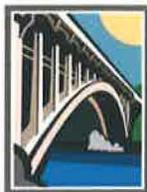


Appendix A

Notice of Preparation and
Scoping Comments



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



23988383

NOTICE OF PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

DATE: July 24, 2023

TO: Responsible and Trustee Agencies, Organizations, and Interested Parties

LEAD AGENCY: City of Folsom
Contact: Stephanie Henry, Senior Planner
50 Natoma Street

SUBJECT: Subsequent Environmental Impact Report for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities

In discharging its duties under Section 15021 of the California Environmental Quality Act (CEQA) Guidelines, the City of Folsom (as lead agency, hereinafter "City" or "Folsom") intends to prepare a subsequent environmental impact report (SEIR), consistent with Section 15162 of the State CEQA Guidelines (Title 14 of the California Code of Regulations, hereinafter the "CEQA Guidelines"), for the **City of Folsom 2035 General Plan Amendments for Increased Residential Densities** (the "project," described later in this document). In accordance with Section 15082 of the CEQA Guidelines, the City has prepared this notice of preparation (NOP) to provide the Office of Planning and Research, responsible and trustee agencies, and other interested parties with sufficient information describing the project and its potential environmental effects.

The City made the determination to prepare an SEIR following preliminary review of the project. Pursuant to CEQA Guidelines Section 15063(a), because an EIR is needed, an initial study has not been prepared. Probable environmental effects of the project are described in the attached project summary.

As specified by the CEQA Guidelines, the NOP will be circulated for a 30-day review period. **The comment period will be from July 24, 2023 to August 23, 2023.** The City welcomes public input during the review period. If the City has not received either a response or a well-justified request for additional time by a responsible agency by the end of the review period, the City may presume that the responsible agency has no response (CEQA Guidelines Section 15082[b][2]).

CEQA provides for a Lead Agency to facilitate one or more Scoping Meetings, which provide opportunity for determining the scope and content of the EIR. The scoping meeting for the project will be held on **Thursday August 17, 2023 at 6:00 p.m.** The meeting will be held virtually at the following Zoom link:

<https://us06web.zoom.us/j/88553569127?pwd=eE5pRnNsaEp6VWJQRjdvenJjWnc4Zz09>. If you choose to phone in for audio only, please dial 1-669-900-6833 and enter Webinar ID: 885 5356 9127 and Passcode: 182263.

Comments may also be submitted in writing during the review period and addressed to:

City of Folsom
Community Development Department
c/o Stephanie Henry
50 Natoma Street
Folsom, CA 95630
shenry@folsom.ca.us

Project website: www.folsom.ca.us/housingstudy

FILED
SACRAMENTO COUNTY

JUL 24 2023

DONNA ALLRED, CLERK-RECORDER
BY  CLERK

50 NATOMA STREET
FOLSOM, CALIFORNIA 95630
WWW.FOLSOM.CA.US

POSTED BY SACRAMENTO CO. CLERK-RECORDER
FROM: 7/25/2023 TO: 8/23/2023

PROJECT LOCATION AND SETTING

The City encompasses 17,301 acres located in northern Sacramento County bordered by Folsom Lake to the north, unincorporated Sacramento County to the south, unincorporated community of El Dorado Hills in El Dorado County to the east, and unincorporated communities of Orangevale, Fair Oaks, and Gold River in Sacramento County to the west. Land uses are regulated under the City General Plan, which was comprehensively updated in 2018 and amended in 2021 with an update to the Housing Element. The environmental impacts associated with the implementation of the General Plan was addressed in the City of Folsom General Plan 2035 EIR (State Clearinghouse No. 2017082054).

The Project Planning Area (Figure 1) consists of the East Bidwell Mixed-use Corridor, the Glenn and Iron Point transit priority areas, and the Folsom Plan Area. The East Bidwell Mixed-use Corridor extends from Highway 50 to Coloma Street and is a connection to the City's economic and social resources. The corridor includes a mixed-use overlay zone that is comprised of the Central Commercial District, Creekside District, and College/Broadstone District. The two transit priority areas (Iron Point Station area and Glenn Station area) are located along Folsom Boulevard and provide a connection to Sacramento Regional Transit Light Rail. The Folsom Plan Area is the City's newest community and is located on 3,520 acres south of Highway 50, east of Prairie City Road, North of White Rock Road, and west of the El Dorado County Line in the City of Folsom.

The Folsom Plan Area Specific Plan (FPASP) was approved by City Council in 2011 along with a joint Environmental Impact Report/Environmental Impact Statement that was certified for City adoption of the FPASP (State Clearinghouse No. 2008092051). The FPASP is a comprehensive planned community that will include a mix of residential neighborhoods, office and retail development, a mixed-use town center, and over 1,000 acres of open spaces and trails to serve a variety of needs in the community. As of the date of this NOP, within the Folsom Plan Area single family residences have been constructed east of E. Bidwell Street as well as some west of E. Bidwell Street south of Mangini Parkway, but the majority of the Folsom Plan Area remains undeveloped.

PROJECT DESCRIPTION

The City adopted the 2021-2029 Housing Element in August of 2021. As part of the Housing Element update the City is required to establish and maintain multi-family and mixed-use land available to meet the target housing demand at all income levels over an eight-year period. The City's Regional Housing Needs Allocation (RHNA) obligation for the eight-year Housing Element cycle is 6,363 housing units, of which 3,567 units are to be affordable to low- and very low-income households (collectively referred to as the lower-income RHNA). To create adequate capacity for lower-income RHNA the 2021-2029 Housing Element includes Program H-2 to strategically increase densities in targeted areas of the City, including the East Bidwell Mixed-Use Overlay, Sacramento Area Council of Governments (SACOG) transit priority areas (Glenn and Iron Point light rail stations), and the Folsom Plan Area. To implement Program H-2 and increase opportunities for multi-family high density development to support lower income housing capacity in the City, the Project includes amendments to the City's General Plan and FPASP.

Increased Residential Densities - East Bidwell Mixed-Use and Transit Development Overlays

The Project would include amendments to the 2035 General Plan and Zoning Code to increase the minimum density and maximum floor area ratio (FAR) standards for the East Bidwell Corridor Mixed-Use Overlay and establish a new Transit Development Overlay (and associated development standards) for the areas surrounding Iron Point and Glenn Stations (Table 1 and Figure 1).

Table 1 – Proposed Increased Densities

Target Area	Minimum Density	FAR Minimum	FAR Maximum	Height Limit
East Bidwell Mixed Use Overlay Area	30 du/ac	0.2	2.5	50 ft. (35 ft. Near single family residential and 60 ft. for corner elements only)
Transit Development Overlay Area (I.e., Iron Point and Glenn Stations)	30 du/ac	1.0	3.0	60 ft. (70 ft. for corner elements only)

FAR = floor area ratio; du/ac = dwelling units per acre; ft. = feet
 Source: Ascent Holding Capacity Buildout Assumptions Analysis and Recommendations

The 2035 General Plan previously assumed 962 units of growth within the East Bidwell Corridor Mixed-Use Overlay and did not assume any new housing units within the Transit Priority Areas. Factoring in existing development capacity, the net new capacity in these areas of the City would be approximately 4,000 housing units (Table 2). Growth under the Project is anticipated to occur beyond the remaining 12-year horizon of the 2035 General Plan.

Table 2 – Net New Capacity for East Bidwell Corridor and Transit Priority Areas

Area/Subarea	Target FAR	Potential Increased Capacity
Transit Priority Areas		
Iron Point Station	2.0	748
Glenn Station	2.0	1,034
East Bidwell Corridor		
Central Commercial District	1.5	1,867
Creekside District	1.0-1.5	446
College/Broadstone District	1.5	1,031
Subtotal		5,126
Previously Assumed Capacity in these areas (per General Plan 2035 EIR)		(962)
Net New Capacity		4,164

FAR = floor area ratio
 Source: Ascent Holding Capacity Buildout Assumptions Analysis and Recommendations.

Amendments to the FPASP

The Project would also result in the potential for an additional 1,882 residential units in the FPSAP over the next 12 to 20 years. To account for increased residential development the Project would reduce 251,266 square feet of non-residential development capacity in the FPASP. Parcels that would include a specific plan amendment and associated general plan amendment are shown in Figure 2 and Table 3. Table 3 also shows proposed non-residential capacity. Specific General Plan land use amendments and FPASP amendments would include:

- ▶ Amend the land use and specific plan designations for Site 2 (10.52 acres) from industrial/office park to multi-family high density to allow for development of up to 400 multi-family housing units.
- ▶ Amend the land use and specific plan designations of Site 15 (13.22 acres) from community commercial to multi-family high density to allow for up to 320 multi-family housing units.
- ▶ Amend the land use and specific plan designations for Site 233 (11.54 acres) from general commercial to mixed-use to allow for development of up to 250 multi-family housing units.
- ▶ Increase the maximum allowable density to increase the number of dwelling units allocated to the FPASP Town Center from 490 dwelling units to 1,250 dwelling units.

- ▶ Increase the number of dwelling units allocated to nine additional multi-family designated sites in the FPASP, outside the Town Center, from 1,258 dwelling units to 1,410 dwelling units.
- ▶ Deed restrict several parcels to accommodate a target of 890 deed-restricted affordable housing units to meet the City's lower income RHNA.

Table 3 – Proposed FPASP Land Use Amendments and Changes in Capacity

Existing Land Use Allocation			Proposed Land Use Allocation			
Parcel ID	Land Use Designation	Capacity (residential units; non-residential sf)	Land Use Designation	Proposed Capacity (residential units), non-residential sf)	Change in Capacity (residential units; non-residential sf)	Acreage
Residential Capacity						
2	IND/OP	0	MHD	400	400	10.52
11	MMD	155	MMD	160	5	8.56
15	CC	0	MHD	320	320	13.12
16	MHD	246	MHD	240	(6)	9.80
60	MHD	192	MHD	270	78	7.70
63	MLD	70	MLD	225	47	7.84
64	MHD	108	MHD			4.31
68	MMD	176	MMD	160	(16)	9.72
74	MU	57	MU	366	309	10.00
76	MLD	119	MLD	230	111	13.22
144	MMD	109	MMD	130	21	5.16
156	MLD	57	MLD	225	23	6.33
157	MHD	145	MHD			5.79
158	MU	72	MU	349	277	11.48
160A	MHD	145	MHD	192	47	5.82
160B	MLD	97	MLD	113	16	10.75
233	GC	0	MU	250	250	11.54
				Total	1,882	
Non-Residential Capacity						
2	IND/OP	137,214	MHD	0	(137,214)	10.52
15	CC	142,659	MHD	0	(142,659)	13.12
74	MU	38,333	MU	60,000	21,667	10.00
158	MU	43,560	MU	50,500	6,940	11.48
				Total	(251,266)	

() = negative number; sf = square feet; IND/OP = Industrial/Office Park; MMD = Multi-Family Medium Density; MHD = Multi-Family High Density; MLD = Multi-Family Low Density; RC = Regional Commercial; MU = Mixed Use; GC = General Commercial

*See Figure 2 for parcel ID locations.

In total, the Project would create capacity for up to 6,046 additional residential units in the City. Creating this additional residential development capacity in the East Bidwell Mixed-use Corridor, the Glenn and Iron Point transit priority areas, and the Folsom Plan Area satisfies the goals of the 2035 General Plan and Housing Element by creating sufficient capacity to address the City's current RHNA obligations as well as help accommodate future RHNA, focuses growth in targeted areas and away from established residential neighborhoods, and avoids a situation where the City has to rezone land outside of these targeted areas to satisfy the State's no-net loss requirements.

General Plan Land Use and Zoning Amendments

The Project would establish a new Transit Development (TD) overlay zoning designation that would allow for increased densities and FAR for parcels around the Glenn and Iron Point light rail stations (Figure 1). It would also modify the existing East Bidwell Mixed-Use Overlay to allow for increased densities and FAR. In addition, the Project would establish a new East Bidwell Corridor Overlay zoning designation with new development standards. The Project would amend the General Plan to increase opportunities for multi-family high density development and amend the existing Town Center District (TCD) overlay zoning designation to allow for increased densities and FAR for parcels in the TCD overlay area. The Project would also amend the land use designations south of Highway 50 in the FPASP to allow for increased multi-family development capacity. This would include zoning map changes and revisions to design and development standards.

REQUIRED APPROVALS

Actions to be taken by the City to adopt the Project include, but are not limited to:

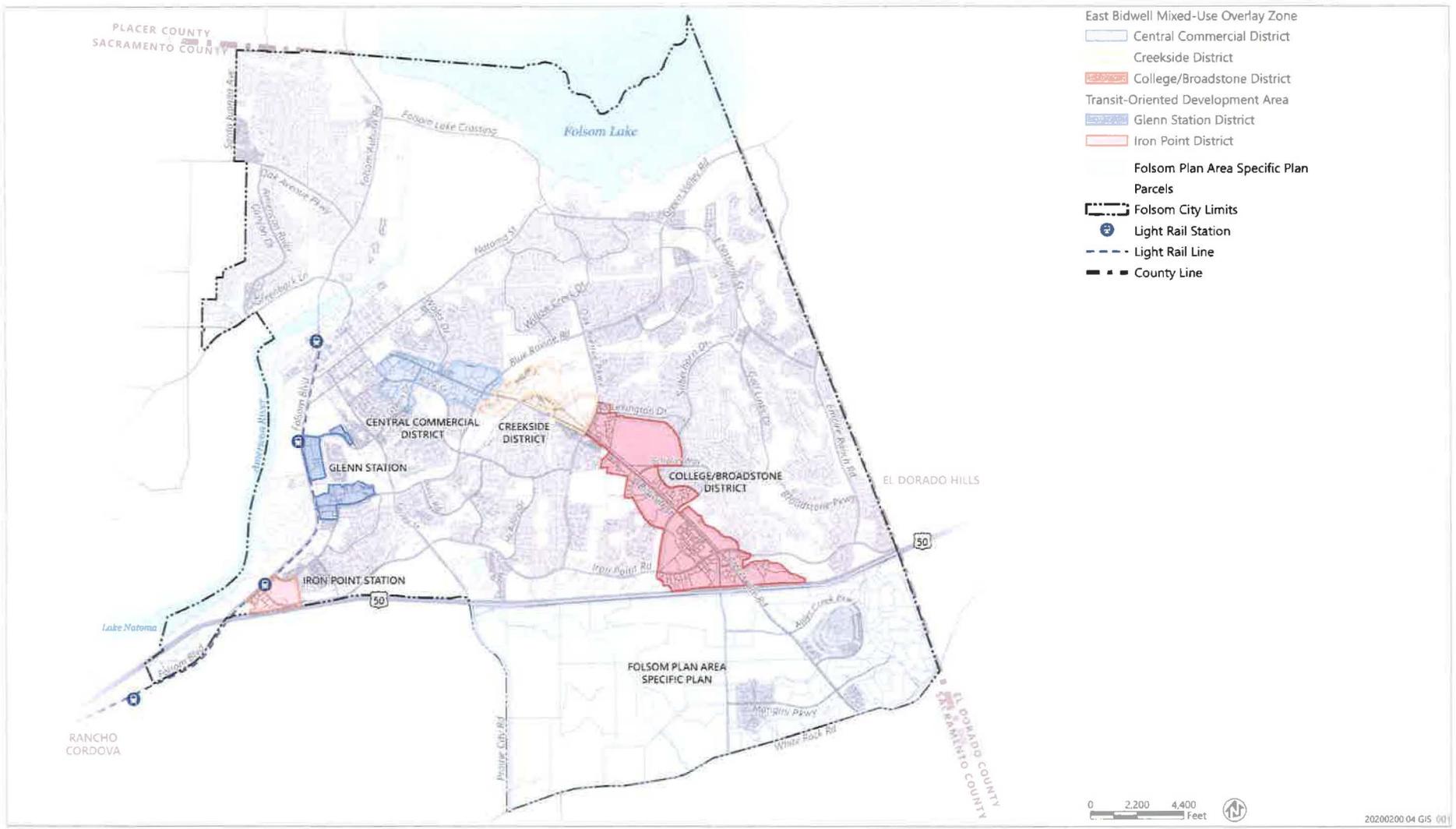
- ▶ Certification of the SEIR prepared for the Project
- ▶ Adoption of General Plan and FPASP land use amendments to accomplish the following:
 - Increase minimum density and maximum FAR standards for the East Bidwell Corridor Mixed-Use Overlay
 - Establish a new Transit Development Overlay designation
 - Increase opportunities for multi-family high density development
 - Increase the residential development capacity of sites in the Folsom Plan Area, especially within the Town Center District Overlay
 - Increase the number of sites in the Folsom Plan Area for multi-family high density housing
- ▶ Adoption of new Zoning Code provisions to accomplish the following:
 - Establish a new East Bidwell Corridor Mixed-Use Overlay designation in the Zoning Code and associated development standards
 - Establish a new Transit Development Overlay designation and associated development standards
 - Increase maximum density and FAR standards for the Folsom Plan Area Town Center Overlay

PROBABLE ENVIRONMENTAL EFFECTS

The analysis for the SEIR will use the EIS/EIR prepared for the FPASP as well as the 2035 General Plan EIR to determine if the Project would result in any new or significant environmental effects or a substantial increase in the severity of previously identified significant effects. The SEIR will evaluate whether implementing the proposed Project would potentially result in one or more significant environmental effects. The following issue areas will be addressed in the SEIR:

- ▶ Aesthetics
- ▶ Air Quality
- ▶ Cultural and Tribal Cultural Resources
- ▶ Energy
- ▶ Greenhouse Gases and Climate Change
- ▶ Land Use and Planning
- ▶ Noise and Vibration
- ▶ Population and Housing
- ▶ Public Services
- ▶ Recreation
- ▶ Transportation
- ▶ Utilities and Service Systems

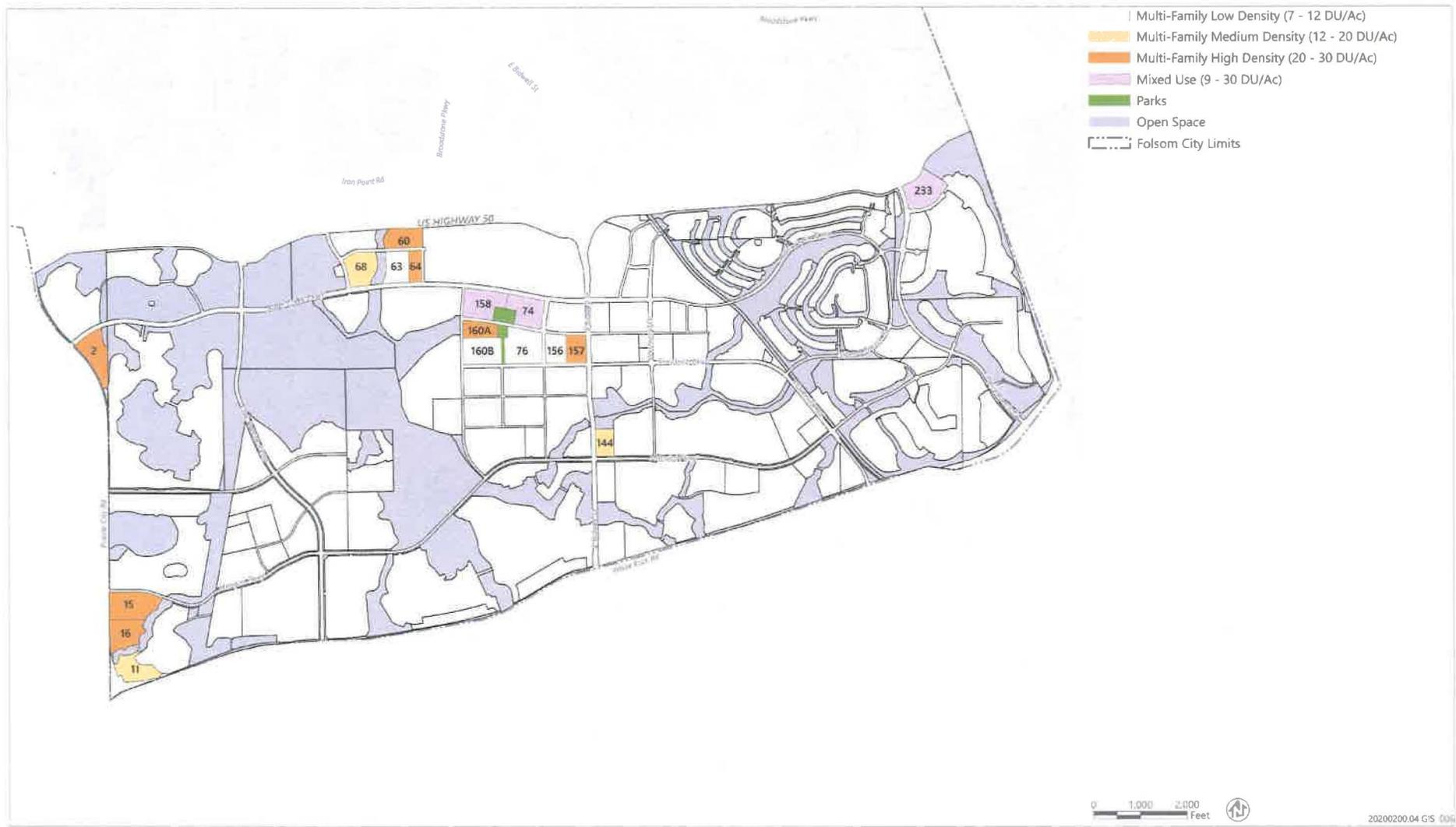
The City anticipates that the Project would have less-than-significant or no impacts on the following environmental issue areas: Agriculture and Forestry Resources, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, and Wildfire. These areas will be discussed in the SEIR in an Effects Found Not to Be Significant section.



Source: Ascent Environmental 2023

Figure 1 Proposed General Plan Amendments

General Plan Amendments for Increased Residential Densities
 Notice of Preparation



Source: Ascent Environmental 2023

Figure 2 Proposed Rezone Sites

From: Joshua Buhs <joshuabbuhs@gmail.com>
Sent: Sunday, July 30, 2023 6:28 AM
To: Stephanie Henry <shenry@folsom.ca.us>
Subject: NOP

You don't often get email from joshuabbuhs@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am voicing my full support for the city's plan to increase multi-family and affordable housing, and ask that consideration be given to increasing density even more than what is being proposed.

Thank you.

Joshua Buhs (He/him)
[Why pronouns matter](#)

California Department of Transportation

DISTRICT 3
703 B STREET | MARYSVILLE, CA 95901-5556
(530) 821-8401 | FAX (530) 741-4245 TTY 711
www.dot.ca.gov



August 15, 2023

GTS# 03-SAC-2017-00171
SCH# 2017082054

Ms. Stephanie Henry
Senior Planner
City of Folsom
Community Development Department
50 Natoma Street
Folsom, CA 95630

City of Folsom 2035 General Plan and Folsom Plan Area Amendments for Increased Residential Densities

Dear Ms. Henry:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. We reviewed this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision, and goals, some of which includes addressing equity, climate change, and safety, as outlined in our statewide plans such as the California Transportation Plan, Caltrans Strategic Plan, and Climate Action Plan for Transportation Infrastructure.

The Project Planning area consists of the East Bidwell Mixed-use Corridor, the Glenn and Iron Point transit priority areas, and the Folsom Plan Area. The City adopted the 2021-2029 Housing Element in August of 2021. As part of the Housing Element update the City is required to establish and maintain multi-family and mixed-use land available to meet the target housing demand at all income levels over an eight-year period. The City's Regional Housing Needs Allocation (RHNA) obligation for the eight-year Housing Element cycle is 6,363 housing units, of which 3,567 units are to be affordable to low- and very low-income households (collectively referred to as the lower-income RHNA). To create adequate capacity for lower income RHNA the 2021-2029 Housing Element includes Program H-2 to strategically increase densities in targeted areas of the City, including the East Bidwell Mixed-Use Overlay, Sacramento Area Council of Governments (SACOG) transit priority areas (Glenn and Iron Point light rail stations), and the Folsom Plan Area. Based on the Notice of Preparation of a subsequent Environmental Impact Report (SEIR) for Amendments to the City of Folsom's 2035 General Plan and Folsom Plan Area Specific Plan for Increased Residential Densities provided, Caltrans provides the following comments:

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Freeway Operations

The proposed 2035 General Plan Amendment includes 6,363 new residential units along the East Bidwell and Folsom Blvd. corridors. This growth will greatly increase the traffic demand at the East Bidwell/US 50 Interchange, Folsom Blvd./US 50 Interchange and the US 50 mainline. The growth along the Folsom Blvd. corridor is centered around the light rail stations and will not have as large an impact as the growth on the very busy East Bidwell corridor. This revision allows for 3,344 new residences along the East Bidwell corridor and will require a revision to the VMT Focused Transportation Impact Study requested in the previous review. The study should include analysis for freeway mainlines, ramps, and ramp terminal including Length of Queue analysis for offramps.

Forecasting & Modeling

Caltrans reviewed the proposed Folsom 2035 General Plan Amendment; we anticipate that the projects/developments proposed in this amendment will generate a significant number of daily trips and will have a substantial impact on the VMT.

In the VMT Focused Transportation Impact Study requested above, please include daily, AM and PM peak trips generated by the developments, VMT analysis per SB 743 guidelines and identify adequate mitigation measures.

The analysis should include:

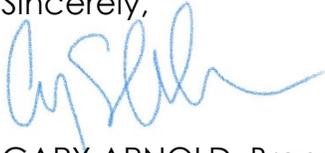
- 1- Please provide trip generations for all the land uses.
- 2- Please provide trip distribution percentages.
- 3- Please provide Traffic Volumes:
 - Existing Conditions
 - Existing Conditions on opening day (construction completion year) without the project/developments
 - Existing conditions on opening day (construction completion year) + Project Volumes
 - Cumulative 20-year conditions from opening day without project
 - Cumulative 20-year conditions with project

Please provide our office with copies of any further actions regarding this proposal. We would appreciate the opportunity to review and comment on any changes related to this development.

Stephanie Henry, Senior Planner
August 15, 2023
Page 3

If you have any questions regarding these comments or require additional information, please contact Satwinder Dhatt, Local Development Review Coordinator, by phone (530) 821-8261 or via email at satwinder.dhatt@dot.ca.gov.

Sincerely,



GARY ARNOLD, Branch Chief
Local Development Review, Equity and Complete Streets
Division of Planning, Local Assistance, and Sustainability
California Department of Transportation, District 3



STATE OF CALIFORNIA • NATURAL RESOURCES AGENCY

Gavin Newsom, Governor

DEPARTMENT OF FISH AND WILDLIFE

Charlton H. Bonham, Director

North Central Region

1701 Nimbus Road | Rancho Cordova, CA 95670

August 22, 2023

Stephanie Henry

City of Folsom

50 Natoma Street

Folsom, CA 95630

shenry@folsom.ca.us

**SUBJECT: City of Folsom 2035 General Plan Amendments for Increased Residential Densities – Draft Subsequent Environmental Impact Report (DSEIR)
SCH# 2023070470**

Dear Stephanie Henry:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Preparation of a Subsequent Environmental Impact Report (SEIR) from the City of Folsom for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities (Project) in Sacramento County pursuant the California Environmental Quality Act (CEQA) statute and guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, plants and their habitats. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code (Fish & G. Code).

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site is located in northern Sacramento County bordered by Folsom Lake to the north, unincorporated Sacramento County to the south, unincorporated community of El Dorado Hills in El Dorado County to the east, and unincorporated communities of Orangevale, Fair Oaks, and Gold River in Sacramento County to the west.

The Project Planning Area consists of the East Bidwell Mixed-use Corridor, the Glenn and Iron Point transit priority areas, and the Folsom Plan Area. The East Bidwell Mixed-use Corridor extends from Highway 50 to Coloma Street and is a connection to the City's economic and social resources. The corridor includes a mixed-use overlay zone that is comprised of the Central Commercial District, Creekside District, and College/Broadstone District. The two transit priority areas (Iron Point Station area and Glenn Station area) are located along Folsom Boulevard and provide a connection to Sacramento Regional Transit Light Rail. The Folsom Plan Area is the City's newest community and is located on 3,520

acres south of Highway 50, east of Prairie City Road, North of White Rock Road, and west of the El Dorado County Line in the City of Folsom.

The Project consists of the establishment and maintenance of multi-family and available mixed-use land to meet the target housing demand at all income levels over an eight-year period as part of the 2021-2029 Element adopted by the city of Folsom in 2021. The City's Regional Housing Needs Allocation (RHNA) obligation for the eight-year Housing Element cycle is 6,363 housing units, of which 3,567 units are to be affordable to low- and very low-income households (collectively referred to as the lower-income RHNA). To create adequate capacity for lower income RHNA the 2021-2029 Housing Element includes Program H-2 to strategically increase densities in targeted areas of the City, including the East Bidwell Mixed-Use Overlay, Sacramento Area Council of Governments (SACOG) transit priority areas (Glenn and Iron Point light rail stations), and the Folsom Plan Area. To implement Program H-2 and increase opportunities for multi-family high density development to support lower income housing capacity in the City, the Project includes amendments to the City's General Plan and FPASP.

Increased Residential Densities – East Bidwell Mixed-Use and Transit Development Overlays

The Project would include amendments to the 2035 General Plan and Zoning Code to increase the minimum density and maximum floor area ratio (FAR) standards for the East Bidwell Corridor Mixed-Use Overlay and establish a new Transit Development Overlay (and associated development standards) for the areas surrounding Iron Point and Glenn Stations.

The 2035 General Plan previously assumed 962 units of growth within the East Bidwell Corridor Mixed-Use Overlay and did not assume any new housing units within the Transit Priority Areas. Factoring in existing development capacity, the net new capacity in these areas of the City would be approximately 4,000 housing units. Growth under the Project is anticipated to occur beyond the remaining 12-year horizon of the 2035 General Plan.

Amendments to the FPASP

The Project would also result in the potential for an additional 1,882 residential units in the FPSAP over the next 12 to 20 years. To account for increased residential development the Project would reduce 251,266 square feet of

nonresidential development capacity in the FPASP. Specific General Plan land use amendments and FPASP amendments would include:

- Amend the land use and specific plan designations for Site 2 (10.52 acres) from industrial/office park to multifamily high density to allow for development of up to 400 multi-family housing units.
- Amend the land use and specific plan designations of Site 15 (13.22 acres) from community commercial to multifamily high density to allow for up to 320 multi-family housing units.
- Amend the land use and specific plan designations for Site 233 (11.54 acres) from general commercial to mixed use to allow for development of up to 250 multi-family housing units.
- Increase the maximum allowable density to increase the number of dwelling units allocated to the FPASP Town Center from 490 dwelling units to 1,250 dwelling units.
- Increase the number of dwelling units allocated to nine additional multi-family designated sites in the FPASP, outside the Town Center, from 1,258 dwelling units to 1,410 dwelling units.
- Deed restrict several parcels to accommodate a target of 890 deed-restricted affordable housing units to meet the City's lower income RHNA.

In total, the Project would create capacity for up to 6,046 additional residential units in the City. Creating this additional residential development capacity in the East Bidwell Mixed-use Corridor, the Glenn and Iron Point transit priority areas, and the Folsom Plan Area satisfies the goals of the 2035 General Plan and Housing Element by creating sufficient capacity to address the City's current RHNA obligations as well as help accommodate future RHNA, focuses growth in targeted areas and away from established residential neighborhoods, and avoids a situation where the City has to rezone land outside of these targeted areas to satisfy the State's no-net loss requirements.

General Plan Land Use and Zoning Amendments

The Project would establish a new Transit Development (TD) overlay zoning designation that would allow for increased densities and FAR for parcels around

the Glenn and Iron Point light rail stations. It would also modify the existing East Bidwell Mixed-Use Overlay to allow for increased densities and FAR. In addition, the Project would establish a new East Bidwell Corridor Overlay zoning designation with new development standards. The Project would amend the General Plan to increase opportunities for multi-family high density development and amend the existing Town Center District (TCD) overlay zoning designation to allow for increased densities and FAR for parcels in the TCD overlay area. The Project would also amend the land use designations south of Highway 50 in the FPASP to allow for increased multi-family development capacity. This would include zoning map changes and revisions to design and development standards.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations presented below to assist the City of Folsom in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the proposed Project with respect to impacts on biological resources. CDFW recommends that the forthcoming SEIR address the following:

Project Description

The Project description should include the whole action as defined in the CEQA Guidelines § 15378 and should include appropriate detailed exhibits disclosing the Project area including temporary impacted areas such as equipment stage area, spoils areas, adjacent infrastructure development, staging areas and access and haul roads if applicable.

As required by § 15126.6 of the CEQA Guidelines, the SEIR should include an appropriate range of reasonable and feasible alternatives that would attain most of the basic Project objectives and avoid or minimize significant impacts to resources under CDFW's jurisdiction.

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and

comment on the Project, the SEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. CDFW recommends the SEIR specifically include:

1. An assessment of all habitat types located within the SEIR Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following, *The Manual of California Vegetation*, second edition (Sawyer 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the SEIR Project. CDFW recommends that the California Natural Diversity Database (CNDDDB), as well as previous studies performed in the area, be consulted to assess the potential presence of sensitive species and habitats. A nine United States Geologic Survey 7.5-minute quadrangle search is recommended to determine what may occur in the region, larger if the Project area extends past one quad (see *Data Use Guidelines* on the Department webpage <http://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>). Please review the webpage for information on how to access the database to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the Project. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential* presence of species within the general area of the Project site. Other sources for identification of species and habitats near or adjacent to the Project area should include, but may not be limited to, State and federal resource agency lists, California Wildlife Habitat Relationship

System, California Native Plant Society Inventory, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations.

3. A complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the SEIR Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code § § 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. The SEIR should include the results of focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Species-specific surveys should be conducted in order to ascertain the presence of species with the potential to be directly, indirectly, on or within a reasonable distance of the Project activities. CDFW recommends the City of Folsom rely on survey and monitoring protocols and guidelines available at: www.wildlife.ca.gov/Conservation/Survey-Protocols. Alternative survey protocols may be warranted; justification should be provided to substantiate why an alternative protocol is necessary. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Some aspects of the Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought or deluge.
4. A thorough, recent (within the last two years), floristic-based assessment of special-status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see <http://www.wildlife.ca.gov/Conservation/Plants>).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The SEIR should provide a thorough discussion of the Project's potential direct, indirect, and cumulative impacts on biological resources. To ensure that Project impacts on biological resources are fully analyzed, the following information should be included in the SEIR:

1. The SEIR should define the threshold of significance for each impact and describe the criteria used to determine whether the impacts are significant (CEQA Guidelines, § 15064, subd. (f)). The SEIR must demonstrate that the significant environmental impacts of the Project were adequately investigated and discussed, and it must permit the significant effects of the Project to be considered in the full environmental context.
2. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by Project activities especially those adjacent to natural areas, exotic and/or invasive species occurrences, and drainages. The SEIR should address Project-related changes to drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
3. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Conservation or Recovery Plan, or other conserved lands).
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The SEIR should discuss the Project's cumulative impacts to natural resources and determine if that contribution would result in a significant impact. The SEIR should include a list of present, past, and probable future projects producing related impacts to biological resources or shall include a summary of the projections contained in an adopted local, regional, or statewide plan, that consider conditions contributing to a cumulative effect. The

cumulative analysis shall include impact analysis of vegetation and habitat reductions within the area and their potential cumulative effects. Please include all potential direct and indirect Project-related impacts to riparian areas, wetlands, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and/or special-status species, open space, and adjacent natural habitats in the cumulative effects analysis.

Mitigation Measures for Project Impacts to Biological Resources

The SEIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the Project. CDFW also recommends the environmental documentation provide scientifically supported discussion regarding adequate avoidance, minimization, and/or mitigation measures to address the Project's significant impacts upon fish and wildlife and their habitat. For individual projects, mitigation must be roughly proportional to the level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (Guidelines § § 15126.4(a)(4)(B), 15064, 15065, and 16355). In order for mitigation measures to be effective, they must be specific, enforceable, and feasible actions that will improve environmental conditions. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Several Fully Protected Species (Fish & G. Code § 3511) have the potential to occur within or adjacent to the Project area, including, but not limited to: White-tailed kite (*Elanus leucurus*). Fully protected species may not be taken or possessed at any time. Project activities described in the SEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends the SEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the City of Folsom include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species.
2. *Species of Special Concern*: Several Species of Special Concern (SSC) have the potential to occur within or adjacent to the Project area,

- including, but not limited to: western spadefoot (*Spea hammondi*), and western pond turtle (*Emys marmorata*). Project activities described in the SEIR should be designed to avoid any SSC that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the SEIR fully analyze potential adverse impacts to SSC due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends the City of Folsom include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce impacts to SSC.
3. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer 2009). The SEIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.
 4. *Native Wildlife Nursery Sites*: CDFW recommends the SEIR fully analyze potential adverse impacts to native wildlife nursery sites, including but not limited to bat maternity roosts. Based on review of Project materials, aerial photography, and observation of the site from public roadways, the Project site contains potential nursery site habitat for structure and tree roosting bats and is near potential foraging habitat. Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment, (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). CDFW recommends that the SEIR fully identify the Project's potential impacts to native wildlife nursery sites, and include appropriate avoidance, minimization and mitigation measures to reduce impacts or mitigate any potential significant impacts to bat nursery sites.
 5. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the SEIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, onsite habitat restoration, enhancement, or permanent protection should be evaluated and

discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

The SEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

6. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in the regional ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be appropriately timed to ensure the viability of the seeds when planted. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components

as appropriate. Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project. Examples may include retention of woody material, logs, snags, rocks, and brush piles. Fish and Game Code sections 1002, 1002.5 and 1003 authorize CDFW to issue permits for the take or possession of plants and wildlife for scientific, educational, and propagation purposes. Please see our website for more information on Scientific Collecting Permits at <https://wildlife.ca.gov/Licensing/Scientific-Collecting#53949678-regulations->.

7. *Nesting Birds*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests and eggs. Sections 3503, 3503.5, and 3513 of the Fish and Game Code afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto; section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; and section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Potential habitat for nesting birds and birds of prey is present within the Project area. The Project should disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the SEIR.

CDFW recommends the SEIR include specific avoidance and minimization measures to ensure that impacts to nesting birds or their nests do not occur. Project-specific avoidance and minimization

measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The SEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. In addition to larger, protocol level survey efforts (e.g., Swainson's hawk surveys) and scientific assessments, CDFW recommends a final preconstruction survey be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted earlier.

8. *Moving out of Harm's Way*: The Project is anticipated to result in the clearing of natural habitats that support native species. To avoid direct mortality, the City of Folsom should state in the SEIR a requirement for a qualified biologist with the proper handling permits, will be retained to be onsite prior to and during all ground- and habitat-disturbing activities. Furthermore, the SEIR should describe that the qualified biologist with the proper permits may move out of harm's way special-status species or other wildlife of low or limited mobility that would otherwise be injured or killed from Project-related activities, as needed. The SEIR should also describe qualified biologist qualifications and authorities to stop work to prevent direct mortality of special-status species. CDFW recommends fish and wildlife species be allowed to move out of harm's way on their own volition, if possible, and to assist their relocation as a last resort. It should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for habitat loss.
9. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as the sole mitigation for impacts to rare, threatened, or endangered species as these efforts are generally experimental in nature and largely unsuccessful. Therefore, the SEIR should describe additional mitigation measures utilizing habitat restoration, conservation, and/or preservation, in addition to avoidance and minimization measures, if it is determined that there may be impacts to rare, threatened, or endangered species.

The SEIR should incorporate mitigation performance standards that would ensure that impacts are reduced to a less-than-significant level. Mitigation measures proposed in the SEIR should be made a condition of approval of the

Project. Please note that obtaining a permit from CDFW by itself with no other mitigation proposal may constitute mitigation deferral. CEQA Guidelines section 15126.4, subdivision (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. To avoid deferring mitigation in this way, the SEIR should describe avoidance, minimization and mitigation measures that would be implemented should the impact occur.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (Fish & G. Code § 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the Project.

State-listed species with the potential to occur in the area include, but are not limited to: tricolored blackbird (*Agelaius tricolor*) and Swainson’s hawk (*Buteo swainsoni*).

The SEIR should disclose the potential of the Project to take State-listed species and how the impacts will be avoided, minimized, and mitigated. Please note that mitigation measures that are adequate to reduce impacts to a less-than significant level to meet CEQA requirements may not be enough for the issuance of an ITP. To facilitate the issuance of an ITP, if applicable, CDFW recommends the SEIR include measures to minimize and fully mitigate the impacts to any State-listed species the Project has potential to take. CDFW encourages early consultation with staff to determine appropriate measures to facilitate future permitting processes and to engage with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service to coordinate specific measures if both State and federally listed species may be present within the Project vicinity.

Native Plant Protection Act

The Native Plant Protection Act (Fish & G. Code § 1900 *et seq.*) prohibits the take or possession of State-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of State-listed rare and/or endangered plants due to Project activities may

only be permitted through an ITP or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section 786.9 subdivision (b).

Lake and Streambed Alteration Program

The SEIR should identify all perennial, intermittent, and ephemeral rivers, streams, lakes, other hydrologically connected aquatic features, and any associated biological resources/habitats present within the entire Project footprint (including utilities, access and staging areas). The environmental document should analyze all potential temporary, permanent, direct, indirect and/or cumulative impacts to the above-mentioned features and associated biological resources/habitats that may occur because of the Project. If it is determined the Project will result in significant impacts to these resources the SEIR shall propose appropriate avoidance, minimization and/or mitigation measures to reduce impacts to a less-than-significant level.

Section 1602 of the Fish and Game Code requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:

1. Substantially divert or obstruct the natural flow of any river, stream or lake;
2. Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
3. Deposit debris, waste or other materials where it may pass into any river, stream or lake.

Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

If upon review of an entity's notification, CDFW determines that the Project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the SEIR should fully identify the potential impacts to the lake, stream,

or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the Project may avoid or reduce impacts to fish and wildlife resources. Notifications for projects involving (1) sand, gravel or rock extraction, (2) timber harvesting operations, or (3) routine maintenance operations must be submitted using paper notification forms. All other LSA Notification types must be submitted online through CDFW's Environmental Permit Information Management System (EPIMS). For more information about EPIMS, please visit <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>. More information about LSA Notifications, paper forms and fees may be found at <https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

Please note that other agencies may use specific methods and definitions to determine impacts to areas subject to their authorities. These methods and definitions often do not include all needed information for CDFW to determine the extent of fish and wildlife resources affected by activities subject to Notification under Fish and Game Code section 1602. Therefore, CDFW does not recommend relying solely on methods developed specifically for delineating areas subject to other agencies' jurisdiction (such as United States Army Corps of Engineers) when mapping lakes, streams, wetlands, floodplains, riparian areas, etc. in preparation for submitting a Notification of an LSA.

CDFW relies on the lead agency environmental document analysis when acting as a responsible agency issuing an LSA Agreement. CDFW recommends lead agencies coordinate with us as early as possible, since potential modification of the proposed Project may avoid or reduce impacts to fish and wildlife resources and expedite the Project approval process.

The following information will be required for the processing of an LSA Notification and CDFW recommends incorporating this information into any forthcoming CEQA document(s) to avoid subsequent documentation and Project delays:

1. Mapping and quantification of lakes, streams, and associated fish and wildlife habitat (e.g., riparian habitat, freshwater wetlands, etc.) that will be temporarily and/or permanently impacted by the Project, including impacts from access and staging areas. Please include an estimate of impact to each habitat type.
2. Discussion of specific avoidance, minimization, and mitigation measures to reduce Project impacts to fish and wildlife resources to a

less-than-significant level. Please refer to section 15370 of the CEQA Guidelines.

Based on review of Project materials, aerial photography and observation of the site from public roadways, the Project site supports the American River and its associated riparian habitat. CDFW recommends the SEIR fully identify the Project's potential impacts to the stream and/or its associated vegetation and wetlands.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an effect on fish and wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the City of Folsom and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the Project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670.

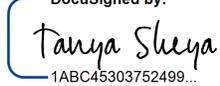
CDFW appreciates the opportunity to comment on the Notice of Preparation of the SEIR for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities and recommends that the City of Folsom address CDFW's

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Densities
August 22, 2023
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comments and concerns in the forthcoming SEIR. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter, or wish to schedule a meeting and/or site visit, please contact Ben Huffer, Environmental Scientist at (916) 216-6253 or benjamin.huffer@wildlife.ca.gov.

Sincerely,

DocuSigned by:

1ABC45303752499...

Tanya Sheya
Environmental Program Manager

ec: Dylan Wood, Senior Environmental Scientist (Supervisory)
dylan.wood@wildlife.ca.gov
Ben Huffer, Environmental Scientist
benjamin.huffer@wildlife.ca.gov
Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento

Literature Cited

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A Manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California.
<http://vegetation.cnps.org/>

Central Valley Regional Water Quality Control Board

23 August 2023

Stephanie Henry
City of Folsom
50 Natoma Street
Folsom, CA 95630
shenry@folsom.ca.us

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, CITY OF FOLSOM 2035 GENERAL PLAN AMENDMENTS FOR INCREASED RESIDENTIAL DENSITIES, SCH#2023070470, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 24 July 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation for the Draft Environmental Impact Report* for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has

adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention

Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

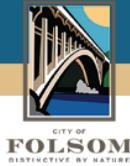
If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

Memo



TO Stephanie Henry, Senior Planner

FROM Marcus Yasutake, Environmental and Water Resources Director

DATE August 22, 2023

RE Subsequent Environmental Impact Report for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities

The Environmental and Water Resources Department has received the Notice of Preparation (NOP) for the Subsequent Environmental Impact Report (SEIR) related to the City's 2035 General Plan Amendments for Increased Residential Densities. We appreciate the opportunity to comment on the NOP and hereby submit the following for your consideration.

Water

An analysis of any potential impacts to the potable water distribution system shall be conducted. This should include an analysis of water storage capacity, water pipeline hydraulics including water velocities, water pressure, and the ability to meet the required fire flows for the proposed residential density increases.

Wastewater

An analysis of any potential impacts to the wastewater system shall be conducted. This shall include an analysis of wastewater pipeline hydraulics, wastewater pump station capacity, and wastewater pipeline capacity.

Non-Potable Water

EWR is finalizing a non-potable water master plan for the areas south of Highway 50, which includes the Folsom Plan Area, Easton Place, and Glenborough at Easton. The current draft of the non-potable water master plan did not include the proposed residential density changes in the Folsom Plan Area. The proposed changes will need to be analyzed for any potential impact that should be incorporated into the non-potable water master plan.

If you have any questions or require any additional data or information, please contact Vaughn Fleischbein, Senior Civil Engineer at vfleischbein@folsom.ca.us.

C: Todd Eising, EWR
Vaughn Fleischbein, EWR
Nathan Stites, EWR

Memo



CITY OF FOLSOM
CALIFORNIA

CITY OF FOLSOM — OFFICE OF THE CITY MANAGER

TO STEPHANIE HENRY

FROM MARK RACKOVAN *MR*

DATE AUGUST 16, 2023

RE CITY OF FOLSOM 2035 GENERAL PLAN AMENDMENTS, INCREASED RESIDENTIAL DENSITIES, NOTICE OF PREPARATION OF SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

The Public Works Department has received the Notice of Preparation (NOP) for the Subsequent Environmental Impact Report (SEIR) related to the City's 2035 General Plan Amendments for Increased Residential Densities. We appreciate the opportunity to comment on the NOP and hereby submit the following for your consideration.

Roundabout Policy. Earlier this year, the Folsom City Council gave direction to city staff to adopt and implement a "roundabout first" policy. This policy would require that consideration of future traffic controls should first determine whether roundabout traffic control is feasible, beneficial and cost-effective before considering alternative traffic controls, such as traffic signals or turn restrictions. This policy would also address modifications to existing traffic controls, so an existing traffic signal may become a candidate for roundabout traffic control under this policy. It is our understanding that this project and its SEIR will evaluate several intersections throughout the City, many of which have been identified as potential roundabout candidates. The proposed amendments to the General Plan and Folsom Plan Area Specific Plan should incorporate the "roundabout first" policy and traffic operations analysis and SEIR should evaluate these intersections under the presumption that future traffic control at these intersections would be roundabouts, whether the intersections are existing intersections currently controlled by other means, or are planned future intersections. We have previously provided you with a list of the specific intersections that this comment applies to.

Increased Traffic Volumes associated with increased housing densities. As described in the NOP, the proposed housing densification would potentially add over 6,300 new residential dwelling units (DUs) along the East Bidwell Street and Folsom Boulevard corridors. These additional DUs will result in increased traffic volumes, which in turn may impact vehicle delay, safety, and air quality. We anticipate that each of these potential impacts will be addressed in the SEIR, but would emphasize again that the aforementioned “roundabout first” policy should be considered when evaluating these potential impacts. Roundabouts have been proven to have the following benefits:

- Reduced vehicular delay, resulting in improved air quality
- Narrower roadways connecting to the roundabout, resulting in an environment that promotes non-motorized transportation modes, such as walking and bicycling
- Narrower crossing gaps for pedestrians, resulting in increased pedestrian safety
- Elimination of red light running collisions and broadside collisions, resulting in less severe traffic collisions, lower risk of death or injury, and overall improvement in traffic safety

If you have any questions regarding these comments or require any additional data or information, please contact Zach Bosch, Senior Civil Engineer/Traffic at zbosch@folsom.ca.us.

C: Z. Bosch, PW
D. Parrington, CD

From: [Stephanie Henry](#)
To: [Desmond Parrington](#); [Kari Zajac](#)
Subject: FW: Notice of Preparation SEIR_Folsom General Plan and Folsom Plan Area Specific Plan Amendments
Date: Friday, August 4, 2023 4:02:35 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

From: Dov Kadin <DKadin@sacog.org>
Sent: Tuesday, July 25, 2023 8:35 AM
To: Stephanie Henry <shenry@folsom.ca.us>; Desmond Parrington <dparrington@folsom.ca.us>
Cc: Greg Chew <GChew@sacog.org>; Indrani Kompella <IKompella@sacog.org>
Subject: RE: Notice of Preparation SEIR_Folsom General Plan and Folsom Plan Area Specific Plan Amendments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Stephanie and Desmond,

Congratulations on the milestone, this looks fantastic! We will want to build these changes into the next iteration of the 2025 Blueprint land use assumptions. I'm wondering if you would be willing to share the underlying GIS data with the new assumed unit counts/max FAR for the parcels that are affected by this?

From: Stephanie Henry <shenry@folsom.ca.us>
Sent: Monday, July 24, 2023 3:48 PM

To: shenry@folsom.ca.us

Subject: Notice of Preparation SEIR_Folsom General Plan and Folsom Plan Area Specific Plan Amendments

EXTERNAL EMAIL: If unknown sender, **do not** click links/attachments.

Notice of Preparation of a Subsequent Environmental Impact Report (SEIR) for Amendments to the City of Folsom's 2035 General Plan and Folsom Plan Area Specific Plan for Increased Residential Densities

NOTICE OF PREPARATION (NOP): This is to notify public agencies and the general public that the City of Folsom as the Lead Agency, will prepare an SEIR for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities (proposed project). The City is interested in the input and/or comments of public agencies and the general public as to the scope and content of the environmental information that is germane to the agencies' statutory responsibilities in connection with the proposed project, and public input.

Project Title: City of Folsom 2035 General Plan and Folsom Plan Area Amendments for Increased Residential Densities

Project Location: The Project Planning Area consists of the East Bidwell Mixed-use Corridor, the Glenn and Iron Point transit priority areas, and the Folsom Plan Area.

VIRTUAL SCOPING MEETING: On Thursday, August 17, 2023 starting at 6:00 PM, the City will conduct a virtual public scoping meeting to solicit input and comments from public agencies and the general public on the scope and content of the EIR.

The meeting will be held virtually at the following Zoom link:

<https://us06web.zoom.us/j/88553569127?pwd=eE5pRnNsaEp6VWJQRjdvenJjWnc4Zz09>

If you choose to phone in for audio only, please dial 1-669-900-6833 and enter Webinar ID: 885 5356 9127 and Passcode: 182263.

Comments may also be submitted in writing during the review period and addressed to:

City of Folsom
Community Development Department
c/o Stephanie Henry
50 Natoma Street
Folsom, CA 95630
shenry@folsom.ca.us

If you have any questions regarding this scoping meeting, contact the Project Manager, Stephanie Henry, at shenry@folsom.ca.us. Additional information on the project proposal and proposed scope of the EIR is contained in the attached NOP and the Project website: www.folsom.ca.us/housingstudy



Stephanie Traylor Henry
Community Development Department
City of Folsom
50 Natoma Street, Folsom, CA 95630
shenry@folsom.ca.us
916-461-6208

From: Crystal Gorton <write2me@msn.com>
Sent: Monday, July 31, 2023 1:09 PM
To: Desmond Parrington <dparrington@folsom.ca.us>
Subject: Re: Planning

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I was confused by the terminology used in the housing element article. Folsom Plan Area is "south of 50." Layman's language in notifications to the public would be helpful.

From: Crystal Gorton
Sent: Sunday, July 30, 2023 1:08:49 PM
To: Desmond Parrington <dparrington@folsom.ca.us>
Cc: Pam Johns <pjohns@folsom.ca.us>
Subject: Planning

Can you tell me where the Folsom Plan Area is located. Is it south of 50?

The traffic on East Bidwell is do bad, Desmond. Do you honestly believe adding all those apartments (mixed or otherwise) is going to alleviate the traffic problem on East Bidwell? Your Department has turned East Bidwell into Watt Avenue.

I've been following this subject for a while now, and I've noticed two things: (1) your Department is making traffic worse, not better, with all the density housing; and (2) there is no doubt your Department is red-lining. The red-lining is going to open the City to multiple lawsuits. If you've never watched a City Council meeting perhaps it may be in your best interest to do so. This City is filled with retired lawyers looking to sue the City over smallest of infractions. I don't want that for our City.

I've said before south of 50 is wide open. Put Hope Cooperative, Mercy House, transient trailers, Section 8, and low-barrier housing over there. North of Folsom is filled to the brim, especially the Central District and Bidwell Corridor.

I realize there is 1000 units "supposedly" going south of 50 "some day" but even with those 1000 units it will still be less than what the north of 50 has. There is no guarantee those 1000 units will be problem housing like that south of 50 either. It seems to me it would be more cost effective to pay the fines associated with re-planning south of 50 than it would be to face future lawsuits from eager attorneys looking to make a paycheck. (Just an opinion of someone who is not a City Planner but is very aware of what is going on.)

The scoping process is to solicit public comment on the scope and content of the information to be addressed in the Environmental Impact Report (EIR). The Planning Area includes the Bidwell Mixed-use Corridor and Iron Point transit priority area and the Folsom Plan Area. Residents are encouraged

From: LJ Laurent <ljl Laurent@att.net>

Sent: Saturday, August 12, 2023 9:40 AM

To: scott.morgan@opr.ca.gov; Samuel.Assefa@opr.ca.gov; Eileen Sobeck <eileen.sobeck@waterboards.ca.gov>; Patrick Pulupa <patrick.pulupa@waterboards.ca.gov>; john.baum@waterboards.ca.gov

Cc: Rosario Rodriguez <rrodriguez@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Lydia Konopka <lkonopka@folsom.ca.us>; Marcus Yasutake <myasutake@folsom.ca.us>; Mark Rackovan <mrackovan@folsom.ca.us>; Stephanie Henry <shenry@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; Supervisor Sue Frost <supervisorfrost@saccounty.net>; daoffice@sacda.org

Subject: NOP: 8 pg HUGE LAND USE "plan??"

You don't often get email from ljl Laurent@att.net. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

<https://www.folsom.ca.us/home/showpublisheddocument/786/637467522258230000>

Page 28 **GP Map 2023 PLAN to increase housing by almost 2,000 units**, Contravenes 2023 Folsom Increase residential in American River Sewershed.

GP "Subsequent Amendment PLAN"

ALSO OMITTS entirely ANY consideration of the poor state of South of 50 SSS Infrastructure.

In FACT, NO city Engineer Certified Report even mentions that ALL S50 Raw Sewage will be pumped UPHILL from S50 and try to get into the Already Full Folsom Blvd. Area SSS Conveyance Pipes. IGNORING a Vital part of this HUGE undeveloped Portion of city of Folsom SSSystem is a TRAVESTY and Very High RISK worsening of threats to American River Waters & Watershed forests.

QUESTION: will CA State Waterboards Licensed Engineers, Lawyers, and others, ALLOW this INCREASED Densification to OCCUR --- when 2018 Folsom SSS Hydraulic Capacity Report Specifically States: DO NOT DENSIFY any land uses until Folsom SSS is IMPROVED so it is NOT a REDLINE Map THREAT to American River Federal Waters?

QUOTE PAGE 29 of 2018 study:

3.2.4 General Plan Scenario The purpose of the General Plan Scenario was to simulate the sewer collection system at the projected development levels presented in the latest 2035 General Plan and SACOG plan. This is considered an intermediate planning horizon that is the primary driver for intermediate capital improvement projects and to identify future capacity triggers for CIPs.

WARNING: IF CA Waterboards IGNORES such Direct Warnings, and permits a city planner to MAKE HUGE decisions for an un-informed City Council, then Waterboards will be likely be considered A CAUSATIVE FACTOR for Folsom & 3 prisons RAW SEWAGE entering the American River with NO Possible Ways to STOP flows directly into American River yet AGAIN.

Context: CA Waterboards Currently has so many Pending Complaints against its FAILURES to enforce and Provide EQUAL JUSTICE -- that this OUGHT to be the straw that Breaks their proverbial backs.

EVEN WORSE: city told Waterworks Civil Engineers to use this 8 year old DATA, and the Narrow Assumptions which city Gave Waterworks and ALSO the State of California ENFORCEMENT AGENCIES.

PROOF: PAGE 31

*CITY OF FOLSOM SEWER COLLECTION SYSTEM SECAP 2017 SEPTEMBER 2017 PAGE 20
Residential Land Use Population and Flow Assignment*

QUESTION: why should a lesser PLANNER be given Control over this Vital to American River plan to FURTHER ENDANGER FEDERAL WATERS????

QUESTION 2: Why does CA Waterboards staff & Board continue to PERMIT, Allow, and apparently Ignore to the point of Abetting such Actions?

What do CA Civil Engineers at Waterboards DO to earn their paychecks?

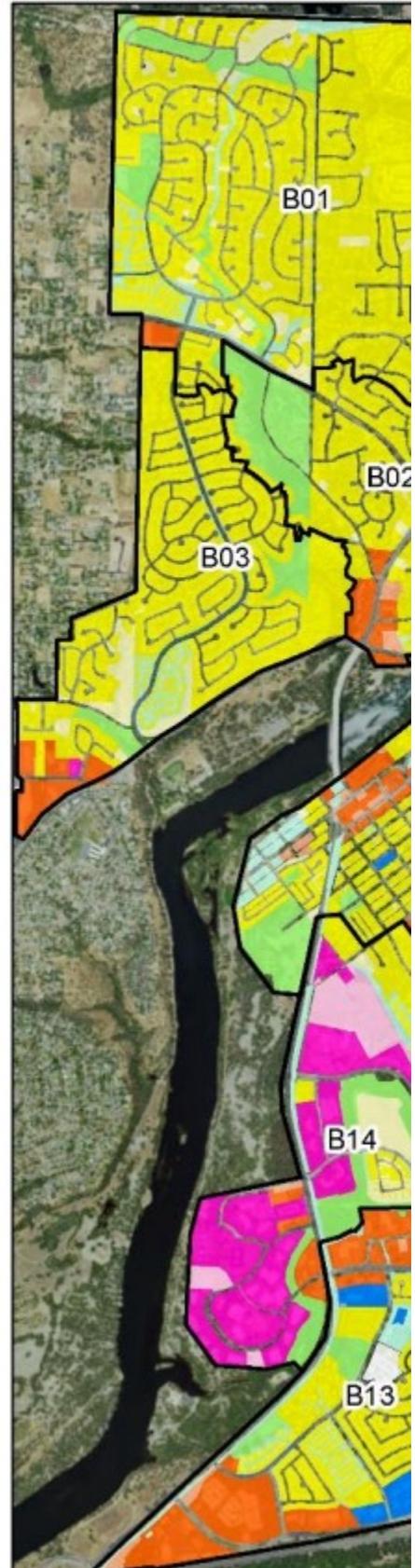
Is NOT Enforcement the Raison d Etre for Waterboards?

Will CA Waterboards be Permitted to flaunt NEPA and further Endanger Federal Waters -- by allowing this city free-rein to ACT without an Independent, Long-term contract/EXPERIENCED City Engineer in CHARGE?

Parenthetically, will OPR the governor's staff --- PERMIT THIS TO CONTINUE until the American River is Folsom's OPEN AIR Raw sewage pipe again. [with State Prisons raw sewage ALSO included in the flows?]



637467522258230000



PAGE 29 Folsom SSS Hydraulic Report 2018 is BASED UPON LIMITED PARTS of city --- which NOW city proposes to DENSIFY to almost additional 2,000 housing 'units' being attached to a surcharging RED LINE Conveyance system ADJACENT & OVER American River --- AND - River is at a Much LOWER ELEVATION than all added housing. Moreover, City IGNORED South of 50 huge development areas and this 2018 STUDY which is **Engineered CERTIFIED to be correct.**

MORE CITY PROOF:

Quote directly from Notice of Preparation of "subsequent Amendment to GP"

The 2035 General Plan previously assumed 962 units of growth within the East Bidwell Corridor Mixed-Use Overlay and did not assume any new housing units within the Transit Priority Areas. Factoring in existing development capacity, the net new capacity in these areas of the City would be approximately 4,000 housing units (Table 2). Growth under the Project is anticipated to occur beyond the remaining 12-year horizon of the 2035 General Plan.

QUESTION: WILL OPR staff abet such willy-nilly secretive, NON-ENGINEER APPROVED, and Dangerous LAND USE CHANGES --- when Waterworks Specifically said "NO WAY"?

Will OPR sit by and watch as Folsom South of 50 ADDS more Raw Sewage to a worthless 1950's type SSS Conveyance System?

TWO STATE AGENCIES and yet the State has NO WILL to stop threatening Federal Waters --- NO WILL AT ALL.

PAGE 29, another piece of NOT VALID City information provided to LIMIT and shape the 2018 SSS Report -- - and YET city planner proposes to IGNORE THIS Data which Licensed ENGINEERS RELIED UPON. THIS IS NOT same map as above on page 26.

THIS Folsom RAW SEWAGE BASINS MAP --- which EXCLUDES ALL OF largest Part of City -- South of Hwy 50.

It ALSO labels three prisons, full of staff and prisoners --- as "OPEN SPACE."

Is this Truth coming out of Folsom Planning Dept? Is this how to protect Federal Waters?

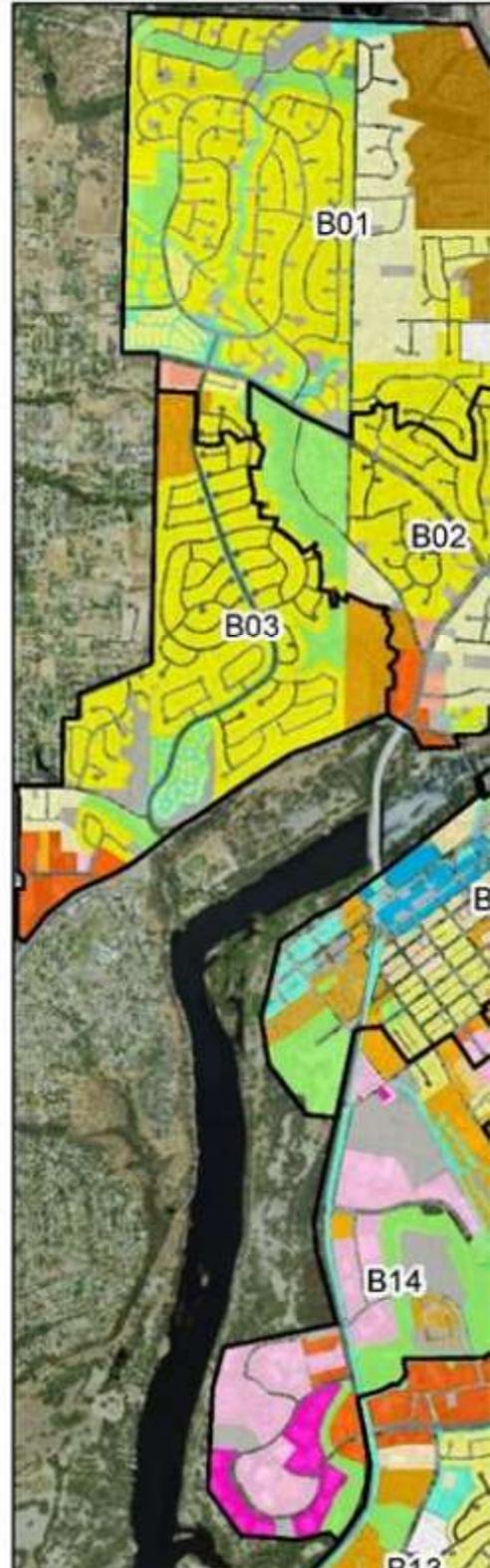
CAN we all PRETEND South of 50 is NOT GROWING rapidly -- and it is EXCLUDED from the latest 2018 Folsom Raw Sewage Report.

Folsom is shipping all S50 raw sewage right uphill to further threaten American River. **Do you see that** Waterboards, OPR?



637467522258230000

SEWER COLLE
SECAP 2017



Until city of Folsom Re-instates to City Charter the Critical Enforcer -- by re-instating the City Engineer with Experience and Long term contract Independence -- to City Charter and Municipal Code, will downstream people enjoy drinking, swimming, and wallowing in the harms of 3 prisons and almost all Folsom RAW SEWAGE?

<https://www.folsom.ca.us/home/showpublisheddocument/14612/638257954417470000>

PROJECT DESCRIPTION The City adopted the 2021-2029 Housing Element in August of 2021.

NOTICE of SEIR Preparation:

The City's Regional Housing Needs Allocation (RHNA) obligation for the eight-year Housing Element cycle is **6,363 housing units**, of which 3,567 units are to be affordable to low- and very low-income households

"Amendments to the FPASP The Project would also result in the **potential for an additional** 1,882 residential units in the FPSAP..."

THAT IS 8,250 ADDED UNITS ----

ALL OF WHICH WILL ADD to the 1950's Size Folsom SSS Conveyance Pipes Over & ALONGSIDE the AMERICAN RIVER.

CONTEXT: all of Folsom Blvd. trunkline is backed up now.

Do ALL state employees & board members believe RAW SEWAGE can be ignored when Manhole Covers are all BOLTED DOWN/Shut, and when pipes BURST --- all the state prisons and city sewage will flow unstopably into the American River?

Do ALL state employees, including a lot of Licensed Civil Engineers ---- agree with the PLAN to Ignore this type of city "Preparation of SEIR"?

Where is AFFIDAVIT which PROVES Publication?

ALL planning issues Must be PROVED to have been PUBLISHED -- with an Affidavit on the TOP of of the stack of documents like this

Eight PAGE INSULT <https://www.folsom.ca.us/home/showpublisheddocument/14612/638257954417470000>

"Notice of Preparation

NOTICE OF PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

DATE: July 24, 2023

TO: Responsible and Trustee Agencies, Organizations, and Interested Parties

LEAD AGENCY: City of Folsom Contact: Stephanie Henry, Senior Planner 50 Natoma Street

SUBJECT: Subsequent Environmental Impact Report for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities

EIGHT PAGES -- that is all --- when a moving Target of over 8,000+ NEW Housing units will be ADDED by just these 8 pages????

How many thousands will be "prepared" for State agencies next month?"

ANOTHER EXAMPLE of city "false data": did NOT Escape Waterworks notice:

PAGE 34:



Commercial

Based on com
been built on
it a land use c
updated land
parcel.

Ta

Project Na
Folsom Alzheimer
The Commons at F
CountryHouse at
Broadstone
Iron Point Retirem
Community
Oakmont Senior Li
Community
Reflections II
East Bidwell Apts (
Veranda Subdivisic

SEPTEMBER 2

Be sure to look at Page 36 chart of "major wastewater producers" in city --- Three PRISONS raw sewage is NOT INCLUDED at all.

[??? what is Folsom Lake CC --- which is #11? Is there FL Country Club making raw sewage too?

Page 38 has a little tidbit worth study: because Flow Meters DO NOT GIVE accurate readings when the pipes are always at Capacity -- or City-supplied information is NOT CORRECT, and NOT VERIFIED by Outside engineers. If raw sewage is actually FLOWING in all Folsom Blvd. PIPES -- WHY were ALL the old area MANHOLE COVERS BOLTED SHUT? The Lowest FB Point actually had Negative Pressure measured when NPDES Permit was enforced -- which means constantly the raw sewage was pushing against the manhole cover near Bidwell & Folsom Blvd. --- It was such hard pressure to burst upward and blowing the manhole cover, that the entire manhole structure had to be rebuilt/reinforced to withstand this local-low-point in FB pressure. Point is, A CONSTANT OUTFLOW is easily explained by Constant jammed up Pipes -- and supported by city reporting this CONSTANT OUTFLOW at ALL times of day --- even when people & businesses are NOT flushing.

Quote:

It should be noted that SRCSD operates a sewer flow meter on its FE2 interceptor on Folsom Boulevard at Hazel Avenue downstream of the City of Folsom. Flow meter results for this meter over the same time period are shown above. The average day flow during this period for the SRCSD meter was 6.46 MGD. The total average flow from Folsom's three outfall flow meters (Folsom East, Folsom West, and FE3 PS) was 7.12 MGD, which is in relatively close agreement. Table 15 below shows the calculated ADWF from each sewer basin using the sewer generation rates from Table 13 for each model scenario. The calculated ADWF of 7.176 MGD closely matches the total measured May ADWF of 7.12 MGD from the City's three outfall meters.

PROOF that ALL city data is a "moving TARGET" because there is NO CITY ENGINEER to ENFORCE and stop this.

"Based on communication with the City, Water Works accounted for specific **residential projects that had been built on commercially zoned** property. This was done by modifying the existing GP zone and assigning it a **land use consistent with the conditional use permit**. Those specific projects are listed in Table 10. The updated land use was utilized when applying the correct wastewater generation rate to that specific parcel."

Hope you all downstream can "live with" 3 prisons and upstream residents RAW SEWAGE ----

With just the "appropriate amount" of "respect" this city deserves [NONE],
submitted August 12, 2023.

PS This is PRA Request for AFFIDAVIT proving PUBLICATION.



NATIVE AMERICAN HERITAGE COMMISSION

August 2, 2023

Stephanie Henry
City of Folsom
50 Natoma St.
Folsom, CA 95630

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Chumash

VICE-CHAIRPERSON
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Vacant

COMMISSIONER
Vacant

COMMISSIONER
Vacant

EXECUTIVE SECRETARY
**Raymond C.
Hitchcock**
Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2023070470, City of Folsom 2035 General Plan Amendments for Increased Residential Densities, Sacramento County

Dear Ms. Henry:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at:

https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. **Contact the appropriate regional California Historical Research Information System (CHRIS) Center** (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an **archaeological inventory survey** is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

cc: State Clearinghouse

From: Joan Normington <jnatlake@gmail.com>
Sent: Friday, August 18, 2023 12:00 PM
To: Stephanie Henry <shenry@folsom.ca.us>
Subject: 2035 General Plan & Folsom Plan Area Specific Plan Amendment for Increased Residential Capacity Project

You don't often get email from jnatlake@gmail.com. [Learn why this is important](#)

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Hello, I have some environmental issue concerns:

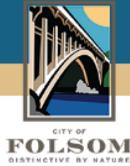
Increase traffic to an already congested E. Bidwell, especially at Hwy 50 north past Home Depot. The increase in traffic leads to more greenhouse gas emissions and poorer air quality. The residents of Talaver will be adversely affected by the additional noise & vibration.

Are there plans for another Hwy 50 overcrossing to divert traffic from E. Bidwell? At one time there was talk about an overcrossing from Hwy 50 connecting with Oak Parkway. What is the status?

Efforts to inform Folsom residents of this plan & the opportunity for public comment is appreciated. Hopefully you will utilize other forms of communication rather than by zoom; i.e. in-person meetings, mailings, signage at main streets, & the newspaper.

Joan Normington
Folsom resident

Memo



CITY OF FOLSOM — PARKS & RECREATION DEPARTMENT

TO STEPHANIE HENRY

FROM BRAD NELSON

DATE AUGUST 22, 2023

RE COMMENTS FOR THE SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF FOLSOM 2035 GENERAL PLAN AMENDMENTS FOR INCREASED RESIDENTIAL DENSITIES

The Parks & Recreation Department has received the Notice of Preparation (NOP) for the Subsequent Environmental Impact Report (SEIR) for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities and is providing the following comments.

As described in the NOP, the proposed housing densification would potentially add over 6,300 new residential dwelling units along the East Bidwell Corridor, the Folsom Boulevard Corridor and the Folsom Plan Area. The increased population will increase demand for public parks, trails and parks & recreation programming.

Parks: The Folsom Municipal Code (FMC) has set a goal of providing five acres of parkland per 1,000 residents. The Parks & Recreation Master Plan (PRMP) has a goal of providing 7.3 acres of parkland per 1,000 residents. The five acre per 1,000 goal is the practical standard applied through the FMC which is in conformance with the Quimby Act guidelines. The larger 7.3 acres of parkland per 1,000 residents is inclusive of parkland, open space and bike trails within the Parks & Recreation Department's responsibility. The SEIR shall consider the impacts of the proposed increased residential densities to the existing and proposed (not yet developed) park system. The parkland analysis for parks north of Highway 50 shall be separate from the analysis of parkland in the Folsom Plan Area, south of Highway 50.

Development of the parks is primarily funded through impact fees paid by private development at the time of building permit issuance. Fees are collected for single family residential, multi-family residential, commercial, and industrial projects. The second source of park development funding is through parkland dedication in-lieu fees, known as Quimby. Funding collected to date from impact fees to develop the remaining park sites North of Highway 50 is extremely limited and will not provide enough funding for build-out of the park system North of Highway 50. The SEIR shall consider the adequacy of potential funding for the buildout of the park system. Funding for parks north of Highway 50 shall be kept separate from parks in the Folsom Plan Area.

Trails: The City currently has over 50 miles of Class I trails north of Highway 50 and has a total of over 30 miles of class I trails planned for the Folsom Plan area, of which about 9 miles are currently built. The increased housing densification will have an impact on current trails and future planned trails. The SEIR shall consider the importance of trails and trail connections throughout the city and how the increased demand will affect the trail system. The recently completed Active Transportation Plan, completed in 2022, shall be included in the analysis.

In addition, the City is currently conducting a Feasibility Study for a Class I trail overcrossing on Folsom Boulevard near the Folsom Glen Light Rail Station, which is identified as a priority area in the NOI. This is an excellent opportunity to incorporate the findings of this feasibility study, which will likely be completed by November of 2023, into the SEIR.

Programming: The City's existing parks & recreation facilities provide a myriad of programming for residents, including, but not limited to, indoor and outdoor sports fields, sports courts, aquatic facilities, bike park, skate park, disc golf course, event spaces, and others. Programming is also provided for all age groups, from youth summer camps to programs for active adults and seniors. The need for parks & recreation programming will increase with increased population and should be considered in the SEIR.

Thank you for the opportunity to provide comments on the Subsequent Environmental Impact Report for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities. If you have any questions, please contact me.

BNelson@Folsom.CA.US

CC: Kelly Gonzalez, Parks & Recreation Director
Brett Bollinger, Senior Trails Planner



From: Ivan Margaretich <imargaretich@interorealestate.com>

Sent: Monday, August 21, 2023 9:54 PM

To: Stephanie Henry <shenry@folsom.ca.us>

Subject: EIR notice 7/24/23

You don't often get email from imargaretich@interorealestate.com. [Learn why this is important](#)

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Hello

I was not able to attend the 8/17/23 zoom meeting and was wondering if the notice we were provided in any way would affect the addresses 200 or 300 Plaza Dr. Folsom CA?

There was a link provided as [City of Folsom's 2035 General Plan and Folsom Plan Area Specific Plan Amendments | Folsom, CA](#) however I don't know where to look on that site.

Ivan Margaretich



From: Dixie Wyant <dixiewyant@yahoo.com>
Sent: Friday, August 4, 2023 7:28 AM
To: Stephanie Henry <shenry@folsom.ca.us>
Subject: Map for N 50

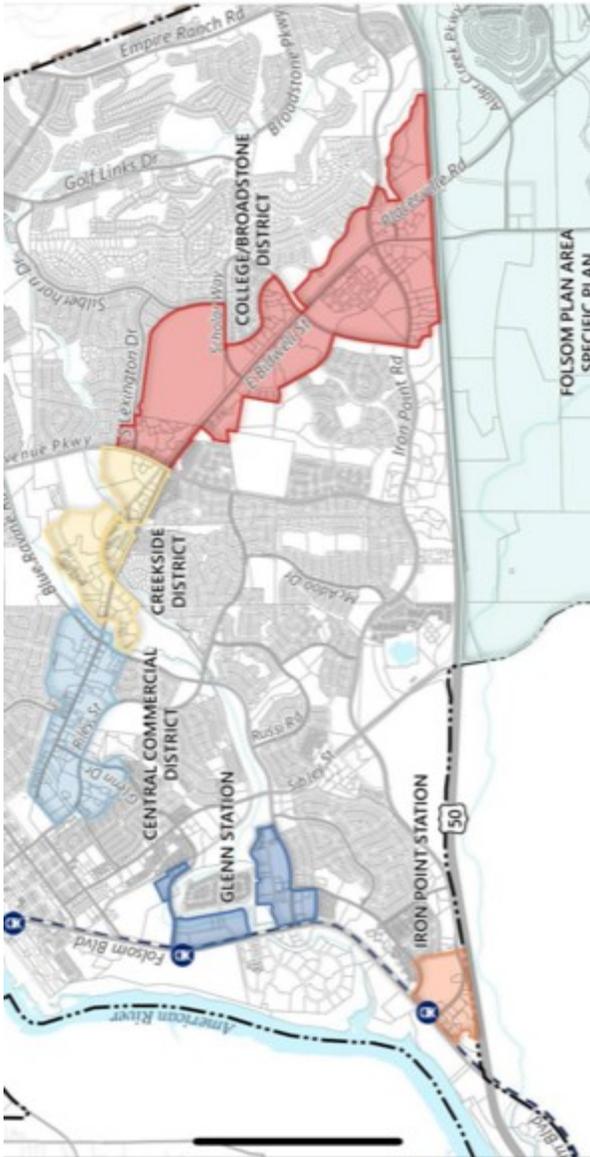
[You don't often get email from dixiewyant@yahoo.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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Hi Stephanie,

Will you please send me the map for north of 50 that shows the specific locations with color coding and the number of units similar to the the one for south of 50? The north 50 one I've attached only identifies areas but isn't specific like the south 50 map.

Thank you,
Dixie Wyant







Main Office

10060 Goethe Road
Sacramento, CA 95827-3553
Tel: 916.876.6000
Fax: 916.876.6160

Treatment Plant

8521 Laguna Station Road
Elk Grove, CA 95758-9550
Tel: 916.875.9000
Fax: 916.875.9068

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Director of Communications

www.regionalsan.com

August 22, 2023

Ms. Stephanie Henry
City of Folsom – Community Development Department
50 Natoma Street
Folsom, CA 95630

Subject: Subsequent Environmental Impact Report for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities

Dear Ms. Henry,

The Sacramento Regional County Sanitation District (Regional San) has the following comments regarding the Subsequent Environmental Impact Report for the City of Folsom (City) 2035 General Plan Amendments for Increased Residential Densities (Project).

The City adopted the 2021-2029 Housing Element in August of 2021. As part of the Housing Element update, the City must establish and maintain multi-family and mixed-use land available to meet the target housing demand at all income levels over eight years. The City's Regional Housing Needs Allocation (RHNA) obligation for the eight-year Housing Element cycle is 6,363 housing units. To create adequate capacity for lower-income RHNA, the 2021-2029 Housing Element includes Program H-2 to strategically increase densities in targeted areas of the City, including the East Bidwell Mixed-Use Overlay, transit priority areas (Glenn and Iron Point light rail stations) and the Folsom Plan Area.

The East Bidwell Mixed-use Corridor extends from Highway 50 to Coloma Street. The Iron Point Station and Glenn Station areas are located along Folsom Boulevard, and the Folsom Plan Area is located south of Highway 50, east of Prairie City Road, North of White Rock Road, and west of the El Dorado County line.

The City's local sewer collection system will provide local sanitary sewer service for the Project area. The Regional San interceptor system will provide the ultimate conveyance of wastewater from the City collection system to the EchoWater Resource Recovery Facility (EchoWater Facility) for treatment and disposal.

In February 2013, the Regional San Board of Directors adopted the Interceptor Sequencing Study (ISS). The ISS updated the Regional San Master Plan 2000. The ISS is located on the Regional San website at www.regionalsan.com/ISS.

Regional San is not a land-use authority. Projects identified within Regional San planning documents are a direct result of growth projections and potential growth inducements that are considered by the City. The City shall notify Regional San prior to creating or making changes to the City planning documents that significantly affect each other's build-out capacity.

Ms. Stephanie Henry
Folsom 2023 GP Amendments
August 22, 2023
Page 2

The project proponent will provide flow generation information to assess the capacity of the existing interceptor system to accommodate the additional flows generated by the Project.

The Central Commercial District, Iron Point Station, Glenn Station, and Creekside District will flow to the Regional San Folsom East Interceptor. The College/Broadstone District densification will increase by 1,031 Equivalent Single-Family Dwelling Units (ESDs). The College/Broadstone District will be served by both the Folsom East interceptor and the Iron Point Pump Station (N40). The Iron Point pump station is reaching capacity. The City must provide ESD counts to Regional San for any development within the College/Broadstone District that flows to the Iron Point pump station.

Customers receiving service from Regional San are responsible for rates and fees outlined within the latest Regional San ordinance. Fees for connecting to the sewer system recover the capital investment of sewer and treatment facilities that serve new customers. The Regional San ordinance is located on the Regional San website at www.regionalsan.com/ordinance.

If you have any questions regarding this letter, please get in touch with me at (916) 876-6104 or by email: armstrongro@sacsewer.com.

Sincerely,

Robb Armstrong

Robb Armstrong
Regional San Development Services & Plan Check



August 23, 2023

City of Folsom Community Development Department
c/o Stephanie Henry
50 Natoma Street
Folsom, CA 95630

Subject: Comments on NOP for Subsequent EIR for the City of Folsom 2035 General Plan Amendments for Increased Residential Densities

Dear Stephanie Henry:

Thank you for providing the Notice of Preparation (NOP) to prepare a subsequent environmental impact report (SEIR) to the City of Folsom 2035 General Plan Amendments for Increased Residential Densities. The City of Folsom (City) made the determination to prepare an SEIR following preliminary review of the project. To create adequate capacity for lower income Regional Housing Needs Allocation (RHNA) the 2021-2029 Housing Element includes Program H-2 to strategically increase densities in targeted areas of the City, including the East Bidwell Mixed-Use Overlay, Sacramento Area Council of Governments (SACOG) transit priority areas (Glenn and Iron Point light rail stations), and the Folsom Plan Area. To implement Program H-2 and increase opportunities for multi-family high density development to support lower income housing capacity in the City, the Project includes amendments to the City's General Plan and Folsom Plan Area Specific Plan (FPASP). Our comments on this NOP are provided below.

In preparation of the subsequent EIR, please consider the following:

- The proposed zoning supports the creation of the transit development overlay and that areas adjacent to the targeted areas are higher density and allow for the creation of public spaces and promote biking and walking. Areas of higher density will reduce VMT and support the goals of SB350 in reducing greenhouse gases. The increase in transit is supported by research¹ which suggest that each 10% increase in urban densities typically reduces per capita VMT by 2% - 3%. The number of bus stops and transit available should support the increased housing density areas especially in the lower income areas where people may be more transit dependent. This is consistent with Folsom Plan Goal NCR 3.1.3 (Reduce Vehicle Miles Traveled) and NCR 3.2.3 (Greenhouse Gas Reductions in New Development).

Recommendation: Assess the impacts of making zoning in the transit development overlay area tied to high density areas and the creation of public spaces that allow

¹ <https://www.vtpi.org/landtravel.pdf>

people the ability to walk and/or ride to the stations. The EIR should study the impacts of how this will reduce VMT and emissions.

- In adjusting the amount of non-residential development capacity, we suggest that you do not reduce the number of parks and green space available for people to use. Trees and parks can reduce particulate pollution by filtering particulate matter and reduce the urban heat island effect. This is especially important in areas that are in close proximity to major highways and busy intersections. This is consistent with Folsom Plan Goal NCR 3.1.4 (Maintain Air Quality Standards).

Recommendation: Evaluate the need for parks based on the location of area where there is high pollution exposure, high density, and access to bike paths, and evaluate impacts from having a no net loss policy in parks and open space if the amount of non-residential capacity is reduced.

- Consistency with Folsom General Plan Final EIR (May 2018) Impact AQ-6 (Increase in exposure of sensitive receptors to emissions of odors) which recognizes air quality impacts based on the design of the housing units, especially those that are located close to the freeway or major intersections.

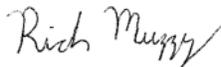
Recommendation: Evaluate the need for air quality exposure reduction measures based on the location of housing units and/or sensitive receptors close to freeways or major intersections.

- Design of existing parking lots and need to convert more of the existing parking spaces and/or create new spaces so they support electric charging, bicycles storage and car sharing spaces. Electric vehicle charging stations can act as mitigation for GHG measures.²

Recommendation: Evaluate the need to develop new and/or redesign existing parking spaces for electric charging and car sharing practices.

Please contact me at 279-207-1139 or at rmuzzy@airquality.org if you have any questions regarding these comments.

Sincerely,



Rich Muzzy Associate Air Quality Planner/Analyst

cc: Paul Philley, AICP, Program Supervisor
JJ Hurley, Associate Air Quality Planner/Analyst

² https://dtnz.sccgov.org/sites/g/files/exjcpb481/files/Task-3D-EV-Charging-Stations-as-GHG-Mitigation-Mechanism-under-CEQA_White-Paper.pdf



From: Joe Traboulsi <Joetraboulsi@outlook.com>
Sent: Monday, August 14, 2023 10:04 PM
To: Stephanie Henry <shenry@folsom.ca.us>
Subject: Subsequent Environmental Report

You don't often get email from joetraboulsi@outlook.com. [Learn why this is important](#)

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Stephanie:

I hope all is well.

I received in the mail a notification of a subsequent environmental impact report.

I have a property near Iron Point Road and Bidwell.

Is the nature of this impact report to review the impact of change of land use to accommodate more housing or are there other things being reviewed.

How am I able to get more information on the Parcel ID's to review more in depth?

Thank you so much

Sent from [Outlook](#)

From: Dixie Wyant <dixiewyant@yahoo.com>
Sent: Friday, August 4, 2023 10:24 AM
To: Stephanie Henry <shenry@folsom.ca.us>
Cc: Desmond Parrington <dparrington@folsom.ca.us>
Subject: Re: Map for N 50

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Stephanie, thank you for your fast reply. I saw that, I guess it's just not as easy to understand.

I understand that low-income housing should have a good walk-ability score, but I am concerned with so much being added along E. Bidwell. It seems to me that low-income apartments that are concentrated in one area tend to make that area feel less safe for others.

There must be a plan for a street similar to E. Bidwell with lots of shopping and amenities planned for south 50. Could some additional units be added there to ease the burden on N50?

I know there are other cities that require apartment buildings to allocate a small percentage of units to be low-income. This seems ideal because it eliminates the fears that low-income areas tend to bring and it gives dignity to the low-income residents because nobody knows which units are being subsidized.

With Empire Ranch not having low-income housing, it unfairly forced more units into already overburdened areas. This plan seems as though it is making it even worse.

I guess I am confused why two-thirds of new low-income housing is being assigned to north of 50 and only 1/3 to south of 50. Am I misunderstanding something?

Thank you for your time.
Dixie

From: Dixie Wyant <dixiewyant@yahoo.com>
Sent: Friday, August 4, 2023 7:28 AM
To: Stephanie Henry <shenry@folsom.ca.us>
Subject: Map for N 50

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Hi Stephanie,

Will you please send me the map for north of 50 that shows the specific locations with color coding and the number of units similar to the the one for south of 50? The north 50 one I've attached only identifies areas but isn't specific like the south 50 map.

Thank you,
Dixie Wyant

