November 15, 2006 were approved as submitted.

**CITIZEN COMMUNICATION:** None

**NEW BUSINESS:**

2. **Recommend to Mayor Appointment of Two Planning Commission Members to Serve on Historic District Commission**

COMMISSIONER HODSON MOVED TO RECOMMEND THAT COMMISSIONERS ARNAZ AND KLUG BE APPOINTED TO SERVE ON THE HISTORIC DISTRICT COMMISSION.

CHAIR ELDRIDGE SECONDED THE MOTION WHICH CARRIED WITH THE FOLLOWING VOTE:

AYES: HODSON, GORDON, MARTELL, ELDRIDGE, DUNBAR  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: KLUG, ARNAZ

3. **Historic Street Name List - Approval for Three Additional Names**

Associate Planner Lisbet Gullone gave the staff report, stating that the Commission is being asked to consider the addition of three historic names to the city's historic street name list. The name Bradley was nominated by the owners of the Bradley House Bed and Breakfast Inn to commemorate Cyrus Bradley who built his home at 606 Figueroa Street (built in 1859 and currently occupied by the bed and breakfast inn). Mr. Bradley was one of the founding members of Folsom's first library and also the local International Order of Good Templars.

Two Folsom families have nominated their family names -- Fallon and Nettle. Russell Fallon came to Folsom in mid 1940s and purchased the historic Wells Fargo building. For ten years, he operated an electrical and plumbing business from this property. A few years later, Russell's brother Tom moved to Folsom with his wife and four children. The oldest son Tom Fallon served in the U.S. Marine Corp, worked as a teacher at Folsom High School, and coached Folsom's first Little League Team together with his brother Jack. Jack Fallon served on the board of the Rancho Cordova School District for 12 years and helped develop the first Junior High School in Folsom. The youngest son Jerry Fallon was a correctional officer at Folsom Prison for 33 years. Currently, Tom and Ethel Fallon have 13 grandchildren and 33 great grandchildren. For the most part, the younger generation still lives in Folsom.

The name Nettle has been nominated to commemorate John Edward Nettle who moved to Folsom in the mid 1930s. He married Folsom resident Mia Berg and started working for the Natoma Company. In 1945, he was drafted and later fought in World War II. He was awarded the Bronze Star of Heroic Achievement in support of combat operations. After the war, John Nettle returned to Folsom and continued his employment with the Natoma Company. He had one daughter, Jacquelyn, who lives in Folsom.

Staff recommended that the Commission approve the listing of the three additional historic names to the Folsom Historic Street Name List.

It was noted that the Fallon brothers were in the audience.

Chair Eldridge opened the Public Hearing; no one came forward to speak so the Public Hearing was closed.

COMMISSIONER GORDON MOVED TO APPROVE THE LISTING OF THREE HISTORIC NAMES FOR THE FOLSOM HISTORIC STREET NAME LIST AS DOCUMENTED IN ATTACHMENT 1 WITH THE FOLLOWING FINDINGS: GENERAL PROJECT FINDINGS "A," AND "B," AND CEQA FINDING "C."

COMMISSIONER MARTELL SECONDED THE MOTION WHICH CARRIED WITH THE FOLLOWING VOTE:

AYES: GORDON, DUNBAR, ELDRIDGE, HODSON, MARTELL  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: KLUG, ARNAZ

4. PN06-393, Sibley Street Rezone, General Plan Amendment and Initial Study

Associate Planner Steve Banks gave the staff report, stating that the applicant D & L Property Management is requesting approval of a General Plan Amendment and Rezone for a 2.68-acre area that is a portion of a larger 10-acre parcel. The applicant is also seeking to change the General Plan land use designation from Multi-Family High Density to Industrial and to rezone the property from General Apartment Planned Development District to a Light Industrial District designation. The location of the project site was pointed out for the Commission.

It was pointed out that the property was one of the sites that was rezoned as part of a settlement agreement with Northern California Legal Services for high-density, multi-family development. Community Housing Opportunities of California (CHOC) and affordable housing developers determined that they could not utilize that site for multi-family development. There was some limitation to access to the site as well as wetlands and feasibility issues. The City determined that they should sell the property to D & L Property Management who intends to utilize the site for storage of equipment and materials associated with their existing Syblon-Reid business. Exhibits of the proposed and existing General Plan and Zoning classifications were shared with the Commission.

Some of the key issues that staff has looked at include the accessibility of the site. Currently access is provided by an unimproved road, which comes off Sibley Street and loops around the sake factory. The applicant's intent is to build a bridge crossing, and the access road would only be used until the bridge is constructed. The City would like to limit the term of that access to four years in time or at a time the City deems it is no longer feasible for the applicant to use the access road (i.e., CHOC wants to develop the adjacent site). Staff also has concerns about the condition of the road, and recommends that the road be improved to be an all weather access road so that mud is not tracked off the project site and so that dust is not an issue in the summer. Most of the property is fairly well screened by mature trees, but staff would like a portion of the site screened so that it is not visible from the bike trail. Photographs of the site were shared with the Commission.

An Initial Study and Mitigated Negative Declaration were prepared for the project and to date, staff has not received any comments from the public.

Staff recommends approval of the project with Findings and Conditions included in the staff report.

In response to Commissioner Dunbar, Associate Planner Banks explained that currently the access road consists of a mixture of decomposed granite, dirt, and rocks. Staff is recommending an all weather surface road be installed.

Principal Engineer Steve Krahn talked about options for all weather surfaces (i.e. slurry seal, chip seal, etc.).

Associate Planner Banker reiterated that the access road would be utilized for four years OR until the City determines that the adjacent property is going to be developed. The bridge would take some time to be constructed.

In response to Commissioner Dunbar, Associate Planner Banks replied that the settlement agreement states that the site be developed with multi-family high density or that the funds from the sale of the property go into the Housing Trust Fund. He personally talked with Legal Services of Northern California and they are comfortable with the sale.

Assistant City Attorney Steve Johns added that the City didn't have anything in writing stating that Legal Services consents to the sale, nor did the City need to get their consent. The City however did get an appraisal done and the sale was based on fair market value.

In response to Chair Eldridge, Associate Planner Banks reiterated that the construction of the bridge will be a matter of years.

Don Reid, representing Syblon-Reid / D & L Property Management, stated that they will have to acquire Federal and State permits to cross the riparian wetland before constructing the bridge. The construction is probably a couple of years away. The access was considered temporary until the bridge was constructed.

Commissioner Martell stated that he assumed that the applicant would take into consideration any future development of the site with regard to the bridge should the applicant ever vacate the site.

Commissioner Gordon asked if the proposed project was not approved, if there was a chance the applicant would relocate.

Mr. Reid replied that at some point, they would have to or split the operation.

Chair Eldridge opened the Public Hearing.

Deino Trotta, 310 Coloma Street, voiced concern about the area having too much traffic as an industrial area. This area is a gateway to the historic district and residents of the historic district were concerned that industrial over damper the area. It would be nice if the construction of the bridge were guaranteed in the conditions of approval. He further voiced concern about the type of equipment that would be entering and leaving the site and felt that another area would be better suited.

Paul Kerfeld, 1010 and 1012 Bidwell Street, concurred with the previous speaker, stating that Sibley Street between Blue Ravine Road and Glenn Avenue was an unimproved road and where that road comes out to Sibley Street, there was a median directly in front of the gate. It was very dangerous for accessing the property. He added that he felt that there needed to be a designated industrial park similar to the Blue Ravine area.

Mr. Reid stated that the site is presently surrounded by industrial on three sides. As far as visibility and the gateway to the historic district, the site was screened and not visible from Sibley Street. With regard to traffic, their use would be far less than any future multi-family apartment complex use.

In response to Commissioner Gordon, Mr. Reid stated that the equipment/trucking was usually exiting Sibley Street to Highway 50. He felt that the project would have very little effect on the surrounding residents. He added that they have been a good neighbor in Folsom since 1975, and it was not their intent to cause dust or track mud out onto the street.

Chair Eldridge closed the Public Hearing.

In response to Commissioner Dunbar, Associate Planner Banks stated that the site was currently being used by the City as a storage facility for equipment.

Commissioner Dunbar noted that the site was zoned Light Industrial before the rezone and this action would just be changing the land use back.

In response to Commissioner Hodson, Associate Planner Banks stated that there was not a condition that dealt with the timing of the bridge.

Assistant City Attorney Johns interjected that conditions for the use of the access road were mirrored in the Purchase and Sale Agreement. The applicant was very aware of the situation and that the use of the access road may cease earlier if the adjacent property is developed.

Commissioner Martell stated that there was shortage for light industrial within the city limits. He felt that it was positive to have a work/life balance with a business that has been here since 1975.

In response to Mr. Trotta, Assistant City Attorney Johns explained that zoning was a legislative act and once an area is zoned, it takes another legislative act to change it.

COMMISSIONER DUNBAR MOVED RECOMMEND TO THE CITY COUNCIL ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR THE SYBLON-REID GENERAL PLAN AMENDMENT AND REZONE (PN06-393); AND MOVED TO RECOMMEND TO CITY COUNCIL APPROVAL OF A GENERAL PLAN AMENDMENT TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FOR A 2.68-ACRE AREA (IDENTIFIED AS PARCEL B-HATCHED AREA ON THE GENERAL PLAN EXHIBIT) FROM MULTI-FAMILY HIGH DENSITY (MHD) TO INDUSTRIAL OFFICE PARK (IND); AND MOVED TO RECOMMEND TO CITY COUNCIL APPROVAL OF A REZONE TO CHANGE THE ZONING FOR A 2.68-ACRE AREA (IDENTIFIED AS PARCEL B-HATCHED AREA ON THE REZONE EXHIBIT) FROM GENERAL APARTMENT, PLANNED DEVELOPMENT DISTRICT (R-4 PD) TO LIGHT INDUSTRIAL DISTRICT (M-1) WITH THE FOLLOWING FINDINGS AND CONDITIONS: GENERAL FINDINGS "A," CEQA FINDINGS "B" THROUGH "E," GENERAL PLAN AMENDMENT AND REZONE FINDING "F," AND CONDITIONS 1 THROUGH 21.

COMMISSIONER MARTELL SECONDED THE MOTION WHICH CARRIED WITH THE FOLLOWING VOTE:

AYES: DUNBAR, ELDRIDGE, MARTELL, GORDON, HODSON  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: KLUG, ARNAZ

5. **PN03-479, Empire Ranch Road Interchange, Draft Environmental Impact Report**

Interim Assistant Director Gail Furness de Pardo explained that the intent of this item was to have a public hearing for the environmental document for the Empire Ranch Road interchange. She introduced the project engineer, Tom Garcia, from the Public Works Department who gave an overview of the project.

In response to Commissioner Dunbar with regard to the timing of the project, Mr. Garcia explained that in order for them to proceed with installing the auxiliary lanes, El Dorado County has to widen their bridge. The City's schedule is beholden to their schedule for improving the interchange. El Dorado County is currently going through the process of dedicating funding. The City has been talking with El Dorado County and Caltrans and putting together a corridor plan so everyone was in line with the timing. He reiterated that 2011 was an estimated time for construction.

In response to Commissioner Martell, Mr. Garcia stated that El Dorado County has agreed to pay for the auxiliary lane from El Dorado Boulevard up to the off ramp. The City of Folsom is responsible for the rest of the interchange. There was a multitude of funding sources available for the interchange that staff can pursue such as Federal funding through CMAC or RSTP, State funding through STIP and possibly Measure A funding. Once it becomes apparent that El Dorado County was going to maintain their timeline, staff will be aggressively seeking funding. As soon as the environmental process is done, staff will be going forward with the design so that they have a project that is shelf ready because projects that are ready and waiting to be constructed have a very good chance of getting funding in this state.

Chair Eldridge clarified that the Commission would not be taking action but was an opportunity for the public and the Commission to have verbal comments submitted for the record.

In response to Commissioner Martell with regard to how the interchange would affect the area south of Highway 50 (proposed annexation), Mr. Garcia stated that this project was started prior to the Sphere of Influence being considered. Access to that area is precluded as part of this project and Caltrans will own the access control along the entire southern edge of the project. Any access that is desired south of Highway 50 will have to go through a separate environmental process and a separate California Transportation Commission action allowing access to the area south of Highway 50.

Interim Assistant Director de Pardo discussed the environmental review process for the project. Bill Mayer, LSA, Associates who was the environmental consultant was introduced. Interim Assistant Director de Pardo noted that the public review period ends January 22<sup>nd</sup>. Both oral and written comments would be accepted, as well as public testimony at this hearing. Comments will be addressed in the final EIR, which is tentatively scheduled for adoption by the City Council in February 2007. It was reiterated that the EIR was both a federal and state document.

The build project is the environmentally superior alternative – it actually improves the situation versus doing nothing. The NOP that went out for this document had identified four different alternatives for the interchange and two different alternatives for the auxiliary lane. There was one alternative that would meet all the safety concerns that could feasibly be built and that is the project that is reviewed in the environmental document. There is a minor impact in terms of wetlands and the only adverse impacts relate to traffic / transportation. This project is not considered "growth inducing." It will accommodate future growth south of Highway 50 and current growth impacts; but does not preclude the change from the L2L7 to a future L9 configuration which would go south of Highway 50. Caltrans does have access control south of Highway 50. Currently, this area is within the County and outside the Urban Services boundary and this project will not be providing additional services south of Highway 50.

Staff recommended that the Public Hearing be opened and accept comments that will be addressed in the final environmental document.

Chair Eldridge opened the Public Hearing.

Madeline Mosley, 908 Bidwell Street, asked if the interchange would connect to White Rock Road.

In response, Assistant Director de Pardo stated that this project would not connect to White Rock Road. That would be addressed when the City annexes the area south of Highway 50.

Chair Eldridge closed the Public Hearing.

#### **REPORTS:**

##### **Planning Commission/Director:**

In response to Commissioner Gordon, Principal Engineer Steve Krahn explained that Elliott Homes just completed the road extension down to the county line from the Empire Ranch Road intersection. The City is done on their side of it, and staff has been providing design information for that segment to El Dorado County.

Mr. Garcia added that part of El Dorado Hills Boulevard Interchange improvements was to realign Saratoga Road so that ends at a signal. Development Agreements are being processed with property owners adjacent to the county line and one of the conditions is that the landowner construct Saratoga to the four-lane section and connect it to Iron Point Road. Construction has been delayed until early 2009.

Interim Assistant Director de Pardo stated David E. Miller has been named the new Community Development Director and his start date was January 22<sup>nd</sup>.

Interim Assistant Director de Pardo reported back on Michael's trailers, stating that Code Enforcement has contacted Michael's and the trailers should be gone by the weekend. However a new code enforcement issue has arisen with Linens & Things.

Interim Assistant Director de Pardo stated that after lengthy discussion with Assistant City Attorney Johns, it was decided that the issue of the process for recommending denial of a project to the City Council would not be included in the bylaws. It makes more sense to provide staff with the Commission's input and reasons for denial and then staff will prepare the findings and bring it back at a subsequent meeting.

Chair Eldridge felt that was a much-improved process; it helps the applicant and helps the City Council to understand where the Planning Commission was coming from when there has been a denial or appeal of a project.

In response to Commissioner Hodson, Assistant City Attorney Johns stated the best practice is to have the Planning Commission put its findings in writing and have that forwarded to the City Council. The Planning Commissioners were citizens of Folsom and could address the City Council as such during public testimony.

Interim Assistant Director de Pardo suggested that the Commissioners could also contact their appointing Councilmember to discuss their issues on projects. It was added that presentation of the staff report could be made more uniform; it was understood that staff needed to convey the Commission's concerns more clearly. The Commission could call staff to discuss issues with regard to projects as well.

Interim Assistant Director de Pardo reminded the Commission that the January 3<sup>rd</sup> meeting has been cancelled.

In response to Commissioner Martell with regard to water bills and the installation of water meters, staff stated they would forward the Utilities Department staff report that went to the City Council to the Planning Commissioners.

Commissioner Martell noted that the sprinklers have been left running at Wellfleet Park.

It was noted that there were other problem areas where sprinkler systems should be cut off. It was suggested that the Community be educated about water conservation.

Interim Assistant Director de Pardo suggested that an article be put in the upcoming City's Newsletter.

Chair Eldridge announced that he would not be in attendance at the January 17<sup>th</sup> meeting.

There being no further business, the meeting was adjourned at 7:58 p.m.

RESPECTFULLY SUBMITTED,

  
Omega Deppe, Administrative Assistant

APPROVED:

  
CHAIR GREG ELDRIDGE

## **MITIGATION MONITORING AND REPORTING PROGRAM**

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based on the findings of the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Empire Ranch Road/Route 50 Interchange. This MMRP lists mitigation measures recommended in the Draft IS/MND and identifies mitigation monitoring requirements. These requirements are provided only for mitigation measures that would reduce or avoid significant impacts of the proposed project.

The first column of Table 1 provides the mitigation measures that were identified in the Draft IS/MND. The column entitled "Party Responsible for Monitoring," and "Timing," identify the party ultimately responsible for ensuring that the mitigation measure is implemented, and the approximate time frame for the oversight agency to ensure implementation of the mitigation measures.

**Table 1: Mitigation Monitoring and Reporting Program**

Mitigation Measures	Party Responsible for Implementing Mitigation	Party Responsible for Monitoring	Timing
<p><b>2.2 Transportation and Traffic</b></p>			
<p>1. Modify the design of the Iron Point Road/Empire Ranch Road intersection to provide acceptable level of service through construction of the following improvements (Potential Impact 2.3-4):</p> <ul style="list-style-type: none"> <li>a. Provide a third through lane on Iron Point Road that extends a minimum of 305 m (1,000 feet) in each direction (east and west) of Empire Ranch Road.</li> <li>b. Provide a “free” right-turn movement for the northbound and westbound approaches to the Iron Point Road/Empire Ranch Road intersection.</li> </ul>	<p>City Public Works Director/project Engineer</p>	<p>City Public Works Director/Caltrans</p>	<p>Prior to final design approval</p>
<p>2. Implement traffic control measures to reduce disruption of traffic patterns during construction activities. Caltrans will require the following measures to reduce construction-related traffic impacts (Potential Impact 2.3-5).</p> <ul style="list-style-type: none"> <li>a. The segment of Route 50 between Bass Lake Road and East Bidwell Street will be considered an integrated system when developing final construction phasing plans.</li> <li>b. The contractor will be required to prepare and implement a TMP that identifies the locations of possible detours and signage to facilitate traffic patterns and through-traffic requirements.</li> <li>c. ITS field elements will monitor traffic and provide real-time information to transportation officials. This information will enable them to effectively manage traffic, clear incidents, and inform drivers of potential delays.</li> <li>d. Real-time traffic information and video images of ramps and arterials in the project area can be posted on websites such as the Highway 50 Corridor site. This will enable drivers to assess traffic conditions and determine the best course of action before leaving their home or offices.</li> <li>e. Traffic delay information can be posted on permanent or temporary changeable message signs located in advanced of key alternate routes (e.g., Iron Point Road) or Route 50 ramps. This is designed to provide</li> </ul>	<p>Contractor</p>	<p>Caltrans</p>	<p>Prior to initiation of construction</p>



<p>adequate advanced notice in the event that traffic diversion is necessary.</p> <p>f. Traffic information can also be broadcast on local Highway Advisory Radio to provide in-vehicle information throughout the subject area. By 2006, information may also be broadcast using images to vehicles equipped with navigation systems.</p> <p>g. ITS improvement in the future may also take advantage of E911 capability to be available on cellular telephone network. This GPS-based service is expected to improve incident detection and response time.</p>			
<p><b>2.3 Cultural Resources</b></p> <p>It is Caltrans' policy to avoid cultural resources whenever possible. If buried cultural materials are encountered during construction, it is Caltrans' policy that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find. Additional survey will be required if the project changes to include areas not previously surveyed.</p>	Contractor	City Community Development Director/Caltrans	During construction
<p><b>2.4 Hydrology and Water Quality</b></p> <p>The proposed project shall comply with any relevant City, El Dorado County, and Caltrans requirements for stormwater discharge, including maintaining existing stormwater discharge volumes. Additionally, the contractor will prepare and submit a SWPPP and Notice of Intent (NOI) to the RWQCB for approval. Compliance with the requirements of the NPDES program is required and will minimize impacts to water quality within Carson Creek and other drainages (Potential Impacts 2.4.1 and 2.4.3).</p> <p>The following measures should be considered when preparing the SWPPP:</p> <ol style="list-style-type: none"> <li>Scheduling of construction activities near Carson Creek shall avoid the rainy season.</li> <li>Land disturbing activities and the installation of erosion and sedimentation control practices shall be coordinated to reduce on-site erosion and off-site remediation. These measures include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, sediment desilting basins, sediment traps, and check dams.</li> <li>Existing vegetation shall be protected where feasible to provide an effective form of erosion and sediment control, as well as watershed protection, dust and pollution control, and shade.</li> <li>Loose bulk materials applied to the soil surface as a temporary cover to protect bare soils from rainfall impact, increase infiltration, and reduce</li> </ol>	Contractor	Public Works Director (City/County)/ Caltrans	Prior to/during construction

<p>runoff and erosion.</p> <p>e. Stabilizing materials shall be applied to the soil surface to prevent the movement of dust at the project site due to traffic, wind, and grading activities.</p> <p>f. Roughening and terracing shall be implemented, as feasible, to reduce erosion potential, decrease runoff velocities, and trap sediment, aiding in the establishment of vegetative cover from seed and increasing infiltration into soil.</p> <p>g. Where possible, all areas shall be restored to pre-construction contours and revegetated with native species. Hydroseeding will be implemented as a temporary measure, if feasible.</p> <p>h. Provide berms along the tops of slopes to prevent water from running uncontrolled down the slopes.</p> <p>i. Collect water in berms at the tops of slopes and control the flow in an erosion-proof drainage system. Sediment that is collected within these berms will be allowed to "settle out" and will be removed from the site.</p> <p>j. Provide energy dissipaters and erosion control pads at the bottom of slope drains. Other flow conveyance control mechanisms include earth dikes, swales, or ditches. Streambank stabilization measures shall also be implemented.</p> <p>k. All demolished and unused material will be hauled off-site.</p> <p>l. All erosion control measures and water pollution control measures will be properly maintained until the site has been returned to a pre-construction state. The condition and effectiveness of the measures will be monitored until they are removed. At a minimum, all measures shall be inspected after every rain event and weekly throughout the rainy season.</p> <p>m. Construction roadways will be properly protected to prevent excess erosion and sedimentation.</p> <p>n. All vehicle and equipment maintenance procedures will be conducted off-site. In the event of an emergency, maintenance will occur away from the river channel.</p> <p>o. Any concrete curing activities will be conducted to minimize spray drift and prevent curing compounds from entering the waterway directly or indirectly.</p> <p>p. All construction materials, vehicles, stockpiles, and staging areas will be</p>		
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<p>situated away from waterways, as feasible. All stockpiles will be covered, as feasible.</p> <p>q. The SWPPP will include spill prevention and counter measures.</p> <p>r. The area of construction and disturbance will be limited to as small an area as feasible.</p> <p>s. The SWPPP will include measures to avoid creating contaminants, minimize the release of contaminants, and water quality control measures to minimize contaminants from entering surface water or percolating into the ground.</p> <p>t. The water quality control measures shall address both construction and operation periods.</p> <p>u. Fluvial erosion and water pollution related to construction is controlled by a pollution control program which shall be filed with the appropriate agency and kept current throughout site development.</p> <p>v. The SWPPP shall include BMPs as appropriate, given the specific circumstances of the site and project.</p> <p>w. The RWQCB may request to comment and approve the SWPPP.</p> <p>x. The contractor will consult with the Caltrans, City of Folsom, and El Dorado County to ensure compliance with SWPPPs.</p>			
<p><b>2.5 Noise</b></p> <p>1. To minimize the construction noise impact for sensitive land adjacent to the project site, construction noise is regulated by Caltrans Standard Specifications, Section 5-1, "Sound Control Requirements," in the Standard Special Provisions (Potential Impact 2.5.2). These provisions follow:</p> <p>"Sound control shall conform to the provisions in Section 7-1.01I, Sound Control Requirements, of the Standard Specifications and these special provisions. The noise level from the Contractor's operations, between the hours of 9:00 p.m. and 6:00 a.m., shall not exceed 86 dBA at a distance of 15 m (50 ft). This requirement in no way relieves the contractor from responsibility for complying with local ordinances regulating noise level. The noise level requirement shall apply to the equipment on the job or related to the job, including but not limited to trucks, transit mixer, or transient equipment that may or may not be owned by the contractor. The use of loud signals shall be avoided in favor of light warnings except those required by safety laws for the protection of personnel. Full compensation for conforming to the requirements of this section shall be</p>		<p>Contractor</p>	<p>City Community Development Director/Caltrans</p> <p>During construction</p>

<p>considered as included in the prices paid for the various contract items of work involved and no additional compensation will be allowed therefore.”</p>		
<p><b>2.6 Air Quality</b></p>		
<p>1. The construction contractor shall adhere to the requirements of the SMAQMD rule on cutback and emulsified asphalt paving materials (Potential Impact 2.6.8).</p>	<p>Contractor</p>	<p>City Community Development Director/SMAQMD</p>
<p>2. In addition, the following measures are recommended for implementation to reduce air pollutants, especially NO<sub>x</sub>, generated by vehicle and equipment exhaust during the project construction phase (Potential Impact 2.6.8):</p>	<p>Contractor</p>	<p>Prior to construction</p>
<p>a. The construction contractor provide a plan for approval by the SMAQMD demonstrating that the heavy-duty (50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet average 20% NO<sub>x</sub> reduction and 45% particulate reduction compared with the most recent California Air Resources Board fleet average at the time of construction. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.</p>		
<p>The contractor shall submit to SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected number hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the contractor shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-</p>		

<sup>1</sup> It should be noted that Caltrans cannot concur with any mitigation measure that requires the contractor to use a construction fleet emitting 20 percent lower emissions than the average fleet at the time of construction. In view of Caltrans' obligations under the California Public Contract Code, if this measure were included as a requirement of the contract, Caltrans would be unable to advertise, award, and administer the contract for the project.

				<p>site foreman.</p> <p>Caltrans recognizes the City of Folsom, as project sponsor and CEQA lead agency, has the right to make its own determinations regarding use of the SMAQMD protocol and the measures designed to reduce NO<sub>x</sub> and particulates. On the other hand, as a responsible agency, Caltrans must make an independent judgment regarding the adequacy of the lead agency's EIR to support issuance of an encroachment permit authorizing work on the State highway system.</p> <p>b. The contractor shall ensure emissions from all off-road diesel powered equipment used on the project site do not exceed 40% opacity for more than three minutes in any one hour. Any equipment found to exceed 40% opacity (or Ringelmann 2.0) shall be repaired immediately, and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that a monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or State rules or regulations<sup>1</sup>.</p> <p>c. The construction contractor shall utilize electric or diesel powered equipment in lieu of gasoline powered engines, where feasible<sup>1</sup>.</p> <p>d. The construction contractor shall ensure construction grading plans include a statement that work crews will shut off equipment when not in use.</p> <p>e. The construction contractor shall time the construction activities so as not to interfere with peak hour traffic, and to minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flagperson shall be retained to maintain safety adjacent to existing roadways.</p> <p>f. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.</p> <p>3. Because the project is located in an ozone nonattainment area, the measures</p>
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<p>listed above will be implemented, where feasible, to reduce air pollutants generated during the project construction phase (Potential Impact 2.6.8).</p> <ul style="list-style-type: none"> <li>a. The construction contractor shall select the construction equipment used on site based on low emission factors and high energy efficiency. The construction contractor shall ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications<sup>1</sup>.</li> <li>b. The construction contractor shall utilize electric or diesel powered equipment in lieu of gasoline powered engines where feasible<sup>1</sup>.</li> <li>c. The construction contractor shall ensure that construction grading plans include a statement that work crews will shut off equipment when not in use.</li> <li>d. The construction contractor shall time the construction activities so as not to interfere with peak hour traffic and to minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flagperson shall be retained to maintain safety adjacent to existing roadways.</li> <li>e. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.</li> </ul>			
<p>4. The project will be required to comply with regional rules that assist in reducing short-term air pollutant emissions. SMAQMD Regulation 403 requires that fugitive dust be controlled with best available control measures and requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site (Potential Impact 2.6.9):</p>	Contractor	Contractor	Prior to construction
<p>5. Caltrans Standard Construction Specifications shall also be adhered to, to reduce emissions. Below is a list of Caltrans standard measures provided to reduce the emission of fugitive dust. Compliance with these standard measures will lessen the fugitive dust (PM<sub>10</sub>) impact during construction (Potential Impact 2.6.9).</p> <ul style="list-style-type: none"> <li>a. All disturbed areas, including storage piles, not being actively utilized for construction purposes shall be effectively stabilized for dust emissions using water, chemical stabilizers/suppressants, or vegetative</li> </ul>	Contractor	City Community Development Director	During construction

<sup>1</sup> It should be noted that Caltrans cannot concur with any mitigation measure that requires the contractor to use a construction fleet emitting 20 percent lower emissions than the average fleet at the time of construction. In view of Caltrans' obligations under the California Public Contract Code, if this measure were included as a requirement of the contract, Caltrans would be unable to advertise, award, and administer the contract for the project.

<p>ground cover.</p> <p>b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized for dust emissions using water or chemical stabilizers/suppressants.</p> <p>c. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled for fugitive dust emissions utilizing applications of water, or by presoaking.</p> <p>d. When materials are transported off site, all material shall be covered or effectively wetted to limit visible dust emission; or at least six inches of freeboard space from the top of the container shall be maintained.</p> <p>e. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. The use of dry rotary brushes is expressly prohibited, except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices is expressly forbidden.</p> <p>f. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized for fugitive dust emissions utilizing sufficient water or chemical stabilizers/suppressants.</p> <p>g. Traffic speeds on unpaved roads shall be limited to 15 mph.</p> <p>h. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.</p> <p>i. Wheel washers for all exiting trucks shall be installed, or all trucks and equipment washed off before leaving the site.</p> <p>j. Excavation and grading activity shall be suspended when winds exceed 20 miles per hour (mph).</p> <p>k. Area subject to excavation, grading, and other construction activity shall be limited at any one time.</p>			<p>Prior to construction</p>
		<p>Contractor</p>	<p>City/County Community Development Director/SMAQMD</p>
<p>6. Construction or construction-related activities that disturb or potentially disturb naturally occurring asbestos are subject to specific construction requirements within El Dorado County. Primarily, the owner/operator shall submit an Asbestos Dust Mitigation Plan to the Air Pollution Control Officer prior to the start of any construction activity. Construction activities shall not commence until the Air Pollution Control Officer has approved or conditionally approved the Asbestos</p>			

	<p>Dust Mitigation Plan. The owner/operator shall retain a copy of the approved plan at the project site, which shall remain valid until the termination of all dust generating activities. The Asbestos Dust Mitigation Plan must include the Best Management Practices listed in Table 2.6-7, Potential Impact 2.6.11 (see following Table 2.6-7).</p>	
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**Table 2.6-7: Best Management Practices For Asbestos Dust Mitigation**

Source Category	Control Measure	Guidance
<b>Construction And Other Earthmoving Activities</b>		
Backfilling	<ul style="list-style-type: none"> <li>• Stabilize backfill material when not actively handling; and</li> <li>• Stabilize backfill material during handling; and</li> <li>• Stabilize soil at completion of activity.</li> </ul>	<ul style="list-style-type: none"> <li>• Mix backfill soil with water prior to moving</li> <li>• Dedicate water truck or high capacity hose to backfilling equipment.</li> <li>• Empty loader bucket slowly so that no dust plumes are generated.</li> <li>• Minimize drop height from loader bucket.</li> </ul>
Clearing and grubbing	<ul style="list-style-type: none"> <li>• Maintain stability of soil through pre-watering of site prior to clearing and grubbing; and</li> <li>• Stabilize soil during clearing and grubbing activities; and</li> <li>• Stabilize soil immediately after clearing and grubbing activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain live perennial vegetation where possible.</li> <li>• Apply water in sufficient quantity to prevent generation of visible dust.</li> </ul>
Clearing forms	<ul style="list-style-type: none"> <li>• Use water spray to clear forms; or</li> <li>• Use sweeping and water spray to clear forms; or</li> <li>• Use vacuum system to clear forms.</li> </ul>	<ul style="list-style-type: none"> <li>• Use of high pressure air to clear forms may cause exceedance of Rule requirements.</li> </ul>
Crushing	<ul style="list-style-type: none"> <li>• Crushing asbestos containing material is expressly prohibited.</li> </ul>	
Cut and fill	<ul style="list-style-type: none"> <li>• Pre-water soils prior to cut and fill activities; and</li> <li>• Stabilize soil during and after cut and fill activities.</li> </ul>	<ul style="list-style-type: none"> <li>• For large site, pre-water with sprinklers or water trucks and allow time for penetration.</li> <li>• Use water as necessary to keep dust down.</li> </ul>
Demolition – mechanical/manual	<ul style="list-style-type: none"> <li>• Stabilize wind erodible surfaces to reduce dust; and</li> <li>• Stabilize surface soil where support equipment and vehicles will operate; and</li> <li>• Stabilize loose soil and demolition debris.</li> </ul>	<ul style="list-style-type: none"> <li>• Apply water in sufficient quantities to prevent the generation of visible dust.</li> </ul>
Disturbed soil	<ul style="list-style-type: none"> <li>• Stabilize disturbed soil throughout the construction site; and</li> <li>• Stabilize disturbed soil between structures</li> </ul>	<ul style="list-style-type: none"> <li>• Limit vehicular traffic and disturbances on soils where possible.</li> <li>• If interior block walls are planned, install as early as</li> </ul>

Source Category	Control Measure	Guidance
		<p>possible.</p> <ul style="list-style-type: none"> <li>• Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.</li> </ul>
Earth-moving activities	<ul style="list-style-type: none"> <li>• Pre-apply water; and</li> <li>• Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 25 feet or beyond property line in any direction; and</li> <li>• Stabilize soils once earth-moving activities are complete.</li> </ul>	<ul style="list-style-type: none"> <li>• Grade each project phase separately, timed to coincide with construction phase.</li> <li>• Upwind fencing can prevent material movement on site</li> <li>• Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes.</li> <li>• Suspend operations when winds generate visible dust emissions despite control measures</li> </ul>
Importing/exporting of bulk materials	<ul style="list-style-type: none"> <li>• Stabilize or adequately wet material while loading to reduce fugitive dust emissions; and</li> <li>• Maintain at least six inches of freeboard on haul vehicles traveling off-site; and</li> <li>• Stabilize or adequately wet material while transporting to reduce fugitive dust emissions; and</li> <li>• Stabilize material while unloading to reduce fugitive dust emissions.</li> </ul>	<ul style="list-style-type: none"> <li>• Use tarps or other suitable enclosures on haul trucks.</li> <li>• Comply with track-out prevention/mitigation requirements.</li> <li>• Provide water while loading and unloading to reduce visible dust plumes.</li> <li>• Maintain trucks and cargo compartments, to prevent any spillage of material.</li> <li>• If excavated material is classified as a hazardous waste/material, off-site transport must comply with pertinent State and Federal rules and regulations.</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>• Stabilize soils, materials, and slopes.</li> </ul>	<ul style="list-style-type: none"> <li>• Apply water to materials to stabilize.</li> <li>• Maintain materials in a crusted condition.</li> <li>• Maintain effective cover over materials</li> <li>• Stabilize sloping surfaces using soil binders until vegetation or ground cover can effectively stabilize the slopes.</li> <li>• Hydroseed prior to rainy</li> </ul>

Source Category	Control Measure	Guidance
Road shoulder maintenance	<ul style="list-style-type: none"> <li>Apply water to unpaved shoulders prior to clearing; and</li> <li>Apply chemical dust suppressants and/or other appropriate material in accordance with DOT specifications to maintain a stabilized surface after completing road shoulder maintenance.</li> </ul>	<p>season.</p> <ul style="list-style-type: none"> <li>Installation of curbing and/or paving of road shoulders can reduce recurring maintenance costs.</li> <li>Use of chemical dust suppressants can inhibit vegetation growth and reduce future road shoulder maintenance costs.</li> </ul>
Staging areas	<ul style="list-style-type: none"> <li>Stabilize staging areas during use; and</li> <li>Stabilize staging area soils at project completion.</li> </ul>	<ul style="list-style-type: none"> <li>Limit size of staging area.</li> <li>Limit vehicle speeds to 15 miles per hour.</li> <li>Limit number and size of staging area entrances/exits.</li> </ul>
Stockpiles/bulk material handling	<ul style="list-style-type: none"> <li>Stabilize stockpiled materials</li> <li>Stockpiles within 100 yards of off-site occupied buildings must not be greater than eight feet in height; or must have a road bladed or the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.</li> </ul>	<ul style="list-style-type: none"> <li>Add or remove material from the downwind portion of the storage pile.</li> <li>Maintain storage piles to avoid slides.</li> </ul>
Traffic areas for construction activities	<ul style="list-style-type: none"> <li>Stabilize or maintain adequate moisture on all off-road traffic and parking areas; and</li> <li>Stabilize or maintain adequate moisture on all haul routes; and</li> <li>Direct construction traffic over established haul routes.</li> </ul>	<ul style="list-style-type: none"> <li>Apply gravel/paving to all haul routes as soon as possible to all future roadway areas.</li> <li>Barriers can be used to ensure vehicles are only used on established parking areas/haul routes.</li> </ul>
Trenching	<ul style="list-style-type: none"> <li>Stabilize surface soils where trencher or excavator and support equipment will operate; and</li> <li>Stabilize soils at the completion of trenching activities.</li> </ul>	<ul style="list-style-type: none"> <li>Pre-watering of soils prior to trenching is an effective preventive measure.</li> <li>Washing mud and soils from equipment at the conclusion of trenching activities can prevent crusting and drying of soil on equipment.</li> </ul>
Truck loading	<ul style="list-style-type: none"> <li>Material must be adequately wet prior to loading; and</li> <li>Freeboard must be 6 inches or greater.</li> </ul>	<ul style="list-style-type: none"> <li>Empty loader bucket such that no visible dust plumes are created.</li> <li>Ensure that the loader bucket is close to the truck to minimize drop height while loading.</li> </ul>

Source Category	Control Measure	Guidance
Unpaved roads/parking lots	<ul style="list-style-type: none"> <li>Stabilize soils to meet the applicable performance standards (surface crusting); and</li> <li>Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.</li> </ul>	<ul style="list-style-type: none"> <li>Restricting vehicular access to established unpaved travel paths and parking lots can reduce stabilization requirements.</li> </ul>
Vacant land	<ul style="list-style-type: none"> <li>In instances where vacant lots are 0.10 acre or larger and have a cumulative area of 500 square feet or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access.</li> </ul>	<ul style="list-style-type: none"> <li>Installing barriers, curbs, fences, gates, posts, signs, shrubs, trees or other effective control measures to prevent access to motor or off-road vehicles.</li> </ul>
Onsite Disposal of asbestiform containing soils	<ul style="list-style-type: none"> <li>If possible, place excavated soils into fills constructed elsewhere on the project.</li> </ul>	<ul style="list-style-type: none"> <li>Fills with NOA content equal to or greater than 1.0%, or when visually evident fibrous materials likely to be asbestos are present, in residential landscaping areas must be covered by at least 24 inches of clean fill.</li> <li>Document location and quantities of fills.</li> </ul>
Offsite disposal of asbestiform containing soils	<ul style="list-style-type: none"> <li>Management and disposition of excavated soils transported offsite must be in accordance with federal, state, and local regulations.</li> </ul>	<ul style="list-style-type: none"> <li>For excavated soils transported offsite, information must be documented by owner/operator and retained for a period of 3 years.</li> </ul>
Post construction stabilization of disturbed areas	<ul style="list-style-type: none"> <li>Must be completed no later than 30 days following completion of the project.</li> </ul>	<ul style="list-style-type: none"> <li>Establishment of vegetative cover; or</li> <li>Placement of at least 3 inches of clean fill; or</li> <li>Placement of a total of at least 12 inches, or maximum depth of irrigation improvements, whichever is higher, of clean fill in residential landscaping areas with NOA greater than 0.25%; or</li> <li>Paving, foundations, retaining walls; or</li> <li>Other measures as approved by APCO.</li> </ul>
Signage	<ul style="list-style-type: none"> <li>Post warning signs at the main entrance to the project for the duration of soil disturbance activities.</li> </ul>	<ul style="list-style-type: none"> <li>Signs to be in compliance with current OSHA requirements.</li> <li>Proposition 65 (H&amp;S Code</li> </ul>

Source Category	Control Measure	Guidance
		25249.5-25249.13) may apply.
<b>Bulk Material Handling</b>		
Handling of bulk materials	<ul style="list-style-type: none"> <li>• When handling bulk materials, apply water or chemical/organic stabilizers/suppressants.</li> </ul>	
Storage of bulk materials	<ul style="list-style-type: none"> <li>• When storing bulk materials, comply with the conditions for a stabilize surface; or</li> <li>• Cover bulk materials stored outdoors with tarps, plastic or other suitable material and anchor in such a manner that prevents the cover from being removed by wind action; or</li> <li>• Construct and maintain wind barriers with less than 50% porosity. If utilizing fences or wind barriers, apply water or chemical/organic stabilizers/suppressants; or</li> <li>• Utilize a 3-sided structure with a height at least equal to the height of the storage pile and with less than 50% porosity.</li> </ul>	
On-site transporting of bulk materials	<ul style="list-style-type: none"> <li>• Limit vehicular speed while traveling on work site; or</li> <li>• Load all haul trucks such that the freeboard is not less than six (6) inches when material is transported across any paved public access road; or</li> <li>• Apply water to the top the load; or</li> <li>• Cover haul trucks with a tarp or other suitable cover.</li> </ul>	
Off-site transporting bulk materials	<ul style="list-style-type: none"> <li>• Clean the interior of the cargo compartment or cover the cargo compartment before the empty truck leaves the site; and</li> <li>• Material must be adequately wet prior to loading; and</li> <li>• Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides and/or tailgate; and</li> <li>• Load all haul trucks such that the freeboard is not less than six (6) inches when material is transported on any paved road, and apply water to the top</li> </ul>	

Source Category	Control Measure	Guidance
	<ul style="list-style-type: none"> <li>of the load;</li> <li>• Cover haul trucks with a tarp or other suitable cover.</li> <li>• If excavated material is classified as a hazardous waste/material, off-site transport must comply with pertinent State and federal rules and regulations.</li> </ul>	
Outdoor transport of bulk materials with a chute or conveyor.	<ul style="list-style-type: none"> <li>• Fully enclose the chute or conveyor; or</li> <li>• Operate water spray equipment; or</li> <li>• Wash separated or screened materials to remove conveyed materials having an aerodynamic diameter of 10 microns or less.</li> </ul>	
Removal of trackout material	<ul style="list-style-type: none"> <li>• Manually wet sweeping and picking-up; or</li> <li>• Operating HEPA filter equipped vacuum device; or</li> <li>• Flushing with water, where the use of water will not result in adverse impacts on storm water drainage systems or violate any National Pollutant discharge Elimination System permit program; and</li> <li>• The use of blower devices, or dry rotary brushes or dry brooms is expressly prohibited.</li> </ul>	
Frequency of trackout material removal	<ul style="list-style-type: none"> <li>• Visible trackout must be immediately removed from paved public roads; and</li> <li>• On interior paved roads trackout must be removed at least once per workday.</li> </ul>	
Trackout prevention for large operations or sites with more than 150 vehicle trips/day.	<ul style="list-style-type: none"> <li>• Installation of grizzlies, or similar devices designed to remove dirt/mud from tires; or</li> <li>• Installation of gravel pad; or</li> <li>• Paving of interior roads.</li> </ul>	
<b>Blasting Activities</b>		
Site preparation (drilling, setting charges, burial of charges)	<ul style="list-style-type: none"> <li>• Reduce dust from drilling operation.</li> <li>• Pre-wet blast area.</li> <li>• Cover charges to minimize dust.</li> </ul>	<ul style="list-style-type: none"> <li>• Control rate of drilling.</li> <li>• Apply water fog.</li> <li>• Place blast mats over charges.</li> <li>• Place soil mounds over</li> </ul>

Source Category	Control Measure	Guidance
		charges. <ul style="list-style-type: none"> <li>• Wet entire area prior to blasting.</li> </ul>
Blasting activities	<ul style="list-style-type: none"> <li>• Dust cannot exceed 25 feet or cross the project property line.</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct blasting on calm days.</li> <li>• Consider wind direction with respect to your property line, nearby residences and other receptors.</li> </ul>
Post-blasting activities	<ul style="list-style-type: none"> <li>• Follow Best Management Practices for all construction activities.</li> </ul>	
<b>Dust Control Measures for Large Operations</b>		
Earth-moving (except construction cutting and filling areas, and mining operations)	<ul style="list-style-type: none"> <li>• Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the Air Pollution Control Officer. Two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations each subsequent four-hour period of active operations; or</li> <li>• For any earth-moving which is more than 25 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 25 feet in length in any direction. Visible emissions must not extend beyond property boundary.</li> </ul>	
Earth-moving: construction fill areas	<ul style="list-style-type: none"> <li>• Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the Air Pollution Control Officer. For areas which have an optimum moisture content for compaction of less than 12 percent, as determined by ASTM Method 1557 or other equivalent method approved by the Air Pollution Control Officer complete the compaction process as expeditiously as possible after achieving at least 70 percent of the optimum soil moisture content. Two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations</li> </ul>	

Source Category	Control Measure	Guidance
	<p>during each subsequent four hour period of active operations.</p> <ul style="list-style-type: none"> <li>• For any earth-moving which is more than 25 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 25 feet in length in any direction. Visible emissions must not extend beyond property boundary.</li> </ul>	
Earth-moving: construction cut areas	<ul style="list-style-type: none"> <li>• Conduct watering as necessary to prevent any visible emissions from extending beyond property boundary.</li> </ul>	
Disturbed surface areas: (except completed grading areas)	<ul style="list-style-type: none"> <li>• Apply dust suppression in sufficient quantity and frequency to maintain a stabilized surface. Any areas which cannot be stabilized, as evidenced by wind driven fugitive dust must have an application of water at least twice per day to at least 80 percent of the unstabilized area.</li> </ul>	
Disturbed surface areas: completed grading areas	<ul style="list-style-type: none"> <li>• Apply chemical stabilizer within five working days of grading completion; or</li> <li>• Take actions as listed first and third as specified for inactive disturbed surface areas.</li> </ul>	
Inactive disturbed surface areas	<ul style="list-style-type: none"> <li>• Apply water at least 80 percent of all inactive disturbed surface areas on a daily basis when there is evidence of wind driven fugitive dust, excluding any areas which are inaccessible to watering vehicles due to excessive slope or other safety conditions; or</li> <li>• Apply dust suppressants in sufficient quantity and frequency to maintain a stabilized surface; or</li> <li>• Establish a vegetative ground cover within 21 days after active operations have ceased. Ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all time thereafter; or</li> <li>• Utilize any combination of control actions listed in this section such that, in total, these actions apply to all inactive disturbed surface areas.</li> <li>• Establishment and maintenance of surface crusting sufficient to satisfy the test in Section 223-2.10.C.</li> </ul>	



Source Category	Control Measure	Guidance
	<ul style="list-style-type: none"> <li>• Approved mixture and tackifier and fiber mulch, applied per manufacturer's recommendation.</li> </ul>	
Unpaved roads	<ul style="list-style-type: none"> <li>• Water all roads used for any vehicular traffic at least once per every two hours of active operations or as often as necessary; or</li> <li>• Apply a chemical stabilizer to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface; and</li> <li>• Restrict vehicle speeds to 15 miles per hour.</li> </ul>	
Open storage piles	<ul style="list-style-type: none"> <li>• Apply chemical stabilizers; or</li> <li>• Apply water to at least 80 percent of the surface area of all open storage piles on a daily basis when there is evidence of wind driven fugitive dust; or</li> <li>• Install temporary coverings; or</li> <li>• Install a three-sided enclosure with walls with no more than 50 percent porosity which extends, at a minimum, to the top of the pile. This option may only be used at aggregate-related plants or at cement manufacturing facilities.</li> </ul>	
All categories	<ul style="list-style-type: none"> <li>• Any other control measures approved by the Air Pollution Control Officer as equivalent to the methods specified in this section may be used.</li> </ul>	
<b>Contingency Dust Control Measures For Large Operations</b>		
Earth-moving	<ul style="list-style-type: none"> <li>• Cease all active operations except for dust mitigation activities; or</li> <li>• Apply water to soil not more than 15 minutes prior to moving such soil; and</li> <li>• Apply water during soil moving or disturbance operations.</li> </ul>	
Disturbed surface areas	<ul style="list-style-type: none"> <li>• On the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than four consecutive days: apply water with a mixture of chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface</li> </ul>	

Source Category	Control Measure	Guidance
	<p>for a period of six months; or</p> <ul style="list-style-type: none"> <li>• Apply chemical stabilizers prior to wind event; or</li> <li>• Apply water to all unstabilized disturbed areas 3 times per day. If there is any evidence of wind driven fugitive dust, watering frequency is increased to a minimum of four times per day; or</li> <li>• Take the actions specified in the third control measure listed for “Inactive disturbed surface areas” in the “Dust Control Measures For Large Operations” section of this table; or</li> <li>• Utilize any combination of control actions listed in this category such that, in total, these actions apply to all disturbed surface areas.</li> </ul>	
Unpaved roads	<ul style="list-style-type: none"> <li>• Apply chemical stabilizers prior to the wind event; or</li> <li>• Apply water twice per hour during active operations; or</li> <li>• Stop all vehicular traffic, except for dust mitigation equipment.</li> </ul>	
Open storage piles	<ul style="list-style-type: none"> <li>• Apply water twice per hour; or</li> <li>• Install temporary coverings.</li> </ul>	
Bulk material transport	<ul style="list-style-type: none"> <li>• Cover all haul vehicles; or</li> <li>• Freeboard must be 6 inches or greater.</li> </ul>	
All categories	<ul style="list-style-type: none"> <li>• Any other control measures approved by the Air Pollution Control Officer as equivalent to the methods specified in this section may be used.</li> </ul>	

Source: El Dorado County Air Quality Management District

2.7 Hazards	Contractor	City/County Community Development Director	Prior to construction
<p>1. Special health and safety procedures should be implemented to protect construction workers near the potentially lead contaminated areas. A workplan for investigation of aerially deposited lead should be submitted prior to the start of construction activities. All work should be performed according to this workplan. The workplan should also provide for soil sampling and analysis for total lead (Potential Impact 2.7.1).</p> <p>2. Project plans should include provisions for a Registered Geologist to observe construction activities in order to perform appropriate testing. If serpentine material is discovered, proper health and safety precautions should be implemented. This includes preparing a health and safety plan, observing appropriate permits, and wetting areas during excavation (Potential Impact 2.7.2).</p>	Contractor/Project Geologist	City/County Community Development Director	Prior to construction
<p><b>2.9 Biological Resources</b></p> <p>1. Per the City's tree ordinance, three options, or a combination thereof, are available for the removal of oak trees within this diameter at breast height (dbh) range (Potential Impact 2.9.1).</p> <ol style="list-style-type: none"> <li>Replacement of 15 gallon stock at a 8:1 ratio, totaling 40 replacement trees, or;</li> <li>Replacement of 61 centimeters (24 inches) box at a 4:1 ratio, totaling 20 replacement trees, or;</li> <li>Payment of an in-lieu fee of \$750 per tree, totaling \$3,750.</li> </ol> <p>It should be noted replacement ratios vary depending on tree dbh. Larger trees require a higher replacement ratio. All trees proposed for removal within the BSA are within the City's designated 15-25 centimeters (6-10 inches) size category and are consistent with replacement ratios listed above.</p> <p>To avoid the introduction of invasive species into the BSA during project construction, contract specifications shall include, at a minimum, the following measures.</p> <ol style="list-style-type: none"> <li>All earthmoving equipment to be used during project construction shall be thoroughly cleaned before arriving on the project site.</li> <li>All seeding equipment (i.e., hydroseed trucks) shall be thoroughly rinsed at least three times prior to beginning seeding work.</li> </ol>	Contractor	City Community Development Director	Prior to/during construction

Contractor	City Community Development Director	During construction
<p>2. Impacts to Special Status Species will be mitigated as follows (Potential Impacts 2.9.2 and 2.9.4):</p> <p><i>Cooper's hawk</i></p> <p>If work must be conducted during the nesting season (March 1 to August 31), no more than ten working days prior to the start of construction, a qualified biologist shall survey the BSA for presence of nesting Cooper's hawks. If any nesting activity is observed, the County shall consult with CDFG to determine the best course of action, which would include establishment of setbacks around trees with active nests until fledglings have left the nests, as determined by a qualified biologist. Setbacks shall be marked by brightly colored fencing. If no nesting activity is observed, work shall proceed as planned.</p> <p><i>Swainson's hawk, White-tailed kite, Loggerhead shrike</i></p> <p>If tree removal or tree trimming is necessary, activities will be conducted between September 15 and February 15. If activities cannot be conducted during this time frame, a preconstruction survey shall be conducted by a qualified biologist no more than ten days prior to the start of construction. If Swainson's hawk, White-tailed kite, Loggerhead shrike, or other raptors are observed nesting, CDFG shall be contacted and a work window would be implemented for portions of the project (i.e., depending on the proximity to the nest).</p> <p><i>Nuttall's woodpecker</i></p> <p>If work must be conducted during the nesting season (March 1 to August 31), at least two weeks prior to the start of construction, a qualified biologist shall survey the BSA for presence of nesting Nuttall's woodpeckers. If any nesting activity is observed, the City shall consult with CDFG to determine the best course of action, which would include establishment of setbacks around trees with active nests and continue until fledglings have left the nests, as determined by a qualified biologist. Setbacks shall be marked by brightly colored fencing.</p> <p><i>Migratory Bird Treaty Act</i></p> <p>The proposed project could potentially affect migratory birds nesting in the BSA. Disturbance of these birds during their breeding season (March 1 to September 15) is prohibited under the Migratory Bird Treaty Act.</p> <p>The following seasonal work restrictions will be implemented during</p>		

<p>construction to avoid disturbing nesting birds:</p> <ol style="list-style-type: none"> <li>a. Work will be conducted outside the nesting season (September 16 through February 31), or;</li> <li>b. If work must be conducted during the nesting season (March 1 to September 15), no more than ten working days prior to the start of construction, a qualified biologist shall survey the BSA for presence of nesting birds. If any nesting activity is observed, the City shall consult with CDFG to determine the best course of action, which would include establishment of setbacks around trees with active nests.</li> </ol>			
<p>3. Impacts to jurisdictional waters will be mitigated as follows (Potential Impact 2.9.3):</p> <ol style="list-style-type: none"> <li>a. In order to offset impacts to wetlands, seasonal wetland credits will be purchased from a mitigation bank, at a 2:1 ratio, to mitigate the loss of vernal marsh removed by the project. Preliminary investigation indicates seasonal wetland credits are available at the Wildlands bank, located in Sheridan, California. The 2:1 ratio is generally acceptable to the ACOE for seasonal wetland mitigation.</li> <li>b. The waters of the U.S. within the BSA that will be affected by the project are regulated by the Army Corps of Engineers (ACOE) under Section 404 of the CWA. Under Section 404 of the CWA, the ACOE regulates the discharge of dredged or fill material into waters of the U.S. It is expected the discharges into waters of the U.S. (fill) from the project will be authorized under Nationwide Permit (NWP) 14 (Linear Transportation Crossings).</li> <li>c. Discharges into waters of the U.S. under Section 404 require a water quality certification from the RWQCB, pursuant to Section 401 of the CWA. The RWQCB may opt to waive the Water Quality Certification and instead issue waste discharge requirements pursuant to their authority under the Porter-Cologne Act.</li> <li>d. Waters of the U.S. and vernal marsh habitat are regulated by CDFG under Sections 1600-1616 of the Fish and Game Code. Impacts to CDFG waters will require a Streambed Alteration Agreement from CDFG.</li> </ol>	Contractor	City Community Development Director	Prior to construction