

RESOLUTION NO. LAFC 1195

**A RESOLUTION ADOPTING FINDINGS OF FACT AND
A STATEMENT OF OVERRIDING CONSIDERATIONS FOR
CITY OF FOLSOM
SPHERE OF INFLUENCE AMENDMENT
(4-97)**

WHEREAS, the Sacramento Local Agency Formation Commission is the entity authorized to approve spheres of influence pursuant to the Cortese-Knox- Hertzberg Local Government Reorganization; and

WHEREAS, the City of Folsom has submitted an application to amend their Sphere of Influence; and

WHEREAS, a formal application was submitted to the Sacramento Local Agency Formation Commission; and

WHEREAS, an environmental analysis and a project analysis was initiated; and

WHEREAS, local jurisdictions, community groups, businesses and other interested parties have provided testimony to the evaluation process; and

WHEREAS, public agencies have reviewed, and commented upon the project; and

WHEREAS, on July 28, 1998, the Commission heard testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment and thereafter requested clarification and an opportunity to meet with the County of Sacramento, to discuss a number of issues, including, among other things, regional planning, preservation of open space and habitat for species, service and infrastructure needs, and projected growth; and

WHEREAS, the matter was continued so that the County of Sacramento and the City of Folsom agreed to schedule a series of meetings to attempt to establish an agreement on regional planning issues; and

WHEREAS, on February 2, 1999, the Commission heard testimony from the City of Folsom and the County of Sacramento and the City and the County reported that their representatives had been meeting to accomplish the objectives of a joint planning process for preserving open space and species habitat, for assessing transportation and other service needs, and for orderly development; and

WHEREAS, it was reported that the committee was working on a Memorandum of Understanding regarding planning and growth issues in the project area; and

WHEREAS, on August 4, 1999, the Commission, at the request of the City of Folsom, continued the item to allow for the Committee meetings between the City of Folsom and the County of Sacramento to continue; and

WHEREAS, on September 15, 1999, the Commission, at the request of the City of Folsom, continued the item; and

WHEREAS, on October 6, 1999, the Commission, at the request of the City of Folsom, continued the item; and

WHEREAS, on November 3, 1999, the Commission heard testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. The Commission, at the request of the City of Folsom, continued the matter to allow further meetings between the City of Folsom and the County of Sacramento 2 x 2 committee. The committee had commenced work on a Memorandum of Understanding regarding regional planning issues and growth issues in the project area; and

WHEREAS, the item was brought back for a status report at the Commission's January and March 2000, hearings. The matter was continued until the May 3, 2000, meeting; and

WHEREAS, on May 3, 2000, the Commission heard testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. The Commission was informed that the 2 x 2 committee had prepared a draft Memorandum of Understanding regarding the Sphere of Influence Amendment area. Details of the Draft Memorandum were explained to the Commission and the public and the matter was continued; and

WHEREAS, on July 7, 2000, the Commission received oral testimony and written correspondence from the City and members of the public, regarding the status of the Memorandum of Understanding between the City of Folsom and the County of Sacramento and the matter was continued; and

WHEREAS, on September 6, 2000, additional oral and written testimony was received by the Commission. The Commission directed staff to provide an analysis under CEQA to determine whether additional CEQA documentation was required to update the Environmental Review document prepared in 1998; and

WHEREAS, on October 4, 2000, staff conducted for the Commission and the public a hearing and workshop relating to the proposed Folsom Sphere of Influence. At that hearing, public testimony was heard, and the Commission was presented with draft resolutions regarding the Memorandum of Understanding prepared by the City of Folsom and the County of Sacramento; and

WHEREAS, on November 3, 2000, the staff circulated for public notice, review and comment the "Section 15088.5 Evaluation of the Final Environmental Impact Report" dated October 2000. The staff determined that no new additional information or documentation was required under CEQA and provided an analysis of such determination and invited public comment; and

WHEREAS, on December 6, 2000, the Commission held its meeting in the City of Folsom to hear additional oral and written testimony regarding the Final Environmental Impact Report, the "Section 15088.5 Analysis" and the proposed City of Folsom Sphere of Influence Amendment. The Commission determined to respond to the comments received on the Final Environmental Impact Report and to circulate the responses. The Commission also directed staff to prepare documentation to certify the Final Environmental Impact Report. The matter was scheduled for action at the March 7, 2001, meeting; and

WHEREAS, on January 10, 2001, the Commission heard additional oral and written testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. Staff notified the Commission that due to additional comments received, staff had determined to circulate a revised summary of impacts and mitigation measures, and to re-circulate the air quality assessment section as well as responses and comments received after the December 10, 2000 hearing. The matter was continued to allow for circulation of the environmental documents and to allow the City of Folsom and the County of Sacramento additional time to negotiate on the regional planning process outlined in the Draft Memorandum of Understanding between the two agencies; and

WHEREAS, on March 7, 2001, the matter was brought back for a status report and continued to the Commission's April 2001, meeting; and

WHEREAS, in late March 2001, the City of Folsom and the County of Sacramento entered into a Memorandum of Understanding, effective November 14, 2000, to establish regional planning goals, land use (including open space, habitat preservation and riparian set asides), and public participation to guide local government planning in the area; and

WHEREAS, a Final Environmental Impact Report was considered and certified as adequate and complete at the scheduled meeting of the Sacramento Local Agency Formation Commission by Resolution No. LAFC 1192 which is incorporated herein by reference; and,

WHEREAS, sufficient public notice has been provided in accordance with state law for all hearings on the matter of the City of Folsom Sphere of Influence Amendment (4-97); and

WHEREAS, the Commission has all the necessary background materials upon which it may judge the merits of the project;

BE IT THEREFORE RESOLVED by the Sacramento Local Agency Formation Commission that:

The attached document entitled "Findings of Facts and Statement of Overriding Considerations" (Attachment A) is hereby adopted and incorporated by reference as though wholly set forth herein.

On a motion made by Commissioner M. JOHNSON, seconded by Commissioner PORTER, the foregoing Resolution was passed and adopted by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION, State of California, this 6th day of June, 2001, by the following vote, to-wit:

AYES: E. Mulberg, W. Porter, R. MacGlashan, M. Johnson, I. Collin,
L. Hammond, C. Tooker.

NOES: None.

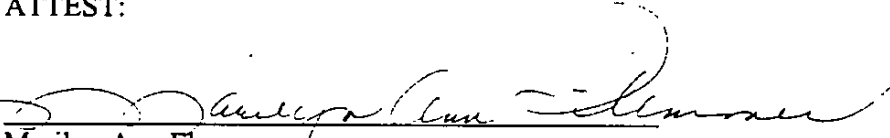
ABSTAIN: None.

ABSENT: None.



Christopher Tooker, Chair
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

ATTEST:



Marilyn Ann Flemmer
Commission Clerk

(Reso 1194 FSOI)

City of Folsom Sphere of Influence Amendment

Environmental Impact Report

*Findings of Fact
& Statement of
Overriding Considerations*

**Prepared by the
Sacramento Local Agency Formation Commission**

May 2001

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FINDINGS OF FACT
ENVIRONMENTAL IMPACT REPORT
for the
CITY OF FOLSOM SPHERE OF INFLUENCE AMENDMENT

Section A. Introduction.

The California Environmental Quality Act ("CEQA"), Public Resources Code §21000, et seq., generally requires that a lead agency must take reasonable efforts to mitigate or avoid significant environmental impacts when approving a project.

In order to effectively evaluate any potentially significant environmental impacts of a proposed project, an environmental impact report ("EIR") must be prepared. The EIR is an informational document that serves to inform the agency decision making body and the public in general of any potentially significant environmental impacts. The preparation of an EIR also serves as a medium for identifying possible methods of minimizing any significant effects and assessing and describing reasonable alternatives to the project.

Once an EIR has been completed which identifies one or more potentially significant environmental impacts, the approving agency must make one or more of the following findings for each identified area of impact:

1. Changes or alternatives which avoid or mitigate the significant environmental effects as identified in the Environmental Impact Report ("EIR") have been required or incorporated into the project; or
2. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or
3. Specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the DEIR. (Public Resources Code §21081)

CEQA treats the adoption or modification of a Sphere of Influence as a project that requires environmental review. The "Project" for purposes of CEQA is the City of Folsom Sphere of Influence Amendment ("SOIA"). If the Project can be defined as having significant impacts on the environment, then an EIR must be prepared.

The EIR for this Project was prepared by the Sacramento Local Agency Formation Commission (LAFCo) as the "lead agency" in accordance with CEQA and has been prepared to identify and assess the anticipated effects of the SOIA. The SOIA presents an application to the Sacramento Local Agency Formation Commission (LAFCo) by the City of Folsom to expand the City's

Sphere of Influence (SOI) by extending the SOI to include 3,584 acres south of the City's existing SOI boundary (which is presently coterminous with the existing City limits). The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 defines the term "Sphere of Influence" as the "probable physical boundaries and service area of a local agency." Land use regulation and service delivery within the Sphere of Influence remain the responsibility of Sacramento County until such time as the area or a portion thereof, is annexed to the incorporated City of Folsom.

In March 1997, an Initial Study was completed to assess the potential environmental effects resulting from the City of Folsom SOIA project. On the basis of this Initial Study, it was determined that preparation of an EIR was necessary pursuant to the requirements of the California Environmental Quality Act (CEQA).

On April 4, and August 13, 1997 LAFCo issued Notices of Preparation (NOP) for this EIR. The NOPs, and subsequent comments on the NOPs, identified the following issues to be evaluated in the environmental document:

- Land Use, Plans & Policies
- Agriculture & Open Space Resources
- Public Facilities & Services
- Transportation, Traffic & Circulation
- Air Quality
- Noise
- Biological Resources
- Cultural & Historic Resources
- Hazardous Materials
- Hydrology, Water Supply, Water Quality & Drainage

On the basis of LAFCo's initial evaluation and comments received on the NOPs, LAFCo determined that the following environmental issues did not need to be evaluated in the EIR:

- Energy & Mineral Resources
- Aesthetics & Visual Quality
- Geology, Soils & Seismicity
- Population, Housing & Employment
- Recreation

The Draft City of Folsom Sphere of Influence Amendment EIR (DEIR) was made available for public and agency review and comment for a 45 day review period from January 16, 1998 to March 6, 1998. During this time, the Draft EIR was also circulated to state agencies through the State Clearinghouse. Public review copies of the Draft EIR were made available to the public at the Sacramento Local Agency Formation Commission, the Planning, Inspections & Permitting Department of the City of Folsom and at the Folsom Public Library. A public hearing on the Draft EIR was held on March 4, 1998 for the purpose of taking verbal comments on the DEIR. Twenty-seven written comments and 10 verbal comments were received from LAFCo commission members, state and local agencies, public utilities, and the public during the review period.

After reviewing comments on the Draft EIR, LAFCo determined that it would prepare and circulate a Recirculated Draft EIR (RDEIR). The RDEIR was prepared by LAFCo to make modifications to, and clarify certain conclusions of, the Draft EIR in response to comments received on that document. The Recirculated Draft EIR for the City of Folsom Sphere of Influence Amendment was available for review and comment for a 45-day review period, ending July 3, 1998. Six written

comments were received from state and local agencies, public utilities, and the public during the review period.

Subsequent to the receipt of comments on the Draft EIR and the Recirculated Draft EIR, LAFCo prepared a Final EIR that responded to all comments received on the Draft EIR and Recirculated Draft EIR. This Final EIR, which includes all of the environmental analyses contained in the Draft and Recirculated Draft EIRs as modified in response to comments, was circulated for public and agency review on July 17, 1998.

During the fall of 1998, the Sacramento Local Agency Formation Commission (LAFCo) held several public hearings regarding the FEIR and the City of Folsom's application to amend the Sphere of Influence. At that time, LAFCo took no action regarding either the EIR or the project. Between July 1998 and October 2000, the City of Folsom and Sacramento County engaged in negotiations regarding a common set of understandings and principles regarding development and tax sharing within the proposed City of Folsom SOIA area. During this period, LAFCo took no action on the proposed City of Folsom SOIA. Subsequent to the successful negotiation of a "Memorandum of Understanding" between the City of Folsom and Sacramento County, LAFCo reinitiated processing of the City of Folsom's proposed SOIA.

In order to ensure that the EIR evaluating the SOIA project contains sufficient information to serve LAFCo commissioners and the public, in October 2000 Sacramento LAFCo re-evaluated the EIR for the City of Folsom SOIA project to determine whether the EIR prepared in 1998 contained current environmental information and complied with the requirements of the Guidelines for implementation of the California Environmental Quality Act (CEQA), as amended. LAFCo evaluated all environmental information contained in the FEIR to determine whether it had changed in any way since preparation of the FEIR in 1998. In implementing this evaluation of the FEIR, LAFCo systematically evaluated each chapter of the EIR. For each instance where environmental information had changed, using the definition of "significant new information" described in CEQA Guidelines §15088.5, LAFCo made a determination regarding whether a change resulted in new or more severe impacts, or new required mitigation measures or alternatives, different than those previously described in the FEIR. As a result of this evaluation, Sacramento LAFCo determined that the FEIR as written met all content requirements in the law and Guidelines, and in LAFCo procedures, existing at the time the EIR was circulated for public review.

LAFCo received public comments regarding this October 2000 reevaluation of the EIR that caused LAFCo to revise and recirculate the air quality analysis contained in the EIR. At this time (December 2000), LAFCo also responded to all comments received on the proposed City of Folsom SOIA and the EIR since publication of the FEIR in July 1998. For state agencies, all proposed responses to agency comments were transmitted directly to the agency.

In March 2001, LAFCo prepared and circulated responses to all public and agency comments received on the Recirculated Air Quality analysis, together with a revised summary of mitigation measures incorporating suggested modifications from state, local and regional agencies, including Caltrans, Sacramento and El Dorado Counties, the El Dorado County Transportation Commission, and the Sacramento Metropolitan Air Quality Management District. For state agencies, all proposed responses to agency comments were transmitted directly to the agency.

Together, the following documents compose the EIR for the City of Folsom Sphere of Influence Amendment project:

- Draft EIR (January 1998)
- Recirculated Draft EIR (May 1998)
- Final EIR (July 1998)
- Section 15088.5 Review (October 2000)
- Recirculated Air Quality Assessment (December 2000)
- Final Response to Comments (March 2001)

Section 15132 of the CEQA Guidelines governs the contents of a Final EIR. As required by §15132, a Final EIR shall consist of the draft EIR or a revision to the draft; comments and recommendations received on the draft EIR; a list of those commenting on the Draft EIR; and, the responses of the lead agency to significant environmental points raised in the comments. For the City of Folsom Sphere of Influence Amendment EIR, these requirements may be found in the following documents:

Guidelines §15132 Content Requirement	Final EIR (7/98)	Section 15088.5 Review (10/00)	Recirculated Air Quality Assessment (12/00)	Final Response to Comments (3/01)
Revisions to Draft EIR	X	X	X	
Comments Received on Draft EIR	X		X	X
List of Commentors	X		X	X
Responses to Comments	X		X	X

Thus, the Sacramento Local Agency Formation Commission finds that the Final EIR for the City of Folsom Sphere of Influence Amendment project consists of the following four documents: Final EIR (July 1998); Section 15088.5 Review (October 2000); Recirculated Air Quality Assessment (December 2000); and the Final Response to Comments (March 2001).

The procedures and laws related to the adoption or amendment of a local agency's or district's "Sphere of Influence" or SOI, including the application of the CEQA, differ in several important respects from those with which the public and elected and appointed officials are generally familiar. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 defines the term "Sphere of Influence" as the "probable physical boundaries and service area of a local agency." LAFCo has the power to approve or disapprove applications, modify boundaries of a proposal, and impose reasonable conditions of approval. However, LAFCos may not exercise direct land use authority. This latter fact is important to the scope of mitigation authority exercised by LAFCo pursuant to CEQA.

Section B. Boundary of the Project Area.

The proposed SOI amendment / expansion site lies in the area bounded by U.S. Highway 50, Prairie City Road, White Rock Road, and the Sacramento County / El Dorado County boundary.

All of the territory within the SOIA expansion area is currently within the unincorporated County of Sacramento. The project area contains 3,585 acres.

Section C. Summary of the Project Description

The proposed project is an application to the Sacramento Local Agency Formation Commission (LAFCo) by the City of Folsom to expand the City's Sphere of Influence. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 defines the term "Sphere of Influence" as the "probable physical boundaries and service area of a local agency". Land use regulation and service delivery within a Sphere of Influence remain the responsibility of Sacramento County until such time as the area or a portion thereof, is annexed to an incorporated City.

Master Services Element - One of the requirements upon the City of Folsom in requesting amendment of the City's Sphere was to prepare and submit to LAFCo a demonstration of the City's ability to provide urban services to the area within the larger Sphere. As required by Sacramento LAFCo, the City of Folsom has submitted for LAFCo review and approval an updated Master Services Element (MSE) that assesses whether the City can provide adequate levels of services throughout the area within the amended Sphere of Influence and the existing City.

The Master Services Element prepared by the City of Folsom dated November 4, 1997 evaluates the provision of utilities and public services to the proposed Sphere of Influence Area. If all or portions of the Folsom SOIA area were ultimately annexed to the City of Folsom, the City and other regional agencies would provide the following urban services to the project area:

- domestic water
- wastewater collection and treatment
- stormwater drainage
- solid waste collection and disposal
- fire protection and emergency medical services
- police protection services
- parks and recreation services
- roads and street, and
- public transportation

The City of Folsom identified the following major public improvements as necessary to serve urban development in the study area. Several of these improvements are also required to serve approved and planned development within the existing City of Folsom. Their utility to serve urban development in the SOIA area would result from excess capacity or would require that planned improvements be modified to provide additional service or capacity for the SOIA area.

- Oak Avenue Parkway Interchange
- Russell Ranch Road Interchange
- Expansion of the existing City of Folsom Water Treatment Plant
- Expansion of Zone 2 and Zone 3 Pump Stations at the City of Folsom Water Treatment Plant

- Construction of a new Water Treatment Plant and Zone 1 Pump Station at the Folsom South Canal Turnout
- Extensions of water distribution lines
- Extensions of wastewater collection lines
- Stormwater drainage facilities
- Connection to the planned Folsom Interceptor sewer trunk line.

Conversely, responsibility and jurisdiction for providing the following services would not change after amendment of the Folsom Sphere of Influence or potential subsequent annexation to the City of Folsom.

Schools - Folsom Cordova Unified School District
 Electric Service - Sacramento Municipal Utility District
 Natural Gas - Pacific Gas & Electric
 Telephone/Communications - Pacific Bell
 Cable Television - Sacramento Cable Company
 Cemetery - Fair Oaks County Cemetery District
 Mosquito Abatement - Sacramento-Yolo Mosquito and Vector Control District
 Air Pollution Control - Sacramento Metropolitan Air Quality Management District
 Animal Control - Sacramento County Animal Control Department

Section D. The Record

For the purposes of complying with the letter and intent of the California Environmental Quality Act (CEQA), and its requirements for Findings, the record of the proceedings for the project is comprised of the following:

- A. The City of Folsom Application package for the Sphere of Influence Amendment, and all attachments and supplemental information thereto, including, but not limited to, the Master Services Element dated November 4, 1997.
- B. All environmental documents prepared in compliance with CEQA, public notices, public review comments, and supporting reports that were received or were prepared for the proposed SOIA project, together with all documents on which the CEQA documents rely by reference.
- C. On July 28, 1998, the Commission heard testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. The Commission requested clarification and an opportunity to meet with the County of Sacramento, to discuss a number of issues, including, among other things, regional planning, preservation of open space and habitat for species, service and infrastructure needs, and projected growth. The matter was continued. The County of Sacramento and the City of Folsom agreed to schedule a series of meetings to attempt to establish an agreement on regional planning issues.

On February 2, 1999, the Commission heard testimony from the City of Folsom and the County of Sacramento. The City of Folsom and the County of Sacramento reported that representatives had been meeting to accomplish the objectives of a joint planning process for preserving open space and species habitat, for assessing transportation and other service needs, and for orderly development. It was reported that the committee was working on a Memorandum of Understanding regarding planning and growth issues in the project area.

On August 4, 1999, the Commission, at the request of the City of Folsom, continued the item to allow for the Committee meetings between the City of Folsom and the County of Sacramento to continue.

On September 15, 1999, the Commission, at the request of the City of Folsom, continued the item.

On October 6, 1999, the Commission, at the request of the City of Folsom, continued the item.

On November 3, 1999, the Commission heard testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. The Commission, at the request of the City of Folsom, continued the matter to allow further meetings between the City of Folsom and the County of Sacramento 2 x 2 committee. The committee had commenced work on a Memorandum of Understanding regarding regional planning issues and growth issues in the project area.

The item was brought back for a status report at the Commission's January and March 2000, hearings. The matter was continued until the May 3, 2000, meeting.

On May 3, 2000, the Commission heard testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. The Commission was informed that the 2 x 2 committee had prepared a draft Memorandum of Understanding regarding the Sphere of Influence Amendment area. Details of the Draft Memorandum were explained to the Commission and the public. The matter was continued.

On July 7, 2000, the Commission received oral testimony and written correspondence from the City and members of the public, regarding the status of the Memorandum of Understanding between the City of Folsom and the County of Sacramento. The matter was continued.

On September 6, 2000, the Commission received additional oral and written testimony. The Commission directed staff to provide an analysis under CEQA to determine whether additional CEQA documentation was required to update the Environmental Review document prepared in 1998

On October 4, 2000, staff conducted for the Commission and the public a hearing and workshop relating to the proposed Folsom Sphere of Influence. At that hearing, public testimony was heard, and the Commission was presented with draft resolutions regarding

the Memorandum of Understanding prepared by the City of Folsom and the County of Sacramento.

On November 3, 2000, the staff circulated for public notice, review and comment the "Section 15088.5 Evaluation of the Final Environmental Impact Report" dated October 2000. The staff determined that no new additional information or documentation was required under CEQA and provided an analysis of such determination and invited public comment.

On December 6, 2000, the Commission held its meeting in the City of Folsom to hear additional oral and written testimony regarding the Final Environmental Impact Report, the "Section 15088.5 Analysis" and the proposed City of Folsom Sphere of Influence Amendment. The Commission determined to respond to the comments received on the Final Environmental Impact Report and to circulate the responses. The Commission also directed staff to prepare documentation to certify the Final Environmental Impact Report. The matter was scheduled for action at the March 7, 2001, meeting.

On January 10, 2001, the Commission heard additional oral and written testimony regarding the Final Environmental Impact Report and the City of Folsom Sphere of Influence Amendment. The Commission was notified by Staff that due to additional comments received, staff had determined to circulate of a revised summary of impacts and mitigation measures, and to re-circulated an air quality assessment section as well as responses and comments received after the December 10, 2000 hearing on Final Environmental Impact Report. The matter was continued until the March 2001, meeting to allow circulation of the environmental documents and to allow the City of Folsom and the County of Sacramento additional time to negotiate on the regional planning process outlined in the Memorandum of Understanding between the two agencies.

On March 7, 2001, the matter was brought back for a status report and continued to the Commission's April 2001, meeting.

Thereafter, in March 2001, the City of Folsom and the County of Sacramento entered into a Memorandum of Understanding, effective November 14, 2000, to establish regional planning goals, land use (including open space, habitat preservation and riparian set asides), and public participation to guide local government planning in the area.

- D. All non-privileged relevant staff reports, memoranda, maps, letters, meeting minutes, or other documents that were prepared for, or received by, the Sacramento Local Agency Formation Commission which are available to the public in accordance with the California Public Records Act.
- E. Matters related to the Memorandum of Understanding between Sacramento County and the City of Folsom, including, but not limited to:
 - 1. Memorandum of Understanding entered into between the County of Sacramento and the City of Folsom.

2. County of Sacramento and City of the Folsom minutes and staff reports related to the Memorandum of Understanding as maintained in the files of the Sacramento Local Agency Formation Commission.
- F. Matters of common knowledge to the Sacramento Local Agency Formation Commission, including, but not limited to:
1. The September 5, 1990 Policies, Standards and Procedures for LAFCo, as amended through May 5, 1993.
 2. The 1988 City of Folsom General Plan, as amended, including the Land Use map and all elements thereof;
 3. The 1993 County of Sacramento General Plan, as amended, including the Land Use map and all elements thereof;
 4. The City of Folsom Zoning Ordinance
 5. All other land use policies, ordinances, and regulations of the City of Folsom, including, but not limited to, the Tree Preservation Ordinance and the Wetland and Riparian Habitat Management Ordinance
 6. The 1994 Air Quality Attainment Plan for the County of Sacramento;
 7. All adopted laws, rules, and regulations, and polices of the Sacramento Metropolitan Air Quality Management District;
 8. The State of California Clean Air Act, and all adopted policies, requirements and plans of the State of California Air Resources Board and the State Department of Transportation;
 9. The 1990 Federal Clean Air Act, the California State Improvement Plan, and all applicable federal rules and regulations;
- G. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, codified as §56000 of the California Government Code, as amended.
- H. Other formally adopted laws, ordinances and policies, including but not limited to §65000 of the California Government Code. known unofficially as the Planning and Zoning laws.
- I. Sources of Information Relied Upon in the Draft and Final EIRs for the City of Folsom Sphere of Influence Amendment as listed in such documents and as maintained in the files of the Sacramento Local Agency Formation Commission.

Location of Record

Items A, B, C, D, E1, E2, F1, G, H and I are in the custody of the Sacramento Local Agency Formation Commission, 700 H Street, Room 7650, Sacramento, California 95814.

Items F2, F4, and F5 are in the custody of the City of Folsom; Planning, Inspections & Permitting Department, located at 50 Natoma Street, Folsom, California 95630.

Item F3 is in the custody of the County of Sacramento, Planning Department, 827 7th Street, Room 230, Sacramento, California 95814.

Items F6-9 are in the custody of the Sacramento Metropolitan Air Quality Management District, located at 777 12th Street, 3rd Floor, Sacramento, California 95814.

Section E. Type of EIR

The EIR for the Folsom SOIA is intended to address the environmental impacts associated with the following decision action and approval only by Sacramento LAFCo:

- Amendment of the Sphere of Influence Boundary of the City of Folsom

CEQA Guidelines §15146 states that, "(t)he degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR." In the case of the EIR for the City of Folsom Sphere of Influence Amendment, there is very little specificity in the proposed project. The project consists of a request by the City of Folsom to amend the City's Sphere of Influence to encompass an area not now within the Sphere. No definition of the timing, types, arrangement, or intensity of potential future land uses is established by this project description. Thus, the EIR focuses on the secondary and cumulative impacts of the proposed action, commensurate with the level of detail of the action itself.

Subsequent consideration and review of annexation requests or detailed land uses and supporting infrastructure by LAFCo or the City of Folsom will require additional environmental review, commensurate with the level of detail of the proposed project(s).

Section F. Terminology of Findings.

Section 15091 of the CEQA Guidelines requires that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions. The first is that "[c]hanges or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effects as identified in the EIR". The second potential finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." The third permissible conclusion is

that “[s]pecific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.”

For purposes of these findings, the terms listed below will have the following definitions:

- The term “mitigation measures” shall constitute the “changes or alterations” discussed above.
- The term “avoid or substantially lessen” will refer to the effectiveness of one or more of the mitigation measures or alternatives to reduce an otherwise significant environmental effect to a less than significant level.
- The term “feasible,” pursuant to the CEQA Guidelines, means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

When LAFCo finds a measure is not feasible, it will provide evidence for its decision and may adopt substitute mitigation that is feasible, and designed to reduce the magnitude of the impact. In other cases, LAFCo may decide to modify the proposed mitigation. Modifications generally update, clarify, streamline, or revise the measure to comport with current engineering practices, budget conditions, market conditions or existing LAFCo policies, practices, and/or goals. Modifications achieve the intent of the proposed mitigation without reducing the level of protection. In many instances, the modifications actually improve and increase the effectiveness of the mitigation.

Section G. Legal Effect of Findings.

All of the feasible mitigation measures which will avoid or substantially lessen the significant effects of the City of Folsom Sphere of Influence Amendment are binding upon LAFCo, the City of Folsom, private developers, affected land owners, and their assigns or successors in interest at the time of approval of the City of Folsom Sphere of Influence Amendment.

Section H. Monitoring Program.

As required by Public Resources Code §21081.6, LAFCo, in adopting these findings and statements of overriding considerations, also adopts a monitoring and reporting program designed to ensure that, during implementation of the City of Folsom Sphere of Influence Amendment, LAFCo, the City of Folsom, private developers, and any other responsible parties, implement the adopted mitigation measures to avoid or lessen significant effects on the environment. This Mitigation Monitoring Program, dated May 2001, has been prepared and adopted by Sacramento LAFCo concurrently with these findings.

Section I. Goals of the City of Folsom in Applying for the Sphere of Influence Amendment

The following goals adopted in the City of Folsom 1988 General Plan guided City of Folsom decision makers and staff in preparing and submitting an application to Sacramento LAFCo to amend the City's Sphere of Influence

The City of Folsom's Urban Development Policy as set forth in Chapter 11 of the adopted Folsom General Plan states:

11.2 - Statement of Policy Basis

The City of Folsom seeks to implement its General Plan, to direct the orderly growth of the City of Folsom (versus haphazard or leapfrog development), and to provide an adequate level of service to the community. To this end, the City of Folsom has found it to be both timely and appropriate to set forth its Policy for urban development in its General Plan area to ensure that the City can carry out its role as provider of urban services in the northeastern portion of the County of Sacramento. This Policy is set forth in recognition of the following:

"The State planning policy disfavors encirclement of incorporated Cities with urban development which lacks adequate and comprehensive urban services."

11.3 - Policy on Development of Unincorporated Areas

To insure the orderly growth of the City, to enable the logical and most economic extension of services and to better ensure a quality living environment, it is the policy of the City of Folsom to encourage urban development within the City Limits and to discourage urban development in the unincorporated sections of the General Plan area and to coordinate with the County of Sacramento to implement this policy.

11.4 - Annexation Policy

...Section 56076 of the Government Code states that a Sphere of Influence is to be a plan for the probable ultimate physical boundaries and service area of a local government agency... It is the policy of the City of Folsom to request that LAFCo expand the City's current Sphere of Influence south of U.S. 50 in a manner which will foster orderly urban development and discourage leapfrog development and urban sprawl.

Additionally, the Land Use Element of the Folsom General Plan includes the following policies regarding amendments to the City's Sphere of Influence:

Goal 6

To expand Folsom's Sphere of Influence based on the ultimate boundaries of development that the City can reasonably control and service and to discourage premature development in unincorporated areas surrounding the City.

Policy 6.1

The Sphere of Influence shall include those parcels of land adjacent to the city limit whose development could have significant visual, traffic, service, and environmental impacts on Folsom so that the City may influence the ultimate development of those parcels.

Policy 6.2

The City shall consider existing roads or natural features which might logically define a new Sphere of Influence boundary.

Policy 6.3

A new Sphere of Influence boundary shall include only those lands to which road, water, sewer and other facility/service connections can be extended within the next 25 to 30 years and, therefore, to those areas which will ultimately be annexed to the City.

Section J. Findings of Potentially Significant Effects, Significant Effects, and Mitigation Measures

The Sacramento Local Agency Formation Commission, based upon its independent review of the proposed City of Folsom Sphere of Influence Amendment, the Draft, Recirculated Draft, and Final EIRs, the Section 15088.5 Review, Recirculated Air Quality Analysis, and Final Responses to Comments prepared for the proposed project, and through additional review of information in the record, identifies the following impacts that could occur with implementation of the SOIA project. Impacts are classified as those impacts that are less than significant, those that are potentially significant impacts but that can be reduced to less than significant levels by mitigation, and those that are potentially significant, but that cannot be reduced below significant levels.

Land Use Impacts

Land use setting information for the City of Folsom SOIA, including the project's consistency with LAFCo, Sacramento County General Plan, and City of Folsom General Plan policy, is set forth in pages 4.1-1 through 4.1-46 of the Final EIR. The impact evaluation criteria used in assessing impacts on land use as a result of implementing the City of Folsom SOIA are set forth in the Final EIR on page 4.1-46. Both the environmental setting and impact evaluation criteria were reevaluated and reconfirmed by LAFCo in the Section 15088.5 Review on pages D-1 through D-17 of that document. This information is incorporated into these findings as though fully set forth herein. Considering the above information, and the potential impacts identified in the Final EIR, the findings of the Sacramento LAFCo are as follows:

Impact

4.1-1 Land Use Compatibility with Existing and Potential Uses in the SOIA Territory

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in the siting of land uses that would be incompatible with land uses currently existing within the SOIA territory.

The City of Folsom regulates the use of land through the General Plan and Zoning Ordinance. The City has additional land use requirements, including architectural review guidelines, a hillside grading ordinance, sign ordinance, and tree preservation ordinance. Through these regulations and ordinances, the City comprehensively regulates land use, including avoiding incompatibility between uses (such as between residential and industrial uses). Once areas within the SOIA territory were annexed into the City of Folsom, they would also be subject to this same body of regulation.

Additionally, the only existing land use within the SOIA territory that could be incompatible with future land uses would be the four power lines operated by SMUD and PG&E. However, both utilities have purchased easements under the power line rights of way to protect against the encroachment of incompatible land uses. These easements prohibit the construction and occupancy of buildings, swimming pools, wells, or other bodies of water within the area of the easement.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the potential impact of impact land use incompatibility between existing and potential land uses within the SOIA area is expected to be less than significant with compliance with existing City of Folsom Land Use policies and procedures. Because of land use regulation exercised by the City of Folsom and private regulation of land use through easements, this would not be considered to be a significant impact.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact upon the compatibility between existing and potential uses within the SOIA territory is expected to be less than significant, no mitigation measures are required.

Impact

4.1-2 Land Use Compatibility with Existing Uses Adjacent to the SOIA Territory

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in the siting of land uses that would be incompatible with the external effects (overpressure) of Aerojet operations, and nuisance effects caused by activity at the Prairie City State Vehicle Recreation Area.

Industrial operations at Aerojet are related to the manufacturing, production, testing, remanufacture, resource recovery, storage and disposal of ordinance, propulsion systems, propellants, energetic compounds and other chemical compounds. Though relatively few industrial operations occur in the area immediately adjacent to the SOIA territory (and none occur in those areas of the SOIA owned by Aerojet), several potential effects of Aerojet's activities extend beyond the boundaries of the Aerojet campus. These effects include overpressure resulting from explosion or detonation, emissions of toxic air pollutants, high noise levels, and hazardous materials contamination.

Permitted overpressures at the Aerojet campus are regulated by the Department of Defense (DOD) and Sacramento County. DOD requires that Aerojet limit explosive risk and buffer areas where explosions could occur so that overpressures not exceed 1.0 psi at the borders of the facility. By agreement with Sacramento County, Aerojet has agreed to limit overpressures to 0.5 psi at its borders. Conformance with these limits results in the no areas of the SOIA territory currently falling within the 0.5-psi contour (where overpressures would be greater than 0.5 psi).

Overpressures at levels currently with potential to occur in the SOIA area would not result in profound health effects to humans, unless they were located in a location that reflected the blast wave thereby increasing its strength. Nor would structures be adversely affected in areas experiencing explosive forces in the <0.5-psi range.

Prairie City State Vehicular Recreation Area is located adjacent to the southwesterly corner of the proposed Folsom SOIA territory. This facility, operated by the State of California, Department of Parks and Recreation, provides opportunities for off-highway vehicle recreation, including motorcycles and 4-wheeled vehicles. Activities offered at the SVRA include casual off-road vehicle operation by individuals, and organized events such as "motocross" and "mud-drags". Potential nuisance impacts for adjoining land uses and jurisdictions caused by such activities include potentially unhealthful levels of noise, emissions of dust and fumes, increased levels of activity and congestion on area roadways, and increased calls for law enforcement and emergency services.

The portion of the SOIA territory nearest the SVRA is owned by Aerojet Corporation, and is used as an open space buffer between the potentially hazardous manufacturing activities conducted at the Aerojet facility and surrounding land uses. It is doubtful that land uses within this large (783 acres) area would change under City of Folsom jurisdiction. Potential urban areas of the SOIA are located at least 1 mile from the nearest boundary of the current SVRA. Additionally, the City of Folsom, in amending its General Plan to establish possible urban uses within the SOIA territory, will comprehensively evaluate potential land uses within the SOIA territory with the potential nuisance effects from adjacent offsite land uses using the criteria regarding separation of incompatible uses, regulation of nuisances, and

potential noise impacts contained within the City's General Plan and Zoning Ordinance.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of potential land use compatibility between future urban uses within the SOIA area and adjacent existing uses is expected to be less than significant because of the relative locations of Aerojet and Prairie City SVRA operations and potentially urbanized areas of the SOIA, and with compliance with existing City of Folsom Land Use policies and procedures. Because of the low magnitude of permitted overpressure effects and the location of the Prairie City SVRA with respect to potential urban development areas within the SOIA, this would not be considered to be a significant impact.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact of land use incompatibility with existing uses adjacent to the SOIA territory is expected to be less than significant, no mitigation measures are required.

Agricultural and Open Space Resources Impacts

Agricultural and open space resources setting information for the City of Folsom Sphere of Influence Amendment is set forth in pages 4.2-1 through 4.2-18 of the Final EIR. The impact evaluation criteria used in assessing impacts on agricultural and open space resources as a result of implementing the City of Folsom Sphere of Influence Amendment are set forth in the Final EIR on page 4.2-18. Both the environmental setting and impact evaluation criteria were reevaluated and reconfirmed by LAFCo in the Section 15088.5 Review on pages E-1 through E-14 of that document. This information is incorporated into these findings as though fully set forth herein. Considering the above information, and the potential impacts identified in the Final EIR, the findings of the Sacramento Local Agency Formation Commission are as follows:

Impact

4.2-1 Conversion of Rangelands

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in the conversion to urban uses of up to 3,584 acres of land currently used for the seasonal grazing of livestock.

The SOIA project area is located at the eastern edge of the Sacramento Valley. The area essentially remains in the open space use of extensive grazing. The agricultural character of this part of Sacramento County historically has been linked to livestock

production on non-irrigated rangelands. Sacramento County contained approximately 81,400 acres of harvested rangeland in 1999 (the latest year for which data is available). The SOIA area equals approximately 4.4 percent of the County's total inventory of harvested rangeland.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the loss of rangelands is expected to be significant and unavoidable.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that there are no mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. Therefore, no mitigation measures are recommended.

The Sacramento Local Agency Formation Commission further finds that implementation of Alternative 1 would avoid this impact. Implementation of Alternatives 2, 3, 4, or 5 would reduce the magnitude of this impact, but not below a level of significance. Findings regarding the feasibility of implementing these alternatives are presented in Section N of this document.

The Sacramento Local Agency Formation Commission has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate environmental impacts to less than significant levels, these conditions do implement important state goals of balancing orderly growth with open space and agricultural preservation, as well as preservation of habitat for species. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 4, 9, 14, and 16.)

Impact

4.2-2 Conversion of Important Agricultural Resources

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in the conversion of up to 3,584 acres of lands and soils currently used for agriculture. The existing agricultural practice of seasonal grazing in the SOIA area is of low economic value compared with other agricultural activities in Sacramento County and the region as set forth by the County Agricultural Commissioner and the State Department of Conservation. Additionally, the soil resources of the SOIA territory provide difficulty for most

agricultural operations as evaluated by the U.S. Department of Agriculture, Natural Resources Conservation Service. No soils within the area are designated as "prime" by the NRCS.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the conversion of agricultural resources is expected to be less than significant because the SOIA area's agricultural resources (practices and soils) do not meet LAFCo's definition of "prime" farmland.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the conversion of important agricultural resources is expected to be less than significant, no mitigation measures are required.

Impact.

4.2-3 Incompatibility with Surrounding Agricultural Practices

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in incompatibility between future urban uses and continued seasonal grazing uses on agricultural lands south of the SOIA territory. Agricultural practices in the area adjacent to the Folsom SOIA territory are primarily related to seasonal grazing. Grazing is not an intensive agricultural activity in the same manner that row crops, tree crops, irrigated grains and dairies are. Dust, noise, and agricultural chemical use are associated with these intensive agricultural uses. By contrast, the nonirrigated rangelands of the SOIA territory and adjacent areas undergo little in the way of active management. Additionally, highest periods of use for grazing are during the winter and early spring months, when most urban office and industrial workers are involved in indoor activities. Because it is not an intensive agricultural use and would not typically generate substantial noise or dust, or require agricultural chemical usage, seasonal grazing on areas adjacent to the Folsom SOIA territory would be expected to produce few nuisance effects for potential future employees within the SOIA area.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of potential incompatibility between future urban uses within the SOIA area and adjacent agricultural operations is expected to be less than significant because of the low intensity and seasonal nature of grazing uses.

Proposed Mitigation

The Sacramento Local Agency Formation Commission has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate environmental impacts to less than significant levels, these conditions do implement important state goals of balancing orderly growth with open space and agricultural preservation, as well as preservation of habitat for species. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 4, 9, 14, and 16.)

Impact

4.2-4 Conversion of Open Space Resources

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation would result in the permanent conversion to urban land uses of up to 3,584 acres of open space designated for continued open space uses on an adopted General Plan. The Folsom SOIA territory is the northeastern-most extension of a large open space resource in Sacramento County. Totalling approximately 420,445 acres in Sacramento County alone, this large area of open space extends regionally eastward into El Dorado and Amador Counties, and south into San Joaquin County. In recognition of the value of this open space resource, the Sacramento County General Plan has designated the SOIA territory for continued open space use.

The Folsom SOIA territory represents the last large area in the U.S. Highway 50 corridor that is designated for continued open space use. (The existing large area of open space on the Aerojet campus is within the "Administrative Area" of the Aerojet campus, and could be developed with office and research and development land uses under the terms of the Sacramento County-adopted Aerojet Special Planning Area Ordinance.) Thus, the SOIA territory represents the last large open space area and visual buffer between the urban core of Sacramento and the Sacramento / El Dorado County border in the Highway 50 corridor. Even within El Dorado County, the County's adopted General Plan designates much of the Highway 50 corridor from the western County boundary to Placerville for intermittent, but intense urban development.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the loss of open space resources is expected to be significant and unavoidable.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that there are no mitigation measures that would be appropriate and feasible and that would

substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. Therefore, no mitigation measures are recommended.

The Sacramento Local Agency Formation Commission further finds that implementation of Alternative 1 would avoid this impact. Implementation of Alternatives 2, 3, 4, or 5 would reduce the magnitude of this impact, but not below a level of significance. Findings regarding the feasibility of implementing these alternatives are presented in Section N of this document.

The Sacramento Local Agency Formation Commission has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate environmental impacts to less than significant levels, these conditions do implement important state goals of balancing orderly growth with open space and agricultural preservation, as well as preservation of habitat for species. (See specifically Resolution No. LAFCo1196 Conditions 1, 2, 4, 9, 14, and 16.)

Transportation and Circulation Impacts

Transportation and circulation setting information for the City of Folsom Sphere of Influence Amendment is set forth in pages 4.4-1 through 4.4-10 of the Final EIR. The impact evaluation criteria used in assessing impacts on transportation, circulation and parking as a result of implementing the City of Folsom Sphere of Influence Amendment are set forth in the Final EIR on pages 4.4-10 through 4.4-11. Both the environmental setting and impact evaluation criteria were reevaluated and reconfirmed by LAFCo in the Section 15088.5 Review on pages G-1 through G-9 of that document. This information is incorporated into these findings as though fully set forth herein. Considering the above information, and the potential impacts identified in the Final EIR, the findings of the Sacramento Local Agency Formation Commission are as follows:

Impact

4.4-1 Increased Average Daily Traffic Volumes on Local Roadways Under Existing Plus Project Conditions

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation would result in an increase in average daily traffic volumes on local roadways in the City of Folsom, El Dorado County, and Sacramento County under existing plus project conditions. The increase in traffic volume would cause deterioration in the daily LOS for the following existing roadways:

- Prairie City Road - Blue Ravine Road to White Rock Road;
- East Bidwell Street - Oak Avenue Parkway to U.S. 50;
- Scott Road - U.S. 50 to White Rock Road;

- Placerville Road - East Bidwell Street to White Rock Road;
- White Rock Road - Sunrise Boulevard to Latrobe Road; and
- Grant Line Road - White Rock Road to State Route 16.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of increased average daily traffic volumes on Local Roadways is expected to be significant and unavoidable.

Proposed Mitigation

- 4.4-1 Improvements to regional local roadways, outside of the City of Folsom would require coordination and adherence to regulatory standards of Sacramento County and El Dorado County. Development within the SOIA area will be required to fund its "fair share" of improvements. Therefore, prior to annexation of any property within the SOIA area, the City of Folsom shall cooperate with Sacramento County and El Dorado County to establish mitigation improvements and financing mechanisms that will provide service levels consistent with the General Plans for these jurisdictions.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by funding and constructing roadways necessary to serve future urban development within the amended Sphere of Influence. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measure in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission

further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission further finds that it has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Specifically, these conditions require the City of Folsom to provide transportation and circulation improvements at the time of annexation. (See specifically Resolution No. LAFC1196 Conditions 3, 4, 5, 6, 7, and 14.)

Impact

4.4-2 Increased Average Daily Traffic Volumes on U.S. 50 Under Existing and Cumulative Plus Project Conditions

Implementation of the proposed project would result in an increase in average daily traffic volumes on U.S. 50 through the study area under existing and cumulative plus project conditions. The increase in traffic volume would cause a deterioration in the daily LOS to "F" from Sunrise Boulevard to El Dorado Hills Boulevard under existing plus project conditions and from Hazel Avenue to El Dorado Hills Boulevard under cumulative plus project conditions.

The section of U.S. 50 from Sunrise Boulevard to Hazel Avenue is projected to operate at LOS "D" under cumulative plus project conditions because the future roadway system is assumed to have a high-occupancy vehicle (HOV) lane constructed in both directions on U.S. 50 from Sunrise Boulevard to Prairie City Road. This improvement is identified in the 1996 Metropolitan Transportation Plan.

The addition of an HOV lane in both directions would provide a total of eight lanes on U.S. 50 from Sunrise Boulevard to Hazel Avenue and six lanes from Hazel Avenue to Prairie City Road under cumulative plus project conditions. The added capacity results in adequate operation of U.S. 50 between Sunrise Boulevard and Hazel Avenue under cumulative plus project conditions.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of increased average daily traffic volumes on U.S. 50 under existing plus project conditions is expected to be significant and unavoidable.

Proposed Mitigation

- 4.4-2 Prior to LAFCo approval of any application to annex property within the SOIA area, the City of Folsom, with the cooperation of Caltrans, Sacramento County, El Dorado County, the El Dorado County Transportation Commission, and the Sacramento Area Council of Governments, shall identify the traffic/transportation measures that must be implemented to mitigate the potential impacts from proposed development within the SOIA area. The City of Folsom shall further set forth a funding strategy to construct the traffic/transportation measures necessary to fully mitigate the impacts from the development of the SOIA area and a proposed timeline for the construction of such improvements. The timeline shall be linked to the approval and construction of new development within the SOIA, within a time frame intended to mitigate the long-term impacts from the SOIA development. The City shall condition subsequent entitlements to fully mitigate the impacts from developments within the SOIA area. Where appropriate, the City shall utilize assessment districts and impact fee programs to fund improvements consistent with the need to construct traffic/transportation improvements called for in this mitigation measure.

As soon as reasonably possible, the improvements identified that are of regional significance shall be programmed in the MTP and MTIP. The City of Folsom shall request the programming of the improvements in the MTP as soon as the improvements are identified through the General Plan Amendment process, and shall request that programming of the improvements in the MTIP consistent with the financing plan established for the implementation of the improvements.

As requested by Caltrans, in evaluating the potential effects of increased traffic on U.S. 50, the second tier traffic study prepared prior to any annexation shall:

- Include among the significance criteria, that freeway offramps with queues that extend onto Route 50 would constitute a significant traffic impact;
- Include in the evaluation, additional parallel roads and overcrossings of Highway 50 without highway access to ensure local trips do not use Highway 50 so that there would be adequate circulation for trips needing to cross this highway;
- Include Prairie City and Scott Roads in future traffic analysis to determine if interchange improvements, such as additional ramp lanes, are needed to accommodate the traffic impacts of the SOI amendment area and maintain an acceptable Level of Service; and.
- Include coordination with Caltrans in the development of subsequent traffic studies.

As requested by Sacramento County, in evaluating potential effects to area and regional circulation, the second tier traffic study shall include the following concepts:

- So that the transportation system for the new area is consistent with the transportation system north of U.S. Highway 50, investigate the possibility of constructing arterial connections between land uses north of U.S. Highway 50 and those in the sphere of influence area. The arterials should be connected to major facilities north and south of U.S. Highway 50. This type of connection would allow local traffic to cross U.S. Highway 50 without impacting the interchanges with U.S. Highway 50.
- Planning for the proposed annexation and subsequent development should identify a basic arterial street network that should be amended into the Sacramento County General Plan.
- A detailed traffic study should be completed after a more defined land use plan has been developed. The study should evaluate the impacts that the area would have on the current County of Sacramento General Plan designations for Prairie City Road, Scott Road (north and south), Grant Line Road and White Rock Road. In the event that a road falls on a common boundary between the City of Folsom and the County of Sacramento, both parties, to ensure continuance of proper operation and maintenance of the road, should enter into a joint agreement.
- Protection of right-of-way for a transportation corridor south of U.S. Highway 50 that could be used to provide capacity to move people through the U.S. Highway 50 corridor should be included with any new development. The location of any new corridor shall be consistent with other measures identified in the EIR for the protection of natural resources, including the oak woodland occurring within the SOIA area.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by funding and constructing improvements to U.S. Highway 50 necessary to serve future urban

development within the amended Sphere of Influence. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measure in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission further finds that it has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Specifically, these conditions require the City of Folsom to identify, finance and implement transportation and circulation improvements at the time of annexation. (See specifically Resolution No. LAFC1196 Conditions 3, 4, 5, 6, 7, and 14.)

Impact

4.4-3 Increased Demand for Transit Service Under Existing and Cumulative Plus Project Conditions

Implementation of the proposed project and the subsequent development of the project area will substantially increase the demand for public transit service under existing and cumulative plus project conditions. The project area is not served by existing public transit service nor is future service planned to extend to the project area.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of increased demands for transit services is expected to be significant and unavoidable.

Proposed Mitigation

4.4-3 Prior to annexing any property within the SOIA area, the City of Folsom shall complete a transit master plan for the project area consistent with policies of the City's General Plan. This plan will identify the roadways to be used by bus transit routes, locations for bus turnouts and pedestrian shelters, locations for bus transfer stations, alignments for fixed route rail service, and the location of rail service stations. Future development within the project area and the City of Folsom shall be

responsible for implementing the master plan recommendations as development occurs within the project area.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by planning for transit improvements necessary to serve future urban development within the amended Sphere of Influence. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measure in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission further finds that it has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Specifically, these conditions require the City of Folsom to identify, finance and implement transportation and circulation improvements at the time of annexation. (See specifically Resolution No. LAFC1196 Conditions 3, 4, 5, 6, 7, and 14.)

Impact

4.4-4 Increased Demand for Bikeway and Pedestrian Facilities Under Existing and Cumulative Plus Project Conditions

Implementation of the proposed project and the subsequent development of the project area will substantially increase the demand for bikeway and pedestrian

facilities under existing and cumulative plus project conditions. The project area does not have any existing bikeway or pedestrian facilities.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of increased demand for bikeway and pedestrian facilities is expected to be significant and unavoidable.

Proposed Mitigation

- 4.4-4 Prior to annexing any property within the SOIA area, the City of Folsom shall update the Bikeway Master Plan to delineate bikeway and pedestrian facilities in the project area consistent with the goals and policies of the City's General Plan. This update will identify on-street and off street bikeways and pedestrian routes as well as support facilities such as multi-modal transfer locations. Future development and the City of Folsom shall be responsible for implementing the master plan recommendations as development occurs within the project area.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by planning for bikeway, pedestrian and multimodal improvements necessary to serve future urban development within the amended Sphere of Influence. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measure in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission further finds that it has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Specifically, these conditions require the City of Folsom to identify, finance and implement transportation and circulation improvements at the time of annexation. (See specifically Resolution No. LAFC1196 Conditions 3, 4, 5, 6, 7, and 14.)

Impact

4.4-5 Interference with the Implementation of Planned Bikeways Under Existing and Cumulative Plus Project Conditions

The Sacramento City/County 2010 Bikeway Master Plan proposes to add on-street bikeways to Prairie City Road and White Rock Road within the project area. The project description does not include these bikeway improvements, which may interfere with their implementation.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of interference with the implementation of planned bikeways is expected to be significant and unavoidable.

Proposed Mitigation

4.4-5 Mitigation Measure 4.4-4 would require an update of the *City of Folsom Bikeway Master Plan* to identify specific bikeway and pedestrian facilities to be implemented within the project area. The update shall incorporate the bikeway designations for Prairie City Road and White Rock Road to be equivalent or better than those contained in the *Sacramento City/County Bikeway Master Plan (2000)*.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

The Sacramento Local Agency Formation Commission further finds that it has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Specifically, these conditions require the City of Folsom to identify, finance and implement transportation and circulation improvements at the time of annexation. (See specifically Resolution No. LAFC1196 Conditions 3, 4, 5, 6, 7, and 14.)

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by planning for bikeway, pedestrian and multimodal improvements to White Rock and Prairie City Roads necessary to serve future urban development within the amended Sphere of Influence. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measure in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission further finds that it has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Specifically, these conditions require the City of Folsom to identify, finance and implement transportation and circulation improvements at the time of annexation. (See specifically Resolution No. LAFC1196 Conditions 3, 4, 5, 6, 7, and 14.)

Impact

4.4-6 Increased Average Daily Traffic Volumes on Local Roadways Under Cumulative Plus Project Conditions

Implementation of the proposed project would result in an increase in average daily traffic volumes on roadways in the City of Folsom, El Dorado County, and Sacramento County under cumulative plus project conditions. The increase in traffic volumes would either cause a deterioration in the daily LOS to unacceptable levels or exacerbate unacceptable daily service levels under cumulative no project conditions for the following roadways:

- Prairie City Road - Iron Point Road to White Rock Road;
- Oak Avenue Parkway - Iron Point Road to U.S. 50;
- Scott Road - U.S. 50 to White Rock Road;
- East Bidwell Street - Oak Avenue Parkway to Scott Road;

- Russell Ranch Road - Natoma Street to U.S. 50;
- Iron Point Road - Folsom Boulevard to Oak Avenue Parkway;
- Iron Point Road - East Bidwell Street to Russell Ranch Road;
- White Rock Road - Sunrise Boulevard to the Latrobe Road;
- Grant Line Road - White Rock Road to State Route 16; and
- Sunrise Boulevard - U.S. 50 to White Rock Road.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of increased traffic on area roadways under cumulative conditions is expected to be significant and unavoidable.

Proposed Mitigation

- 4.4-6 Improvements to these (*regional*) roadways would require coordination and adherence to regulatory standards of Sacramento County and El Dorado County. Development within the SOIA area will be required to fund its “fair share” of improvements. Therefore, prior to annexation of any property within the SOIA area, the City of Folsom shall cooperate with Sacramento County and El Dorado County to establish mitigation improvements and financing mechanisms that will provide service levels consistent with the General Plans for these jurisdictions.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City’s detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by funding and constructing regional roadway improvements necessary to serve future urban development within the amended Sphere of Influence. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measure in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of

Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission further finds that it has imposed a number of conditions on the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Specifically, these conditions require the City of Folsom to identify, finance and implement transportation and circulation improvements at the time of annexation. (See specifically Resolution No. LAFC1196 Conditions 3, 4, 5, 6, 7, and 14.)

Air Quality Impacts

Air quality setting information for the City of Folsom Sphere of Influence Amendment is set forth in pages 4.5-1 through 4.5-13 of the Final EIR. The impact evaluation criteria used in assessing impacts on air quality as a result of implementing the City of Folsom Sphere of Influence Amendment are set forth in the Final EIR on pages 4.5-13 through 4.5-14. Both the environmental setting and impact evaluation criteria were reevaluated and reconfirmed by LAFCo in the Section 15088.5 Review on pages H-1 through H-17 of that document. Updated information regarding the air quality setting for the City of Folsom Sphere of Influence Amendment is set forth in pages C-1 through C-16 of the December 2000 Recirculated Draft EIR. The impact evaluation criteria used in assessing impacts on air quality as a result of implementing the City of Folsom Sphere of Influence Amendment are set forth in the December 2000 Recirculated Draft EIR on pages C-16 through C-17. This information is incorporated into these findings as though fully set forth herein. Considering the above information, and the potential impacts identified in the Final EIR, the findings of the Sacramento Local Agency Formation Commission are as follows:

Impact

4.5-1 Generation of Short-Term Construction Emissions (ROG, NO_x and PM₁₀)

Construction associated with the future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation would lead to the generation of short term emissions (ROG, NO_x and PM₁₀) Short-term emissions occur during the construction of a project. Construction-related emissions occur in two separate phases. Phase I emissions occur during the grading phase of construction. Phase II emissions occur after grading and during the actual construction of roadways, structures, and facilities. Project construction will likely take place in several phases, which have not yet been determined.

Assuming a control efficiency of 75 percent with implementation of all feasible mitigation measures, PM₁₀ emissions from project grading would be reduced to approximately 775 lbs./day, an amount that still exceeds the Sacramento

Metropolitan Air Quality Management District's (SMAQMD) threshold. Total Phase I construction emissions would exceed the applicable SMAQMD's thresholds for ROG, NOx, and PM₁₀. Total projected Phase II construction emissions would exceed the SMAQMD's thresholds for ROG and NOx.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of increased short-term construction emissions is expected to be significant and unavoidable because emissions would exceed the significance thresholds established by the Sacramento Metropolitan Air Quality Management District.

Proposed Mitigation

- 4.5-1 During construction of any project within the SOIA area considered to be significant as defined in the SMAQMD's "Thresholds of Significance" document, the City of Folsom will require contractors to comply with the following measures identified by the SMAQMD:

Category 1: Reducing NOx emissions from off-road diesel powered equipment

Upon enactment of applicable regulations by the SMAQMD, the City of Folsom shall implement SMAQMD's regulations by conditioning all discretionary entitlements to require the applicant to provide a plan for approval by SMAQMD demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or any subcontractor, will achieve a fleet-averaged 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average; and

The prime contractor shall submit to the SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or more hours during the construction project. The inventory shall include the horsepower rating, engine production year, and hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs.

and

Category 2: Controlling visible emissions from off-road diesel powered equipment

The prime contractor shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than

three minutes in any one hour. Any equipment found to exceed 40 percent opacity shall be repaired immediately, and the City of Folsom and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or state rules or regulations.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by reducing short-term construction air emissions released during the construction of future urban development within the amended Sphere of Influence. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measure in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission has imposed a number of conditions upon the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate the impacts upon air quality to a less than significant level, the conditions do implement important state policies to encourage orderly growth and discourage sprawl. Indirectly, these conditions benefit the environment, particularly impacts upon air quality, as they discourage sprawl and piecemeal development. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 3, 14, 15, and 16.)

Impact

- 4.5-2 Potential Increase in Emissions Of Criteria Pollutants from Additional Vehicle Trips and Associated Mobile Sources

Future urbanization resulting from the expansion of the City of Folsom's Sphere of Influence and subsequent annexation would result in an increase in emission of criteria pollutants from an increase in vehicle trips and associated mobile sources. The proposed project would have the potential to generate mobile source emissions of approximately 3,732 lbs./day of ROG, 3,526 lbs./day of NOx, 393 lbs./day of PM₁₀. All of these mobile source emissions would exceed SMAQMD's significance thresholds for these pollutants.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of increased mobile source emissions is expected to be significant and unavoidable because emissions would exceed the significance thresholds established by the Sacramento Metropolitan Air Quality Management District (SMAQMD).

Proposed Mitigation

- 4.5-2 Prior to submission of any application for annexation of the SOLA area or any portion thereof, the City of Folsom will prepare an Air Quality Plan for the SOLA area incorporating policies and other measures at least as stringent as those in Sacramento County General Plan policies AQ-2 through AQ-31. For the AQ-15 equivalent measure, the Plan shall include an Indirect Source Review and Mitigation Program that reduces emissions by 35 percent from the potential emissions that could occur without a review and mitigation program. This reduction level will match those currently in place in other developing areas, such as North Natomas. The SMAQMD Guidance for AQ-15 / North Natomas Community Plan Implementation, referenced in the SMAQMD's letter of December 1, 2000, Attachment B, should be utilized for the appropriate measures to achieve the necessary reduction.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by operational mobile-source air emissions released by future urban development within the amended Sphere of Influence. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation

of the measure in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission has imposed a number of conditions upon the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate the impacts upon air quality to a less than significant level, the conditions do implement important state policies to encourage orderly growth and discourage sprawl. Indirectly, these conditions benefit the environment, particularly impacts upon air quality, as they discourage sprawl and piecemeal development. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 3, 14, 15, and 16.)

Impact

4.5-3 Potential Exposure of Sensitive Receptors to Air Toxics

Future urban development resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation would potentially expose potential sensitive receptors to air toxics in the project area. The Aerojet General Corporation is located to the west of the SOIA area. This is a major employer in Sacramento Region that has been researching and testing a range of defense oriented devices including rockets and explosives. These activities require that Aerojet submit Air Toxics "Hot Spots" Health Risk Assessments with the SMAQMD. This health risk assessment responds to the Air Toxics "Hot Spots" Information and Assessment Act of 1987 that leads to statewide inventory from individual facilities. These risk assessments include a comprehensive analysis of the dispersion of hazardous substances into the environment, the potential for human exposure, and a quantitative assessment of both individual and population-wide health risks associated with those levels of exposure. A review of the summary of the risk results show that the SOIA area is well outside the risk area for air toxics.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the potential exposure of sensitive receptors to air toxics is expected to be less than significant because the Folsom SOIA territory is outside of areas identified for increased health risks by the SMAQMD from permitted air toxics emissions at the Aerojet industrial campus.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact of air toxics on future urban residents and workers with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required.

Impact

4.5-4 Project Contribution to Cumulative Emissions of Criteria Air Pollutants in the Project Area.

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation would contribute to cumulative emissions of criteria air pollutants in the Sacramento Valley Air Basin. SMAQMD guidelines consider increased air emissions resulting from a development project to be cumulatively significant if two criteria are met. The project must require a change in the existing land use designation, and projected emissions of the proposed project must be greater than the emissions anticipated if the site is developed under the existing land use designation.

The project would require numerous changes to existing land use designations, including approval by LAFCo to expand the City of Folsom's Sphere of Influence, processing of annexation applications and amendment of the City of Folsom General Plan to plan urban land uses in the SOIA territory. Implementation of the City of Folsom SOI amendment request would result in increased development within the SOIA boundaries than is planned under the existing Sacramento County General Plan. Additionally, the territory is un-urbanized, being used only for seasonal grazing uses. As a result, criteria pollutant emissions would be greater than under current land uses or that would occur with buildout of the area under the adopted County General Plan.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the cumulative impact to regional air quality is expected to be significant and unavoidable.

Proposed Mitigation

4.5-4 Prior to submission of any application for annexation of the SOIA area or any portion thereof, the City of Folsom will prepare an Air Quality Plan for the SOIA area incorporating policies and other measures at least as stringent as those found in Sacramento County General Plan policies AQ-2 through AQ-31. For the equivalent

of Sacramento County policy AQ-15, the City of Folsom shall adopt an Indirect Source Review and Mitigation Program as least as stringent as that provided by SMAQMD as Attachment B of their letter dated December 1, 2000 and entitled Recommended SMAQMD Guidance for AQ-15/NNCP Implementation. As requested by the SMAQMD, the total effectiveness of the Air Quality Plan adopted for the SOIA area will be a reduction of 35 percent from the potential emissions that could occur without the adopted air quality policies being implemented.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by cumulative mobile-source air emissions released by future urban development within the amended Sphere of Influence in concert with other urban development within the airshed. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measure in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission has imposed a number of conditions upon the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate the impacts upon air quality to a less than significant level, the conditions do implement important state policies to encourage orderly growth and discourage sprawl. Indirectly, these conditions benefit the environment, particularly impacts upon air quality, as they discourage sprawl and piecemeal development. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 3, 14, 15, and 16.)

Impact

- 4.5-5 Project Inconsistency with State Implementation Plan / Regional Ozone Attainment Plan.

Air quality planning that resulted in the development of the State Implementation Plan/Regional Ozone Attainment Plan (SIP/ROAP) for the Sacramento region did

not account for air emissions from urban development within the SOIA area. Given the large size of the area and the potential amount of urban development that might occur, increased air emissions would preclude or make more difficult attainment of federal and state air quality requirements. The 1994 SIP sets out the measures to be implemented by the SMAQMD to achieve attainment with the federal ozone standards by 2005. These measures are premised on the emission inventory developed by SMAQMD staff to predict the level of pollutants that will be emitted by existing and new development. In sum, the 1994 SIP offsets the emissions from development by requiring control measures, achieving a balance that will ultimately allow the SMAQMD to attain the federal standards.

Mobile source (vehicle) emissions in the SIP are based upon the general plan land use designations in place at the time the SIP was adopted in 1994. For the SOIA area, this modeling protocol used the land use designations of the Sacramento County General Plan for the SOIA area. The Sacramento County General Plan restricts urban development to areas within the Urban Services Boundary, and the proposed Folsom SOIA is located outside that boundary. Consequently, the SIP assumed that no growth would occur in the SOIA area. This means that the SIP emission inventory did not include any significant travel emissions from SOIA area, and the SIP likewise did not include control measures to offset traffic emissions from the area. Therefore, future development within the Sphere of Influence Amendment area would be inconsistent with the 1994 SIP, which could put the region in the position of being forced to offset the SOIA area travel emissions by imposing more stringent control measures on other businesses within the boundaries of the SMAQMD.

The 1994 SIP is due to expire in 2005, at which time air quality compliance is scheduled to be achieved. Prior to that time, the SMAQMD would prepare an air quality maintenance plan (if air quality standards were achieved), or a revised attainment plan (if air quality standards hadn't been achieved). This future update of the SIP would include the emissions generated by new areas designated for development (including the Folsom Sphere of Influence).

Should the SOIA project be approved, and urban development occur within the SOIA area after the 2005 horizon year for the existing SIP/ROAP, it is unlikely that such development would be inconsistent with new air quality attainment/maintenance plans. The data gathering and analysis upon which air quality plans are based is a joint effort of the SMAQMD and the Sacramento Area Council of Governments (SACOG). SACOG is responsible for developing land use forecasts based on consultation with local governments. Subsequent traffic and travel forecasts, based on these land uses, are used by the SMAQMD in developing air emissions estimates for mobile sources. If the SOIA project were approved, and the City of Folsom General Plan amended to include the SOIA area, during the preparation period for the next generation of attainment/maintenance plan, SOIA emissions would be included in the emissions inventory and no inconsistency would occur.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that should urban development occur within the SOIA area prior to 2005, this impact would be significant. No significant effect would occur if development did not occur prior to 2005, and the SMAQMD included potential emissions from the SOIA area in the attainment/maintenance plan prepared to supersede the 1994 SIP.

Proposed Mitigation

- A. In preparing the Air Quality Plan pursuant to mitigation measure 4.5-2 above, the City of Folsom shall not permit urban development to occur within the SOIA area prior to 2005 or the adoption of a air quality attainment/maintenance plan prepared to supersede the 1994 SIP, whichever occurs sooner.
- B. In preparing the Air Quality Plan pursuant to mitigation measure 4.5-2 above, the City of Folsom shall coordinate with the SMAQMD and SACOG to ensure that urban development forecast for the SOIA area is included in the emissions inventory prepared for the air quality attainment/maintenance plan prepared to supersede the 1994 SIP.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measures are made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measures are appropriate and feasible, and would substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment from inconsistency with the 1994 State Implementation Plan / Regional Ozone Attainment Plan.

Impact

4.5-6 Project Contribution to Urban Heat Island Effect

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could contribute to the "urban heat island effect" documented in the Sacramento region. As solar energy strikes the earth's surface, it can have many effects. In rural areas, a large amount of solar energy is expended on evaporating water. Plants facilitate the cooling cycle by transpiring water through their leaves, which then cools the surrounding air. In urban areas, impervious cover such as pavement and roofing produces a different process. Dark materials absorb solar energy and then release it back to the surrounding air as heat.

These conditions cause temperatures in some urban areas to be much hotter than rural areas. This phenomenon is known as "urban heat island." Such effects have been documented in the Sacramento region. In aerial images produced on July 1, 1998, Sacramento was demonstrated to exhibit the urban heat island effect. Additional urban development within the SOIA area with development characteristics (energy absorbent building materials, extensive paved areas, lack of vegetation), similar to those of other areas of the Sacramento region could add to this effect.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that additional urban development within the SOIA area with development characteristics (energy absorbent building materials, extensive paved areas, lack of vegetation), similar to those of other areas of the Sacramento region could add to the "urban heat island" effect. LAFCo further finds that because the land use types and development characteristics of the SOIA area are not yet known, this would be a potentially significant impact.

Proposed Mitigation

- 4.5-6 Prior to submission of any application for annexation of the SOIA area or any portion thereof, the City of Folsom will prepare an Air Quality Plan for the SOIA area incorporating policies and other measures at least as stringent as those found in Sacramento County General Plan policies AQ-2 through AQ-31. For the equivalent of Sacramento County policy AQ-15, the City of Folsom shall adopt an Indirect Source Review and Mitigation Program as least as stringent as that provided by SMAQMD as Attachment B of their letter dated December 1, 2000 and entitled Recommended SMAQMD Guidance for AQ-15/NNCP Implementation. As requested by the SMAQMD, the total effectiveness of the Air Quality Plan adopted for the SOIA area will be a reduction of 35 percent from the potential emissions that could occur without the adopted air quality policies being implemented.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence on the "urban heat island" effect. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measure in the future, the mitigation measure at this stage of project development can not be found with

certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission has imposed a number of conditions upon the project pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate environmental impacts to less than significant, these conditions do implement important state goals of balancing orderly growth with open space and agricultural preservation, as well as preservation of habitat for species. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 4, 9, 14, and 16.)

Noise Impacts

Noise setting information for the City of Folsom Sphere of Influence Amendment is set forth in pages 4.6-1 through 4.6-8 of the Final EIR. The impact evaluation criteria used in assessing impacts on noise as a result of implementing the City of Folsom Sphere of Influence Amendment are set forth in the Final EIR on page 4.6.8. Both the environmental setting and impact evaluation criteria were reevaluated and reconfirmed by LAFCo in the Section 15088.5 Review on pages I-1 through I-5 of that document. This information is incorporated into these findings as though fully set forth herein. Considering the above information, and the potential impacts identified in the Final EIR, the findings of the Sacramento Local Agency Formation Commission are as follows:

Impact

4.6-1 Potential Exposure of Sensitive Land Uses to Incompatible Noise Levels from Construction Activities

Future urbanization as a result of expansion of the City of Folsom's Sphere of influence and subsequent annexation would temporarily increase noise levels adjacent to construction sites within the SOIA territory from construction activities. Construction activities would be considered an intermittent noise impact throughout the life of the project and would vary in their effects on sensitive receptors, depending on the presence of intervening barriers or other insulating materials. Although construction activities would likely occur only during daytime hours, construction noise would still be considered disruptive to businesses. While construction noise levels may be higher than the General Plan Noise Element would allow at the property line (60 dBA), the City's Noise Ordinance excludes construction activities from meeting the standards, provided all phases of construction are limited to the hours between 7:00 a.m. and 6:00 p.m. on weekdays, and 8:00 a.m. and 5:00 p.m. on Saturdays and Sundays. These hours are so defined because they include a period of time where noise sensitivity is at its lowest.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the potential exposure of sensitive receptors to incompatible noise levels from construction activities is expected to be less than significant.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact of construction noise with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required.

Impact

4.6-2 Potential Exposure of Sensitive Land Uses to Incompatible Noise Levels from Existing Adjacent Land Uses and Activities

Future urbanization resulting from the expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in the exposure of sensitive land uses to incompatible noise levels from existing surrounding uses. These uses include traffic noise from U.S. Highway 50, industrial noise from Aerojet-General Corporation, off-road vehicle noise from the Prairie City State Vehicular Recreation Area, and aircraft overflight noise from aircraft operations at Mather Airport.

The City of Folsom's General Plan Policy 30.5 states: "new development of residential or other noise sensitive land uses will not be permitted in noise impacted areas unless effective mitigation measures are incorporated into the project description to reduce noise levels to 60 dB Ldn/CNEL." Pursuant to these requirements, the City of Folsom requires that, for a project located in a location known to be subject to levels of noise in excess of those considered "normally acceptable" by the Folsom General Plan Noise Element, an acoustical analysis be performed for each specific project proposal prior to the approval of such project. Such analyses evaluate the project design's ability maintain noise levels at sensitive land uses to an acceptable level of 60 dBA Ldn/CNEL using the following techniques: setbacks; noise barriers; site design; and building design.

The proposed SOIA territory contains significant areas constrained for urban development by excess levels of noise from existing adjacent noise sources. Within these areas it would be inappropriate to site residential or other sensitive land uses. The City of Folsom comprehensively evaluates the noise environment and considers noise information in the siting of new land uses.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the potential exposure of sensitive land uses to incompatible noise levels from existing adjacent land uses and activities is expected to be less than significant.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact of existing noise levels on future land uses with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required in addition to compliance with the policies of the Folsom General Plan.

Biological Resources Impacts

Biological resources setting information for the City of Folsom Sphere of Influence Amendment is set forth in pages 4.7-1 through 4.7-17 of the Final EIR. The impact evaluation criteria used in assessing impacts on biological resources as a result of implementing the City of Folsom Sphere of Influence Amendment are set forth in the Final EIR on page 4.7-18. Both the environmental setting and impact evaluation criteria were reevaluated and reconfirmed by LAFCo in the Section 15088.5 Review on pages J-1 through J-15 of that document. This information is incorporated into these findings as though fully set forth herein. Considering the above information, the potential impacts identified in the Final EIR and the findings of the Sacramento Local Agency Formation Commission are as follows:

Impact

4.7-1 Loss or degradation of wetland habitats

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in potential loss of wetland habitats by filling or degradation. Potential impacts to wetland resources are currently regulated under existing comprehensive federal and state laws and local policies. Public and private development would require compliance with Section 404 of the Clean Water Act, DFG Section 1600-1607, and local policies. Compliance with CEQA would require preparation of an Initial Study to determine potential environmental effects that may result from the proposed project. This would include preparation of a wetland delineation by a qualified scientist. Should potentially significant impacts to wetland habitats be identified, compliance with Section 404 of the Clean Water Act, DFG Section 1600-1607, and local policies would be required. Mitigation measures would be implemented prior to construction of proposed projects, as required by regulatory agencies

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the loss or degradation of wetland habitats is expected to be less than significant.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact to wetland resources with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required in addition to compliance with existing federal, state, and local regulations.

Impact

4.7-2 Loss of native, heritage, or landmark trees

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could potentially adversely affect native, heritage, and landmark trees. Impacts to individual trees would be considered potentially significant as potential impacts to native, heritage, or landmark trees currently lack comprehensive federal, state, and local regulation. The City of Folsom's Tree Preservation Ordinance protects native, heritage, landmark, and street trees. Both native and heritage trees are defined as *Quercus* sp. (oaks). Landmark trees are trees or groves designated by the city council as being of benefit to the City. Street trees are those trees planted in a tree maintenance strip maintained by the City. The Tree Preservation Ordinance does not regulate impacts to non-oak native trees. Additionally, the Wetland and Riparian Habitat Management Ordinance, requires protection of riparian trees and woodland, including alder, willow, sycamore, cottonwoods, oak trees and other woody species commonly associated with riparian habitat, although no protection is offered by the Ordinance for individual tree specimens.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the loss or degradation of native, heritage, or landmark trees is expected to be significant and unavoidable because comprehensive regulation of impacts to native, heritage, and landmark trees by federal, state, and local agencies is currently lacking.

Proposed Mitigation

- 4.7-2 Prior to annexation, a tree survey shall be completed, with measures B – H implemented during project design, construction, and occupancy:
- A. A reconnaissance-level tree survey of the SOIA area shall be performed by a certified arborist to identify native tree resources. The survey shall include identification of those which may be designated as landmark or heritage trees. This will enable the lead agency to track impacts to native trees on a regional basis, rather than a project by project basis.
 - B. Avoidance of all tree species shall be attempted during project design. If avoidance is infeasible, mitigation of native oak trees pursuant to measures C-H below shall be conducted.
 - C. Project proponents shall be encouraged to incorporate native trees and landscaping into site design.
 - D. In addition to native oak trees, all native tree species should be protected under the City of Folsom's Tree Preservation Ordinance. Mitigation rates would be the same as those in the Ordinance, but would also require obtaining replacement trees from local genetic stock.
 - E. A five-year monitoring plan would be completed for all mitigation plantings. The monitoring plan would include appropriate irrigation schedules, as well as criteria for success and reestablishment during the five-year period. A success rate of no less than 80 percent at the end of the five-year monitoring period is recommended.
 - F. Individual trees or groups of trees preserved shall be fully protected during construction. A temporary protective fence shall be established a minimum of 10 feet beyond the drip line of the retained native trees. The fence shall be in place prior to beginning construction activities, including grading. Within this protective buffer, no grading, trenching, fill, or vegetation alteration shall be allowed.
 - G. After project construction, a fact sheet describing the value and care of native trees shall be prepared and distributed to residents. At a minimum, this fact sheet should encourage home and business owners to avoid unnecessary pruning and encourage, except where safety hazard occurs, the retention of snags. This fact sheet should be prepared by a certified arborist.
 - H. Consistent with the MOU entered into between the City of Folsom and Sacramento County, mitigation shall target large tracts of contiguous native tree habitat. Connectivity between native tree woodland preserves, as well as

adequate buffering from development is important to promote native tree recruitment, the long-term viability of the habitat, and wildlife use of the area.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measures are made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measures are appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence from the loss of native, heritage, or landmark trees. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measures in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission has imposed a number of conditions pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate environmental impacts to less than significant, these conditions do implement important state goals of balancing orderly growth with open space and agricultural preservation, as well as preservation of habitat. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 4, 9, 14, and 16.)

Impact

4.7-3 Loss of oak woodlands

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation would potentially impact oak woodlands located in the western half of the SOIA area. The City of Folsom's General Plan Open Space and Conservation Elements identifies a goal "to preserve, acquire,

rehabilitate, enhance and maintain the identified resources for the use and enjoyment of present and future generations.” This goal applies to riparian forests and oak savanna and woodlands. Policies in place include continuing to enforce the Tree Preservation Ordinance, requiring replacement of trees whenever existing trees are removed, and allowing development design changes to allow for greater numbers of trees to be preserved. Policy 25.7 states that trees or vegetation comprising riparian or other special habitats targeted for preservation should be preserved even if they are not heritage trees. However, these goals and policies do not specifically identify methods of preserving, protecting, or mitigating for impacts to oak woodlands. The City of Folsom’s Tree Preservation Ordinance protects individual native, heritage, landmark, and street trees and does not specifically regulate impacts to the habitat values of oak woodland.

The City’s Wetland and Riparian Habitat Management Ordinance identifies oaks as a protected species within the framework of the Ordinance, but only when associated with riparian woodlands.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the loss of oak woodland habitats is expected to be significant and unavoidable because comprehensive regulation of loss or degradation of oak woodlands or habitats by federal, state, and local agencies is currently lacking.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that there are no mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. Therefore, no mitigation measures are recommended.

The Sacramento Local Agency Formation Commission further finds that implementation of Alternative 1 would avoid this impact. Implementation of Alternatives 2, 3, 4, or 5 would reduce the magnitude of this impact, but not below a level of significance. Findings regarding the feasibility of implementing these alternatives are presented in Section N of this document.

The Sacramento Local Agency Formation Commission has imposed a number of conditions pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate environmental impacts to less than significant, these conditions do implement important state goals of balancing orderly growth with open space and agricultural

preservation, as well as preservation of habitat. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 4, 9, 14, and 16.)

Impact

4.7-4 Loss of riparian habitat

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation would impact riparian habitat located in Alder Creek through loss of vegetation and alteration of stream flows. Policy 25.7 of the City of Folsom General Plan states that trees or other vegetation comprising riparian or other special habitats should be protected regardless of whether they are heritage trees. To implement the policies of the General Plan with respect to wetland and riparian resources, the City of Folsom has adopted a "Wetland and Riparian Habitat Management" Ordinance. The intent of the Ordinance is to "ensure maximum protection for these (wetlands and riparian habitat) resource areas by discouraging development activities in wetlands and riparian habitat and those activities at adjacent sites that may adversely affect functions and values, to encourage restoration and enhancement of wetland and riparian systems, and to encourage creation of new wetland and riparian habitat." The Ordinance defines and extended protection to biological resources, including riparian habitat, riparian woodland, sensitive habitat, vernal pools, and other types of wetlands. In order to comply with the above performance standards, the Ordinance requires preparation of a resource protection management plan and mandatory actions to protect habitat, including avoidance, buffering, and compliance monitoring.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the loss or degradation of riparian habitats is expected to be less than significant because of comprehensive regulation of impacts to riparian habitats by the City of Folsom.

Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that because the impact to riparian habitat and resources with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required in addition to compliance with existing federal, state, and local regulations.

Impact

4.7-5 Loss of nonnative annual grassland

Nonnative annual grassland would be impacted by future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation through conversion of this habitat to urban uses. Though there are no comprehensive federal, state, or local policies that protect nonnative annual grassland habitats from being lost to increasing development, this habitat is common and widespread in the region. Nonnative annual grassland is a common vegetative community in California. This habitat is dominated by introduced annual grasses and herbaceous species and supports few special status plant species.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the loss on nonnative annual grassland is expected to be less than significant.

Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that because the impact to nonnative grasslands with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required.

Impact

4.7-6 Loss or disturbance of special status species

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation would potentially impact special status plant and wildlife species. Impacts to these species, as well as additional species identified as sensitive in the future, may include diminishing or disrupting habitat or populations of the species. Species that are known to occur within the SOIA area include the state threatened Swainson's hawk, FWS species of concern and DFG species of special concern tricolored blackbird, and the state endangered Bogg's Lake hedge-hyssop. Potential habitat for the federally threatened valley elderberry longhorn beetle and vernal pool fairy shrimp also occur in the SOIA area (FEIR, Plate 4.7-1). Nonnative annual grasslands provide foraging habitat for Swainson's hawk, while adjacent riparian habitat may provide suitable nesting habitat. Vernal pools are appropriate habitat for Bogg's Lake hedge-hyssop and vernal pool fairy shrimp. Elderberry shrubs provide potential habitat for valley elderberry longhorn beetle, while tricolored blackbirds may potentially nesting in emergent wetlands and forage in nonnative annual grasslands.

Future development within the proposed SOIA area would require compliance with ESA, CESA, and local policies. Compliance with CEQA would require preparation of an Initial Study to determine potential environmental effects that may result from the proposed project. This would include special status plant and wildlife surveys in appropriate habitats by a qualified biologist. Should potentially significant impacts to special status species be identified, compliance with the ESA and CESA and local policies would be required.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the loss or disturbance of special status species is expected to be significant and unavoidable because protection afforded special status species by the ESA and CESA does not fully protect federally listed plant species.

Proposed Mitigation

4.7-6 Prior to annexation, the following measures shall be completed:

- A. A reconnaissance level biological survey of the SOIA area shall be performed by a professional biologist approved by the lead agency to identify habitats and individuals of special status species as defined in this EIR. This will permit the lead agency to track impacts to special status species on a regional basis, rather than a project by project basis.
- B. The land use plan for the SOIA area shall incorporate policies to avoid impacts to all special status species or their habitats. If avoidance is infeasible, mitigation of special status species shall occur pursuant to measure C below.
- C. The lead agency shall require the preparation and implementation of a Habitat Conservation Management Plan (HCMP) for all affected species and habitats. The HCMP shall be developed in consultation with CDFG and USFWS for listed species under FESA and CESA. The HCMP shall incorporate mitigation guidelines of these agencies for listed species. For non-listed, but sensitive species as defined by this EIR, the HCMP should include provisions such as the following:
 - Require clustering of urban development to retain non disturbed open space areas.
 - Require comprehensive site development standards to minimize removal of existing vegetation and to require installation and long-term maintenance of landscaping in setback and buffer areas. Landscaping in buffer areas adjacent of preserved habitat areas should be of native plant materials, and nonirrigated.

- Minimize impacts to movement corridors to ensure movement of wildlife.
- Provide for the integrity and continuity of wildlife and plant habitat.
- Support the acquisition, development, maintenance and restoration of habitat lands for wildlife and plant enhancement.

The provisions of the HCMP shall be coordinated with the requirements of any permit obtained under §404 of the Clean Water Act, and the provisions of local ordinances, including the City of Folsom Tree Preservation Ordinance and the Wetland and Riparian Habitat Management Ordinance.

- D. Removal of trees, if any, shall be performed during the period between 30 September and 1 April during the non-nesting period for migratory birds. Removal of trees without active nests is not a take of migratory birds.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measures are made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measures are appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence from the loss or disturbance of special status species. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measures in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission has imposed a number of conditions pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate environmental impacts to less than significant, these conditions do implement important state goals of balancing orderly growth with open space and agricultural

preservation, as well as preservation of habitat. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 4, 9, 14, and 16.)

Cultural Resources Impacts

Cultural resources setting information for the City of Folsom Sphere of Influence Amendment is set forth in pages 4.8-1 through 4.8-14 of the Final EIR. The impact evaluation criteria used in assessing impacts on cultural resources as a result of implementing the City of Folsom Sphere of Influence Amendment are set forth in the Final EIR on pages 4.8-14 through 4.8-15. Both the environmental setting and impact evaluation criteria were reevaluated and reconfirmed by LAFCo in the Section 15088.5 Review on pages K-1 through K-17 of that document. This information is incorporated into these findings as though fully set forth herein. Considering the above information, and the potential impacts identified in the Final EIR, the findings of the Sacramento Local Agency Formation Commission are as follows:

Impact

4.8-1 Disruption of known and unknown cultural resources

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in the possible future disturbance of known and unknown prehistoric and/or historic resources. Given the nature of the proposed project, essentially an amendment of the City's Sphere of Influence without site-specific urban development plans at this time, a cultural resources inventory was not undertaken for the purpose of this analysis. It is recognized that the Folsom SOIA territory has natural conditions such as mild climate, rich soil, and stream areas that are conducive to early occupation and uses. There is an established record of known cultural resources, both historic and prehistoric, which is maintained by the North Central Information Center at California State University, Sacramento. Based upon the existing record and the local topography, the project area is considered to be of generally high sensitivity for cultural resources. There are, of course, micro variations in the sensitivity level throughout a project of the size of the Folsom SOIA territory. Zones near drainages such as Alder Creek and historic roads such as White Rock Road, Placerville Road, Prairie City Road, and the Sacramento and Placerville Railroad Corridor are likely to be the most sensitive (along with the areas that already contain known cultural resources). The remainder of the project is probably in the moderate to high range.

Future construction activities related to the urbanization within the revised Sphere of Influence could be designed to avoid important cultural resources and therefore minimize such impacts. Measures can also be taken to mitigate for impacts that result from the accidental discovery of cultural resources during construction activities.

The City of Folsom maintains standard conditions and specifications for cultural resources evaluation and avoidance for both private and public projects within the City.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of the potential disruption of known and unknown cultural resources is expected to be less than significant because of the operation of existing federal, state, and local laws, standards, and procedures.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact on the cultural resources within the SOIA area with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required.

Impact

4.8-2 Indirect effects to historic resources and districts

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in indirect effects to rural historic landscapes. Areas of rural historic landscapes occur throughout the SOIA territory. The SOIA territory is the locus of historically significant mining, transportation and ranching activities. Identified historic areas include the Alder Creek Corridor Mining District, the Sacramento and Placerville Railroad corridor, and the roadway corridors for White Rock Road, Placerville Road, and Prairie City Road. The introduction of urban development such as that which may occur with implementation inclusion of the SOIA territory within the City's Sphere of Influence could impact the aesthetic integrity of the rural historic landscape and jeopardize any attempt for listing on the National and/or California Registers of Historic Places.

Existing laws, standards, and procedures, regulate the loss of individual cultural resources or groupings of resources, not the larger rural landscape or historic setting.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of indirect effects to historic resources and

districts is expected to be significant and unavoidable because of the lack of consideration or regulation of these larger landscapes by federal, state or local agencies.

Proposed Mitigation

- 4.8-2 All efforts will be undertaken to minimize incompatibility and/or aesthetic impacts to historic resources during planning for urban development and during the subsequent environmental review process.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence from indirect effects to historic resources and districts. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measures in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

Hazardous Materials Impacts

Hazardous materials setting information for the City of Folsom Sphere of Influence Amendment is set forth in pages 4.9-1 through 4.9-13 of the Final EIR. The impact evaluation criteria used in assessing impacts of hazardous materials as a result of implementing the City of Folsom Sphere of Influence Amendment are set forth in the Final EIR on pages 4.9-13 through 4.9-14. Both the environmental setting and impact evaluation criteria were reevaluated and reconfirmed by LAFCo in the Section 15088.5 Review on pages L-1 through L-5 of that document. This information is incorporated into these findings as though fully set forth herein. Considering the above

information, and the potential impacts identified in the Final EIR, the findings of the Sacramento Local Agency Formation Commission are as follows:

Impact

4.9-1 Construction Disturbance of Contaminated Soils and Groundwater from Aerojet Activities and Operations

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could result in the disturbance of contaminated soils or groundwater in construction areas located within the portion of the SOIA that is currently owned by Aerojet and unremediated. This disturbance could inadvertently expose construction workers and the public to hazardous materials and result in further degradation of the environment.

The potential exists for environmental impacts resulting from exposure and other discharges of hazardous wastes or materials at construction sites, located within the southwest portion of the SOIA that is currently owned by Aerojet, resulting from contaminated soils and/or groundwater. The greatest exposure risks associated with projects in this area are those activities that would disturb and/or cause exposure to the soil or groundwater (i.e., excavation, grading, soil transport and dewatering).

If an underground storage tank (UST) is discovered during future construction activities, it would have to be upgraded, closed in place or removed. Tanks removal activities could pose both health and safety risks, such as exposure of workers, tank handling personnel, and the public to tank vapors and contents. Risks posed by USTs would be minimized by closing the tank according to the requirements and standards of the Regional Water Quality Control Board and Sacramento County Environmental Management Department. Such requirements include removing and properly disposing of any regulatory agencies, testing the soil under the tank for contamination, recycling or disposing of the discarded tank, and filing a removal closure report with the County. All activities are required to be performed by qualified personnel and in accordance with all applicable federal, state, and local regulations.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of construction disturbance of contaminated soils and groundwater from Aerojet activities and operations is expected to be significant and unavoidable.

Proposed Mitigation

4.9-1

- A. If contaminated soils and/or groundwater (i.e., identifiable by soil staining or odors) are encountered during construction activities, work shall cease until appropriate worker health and safety precautions, as specified by Title 8 of the California Code of Regulations (Section 5194) promulgated by the California Occupational Safety and Health Agency (Cal OSHA), are implemented. A qualified hazardous materials specialist shall be notified for an immediate evaluation. The appropriate regulatory agency shall be contacted. If deemed necessary by the appropriate agency, remediation shall be undertaken in accordance with existing local, state and federal regulations/requirements and guideline established for the treatment of hazardous substances. Work shall cease in the contaminated area until the nature and extent of contamination have been established, and proper disposal or remediation has occurred. Any contaminated soils and/or groundwater encountered during construction will require proper disposal. This would likely require removal from the site and transportation to an EPA approved disposal facility by a Department of Transportation (DOT) certified hazardous waste transporter. The designation of encountered contamination will be based on the chemicals present and chemical concentrations detected through laboratory analysis. Based on the analytical results, appropriate disposal of the material in accordance with EPA, Department of Toxic Substances Control, and Regional Water Quality Control Board guidelines shall be implemented.
- B. Any land disturbance should occur only after the remediation and clean-up of the existing site is complete; thereby reducing the risk of impact to a less than significant level.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measures are made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measures are appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence from the construction disturbance of contaminated soils and groundwater. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project

approval and planning and the uncertainty of the exact magnitude and method of implementation of the measures in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission has imposed a number of conditions upon the project pursuant to its power under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions provide for orderly growth and ensure adequate infrastructure and service levels, they do not reduce the environmental impacts of construction disturbance of soil and water to a less than significant level. These conditions do accomplish important state policies of orderly growth. Indirectly these conditions benefit the environment as they discourage urban sprawl. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 8, 10, 14, and 15.)

Impact

4.9-2 Contamination from Historic Activities within the SOIA Area

Future urbanization resulting from expansion of the City of Folsom's Sphere of Influence and subsequent annexation could be exposed to hazardous materials from past and current land uses located within the SOIA area. Potential sources of this contamination include previous railroad operations, historic mining activities, and current and past operation of radio/transfer towers. While the site reconnaissance, records search and literature review showed no record of an unauthorized release within the SOIA area; the potential exists that a release could have occurred in these areas.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impacts to future land uses of contamination from historic activities within the SOIA area is expected to be significant and unavoidable because past and current uses of the SOIA area may have included activities that could have contaminated soils and groundwaters.

Proposed Mitigation

4.9-2

- A. A complete investigation of Southern Pacific Railroad records of spills releases shall be completed for the SOIA territory. If it is discovered that a release could have potentially occurred within or near the SOIA area, further assessment shall be conducted pursuant to measure B, below.
- B. Further assessment could potentially be necessary, and a Phase I and Phase II Environmental Assessments (EA) shall be completed for the SOIA territory adjacent to the existing railroad alignment. The sampling program developed as a part of the Phase II EA shall be conducted to determine the degree and location of contamination, if any, exists.
- C. Prior to development of properties within the SOIA territory, an assessment shall be completed to determine if contamination exists as a result of mining and radio/transfer activities. If, based on historical uses, such uses are determined to have occurred on the property, a limited sampling program shall be conducted to determine the degree of contamination that exists.
- D. If contamination is determined to exist onsite, it will be fully remediated, by qualified personnel, in accordance with federal, state and local regulations.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measures are made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measures are appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence from contamination arising from historic activities within the City of Folsom Sphere of Influence project area. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measures in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The

Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission has imposed a number of conditions upon the project pursuant to its power under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions provide for orderly growth and ensure adequate infrastructure and service levels, they do not reduce the environmental impacts of construction disturbance of soil and water to a less than significant level. These conditions do accomplish important state policies of orderly growth. Indirectly these conditions benefit the environment as they discourage urban sprawl. (See specifically Resolution No. LAFC1196 Conditions 1, 2, 8, 10, 14, and 15.)

Hydrology and Water Quality

Hydrology and Water Quality setting information for the City of Folsom Sphere of Influence Amendment is set forth in pages 4.10-1 through 4.10-10 of the Final EIR. The impact evaluation criteria used in assessing impacts on hydrology and water quality as a result of implementing the City of Folsom Sphere of Influence Amendment are set forth in the Final EIR on pages 4.10-10 through 4.10-11. Both the environmental setting and impact evaluation criteria were reevaluated and reconfirmed by LAFCo in the Section 15088.5 Review on pages M-1 through M-20 of that document. This information is incorporated into these findings as though fully set forth herein. Considering the above information and the potential impacts identified in the Final EIR, the findings of the Sacramento Local Agency Formation Commission are as follows:

Impact

4.10-1 Increased Stormwater Runoff

Eventual urban development within the SOIA site would replace the natural soil and vegetation cover with roadways, building pads, and structures on approximately 70% (2,509 acres) of land. Since the magnitude of the estimated runoff volume increase is relatively small (8-18 percent higher than for pre-development conditions) for such a large area of potential development, it would be feasible and practical for the City of Folsom to implement adequate storm runoff detention onsite, in compliance with City of Folsom policies and standards, to prevent increased runoff from affecting downstream receiving waters.

Conversion of the undeveloped lands in the SOIA site to urban uses would increase the area of impervious surfaces. The percentage of impervious surface varies with general land use type and for residential use, it varies with lot size. The existing soils have low infiltration capacity and naturally high runoff potential under high intensity rainfall that reduces, but does not eliminate, effects of urban development

on runoff volume (FEIR, Table 4.10-3). The estimated 24-hour storm runoff volume for the 2-year (frequent) event increases by about 54 acre-feet (AF) (36 percent) for the proposed land use scenario in comparison to the baseline condition. The estimated 24-hour storm runoff volume for the 100-year (infrequent) event increases by about 34 AF (16 percent). The smaller increment of change for the more intense, less frequent event results from the relatively poor ability of the natural soils to allow infiltration under more intense rainfall rates.

Stormwater management within the SOIA territory would be the responsibility of the City of Folsom Public Works Department upon annexation. The majority of stormwater collected by the City of Folsom's present storm drainage system is discharged into the American River and Lake Natoma. Stormwater from the SOIA site would be carried predominately to the Alder Creek watershed (Lake Natoma) and a small portion of the SOIA site may be routed to the Deer Creek watershed.

The forecast Land Use Scenario would be expected to generate a storm hydrography at the downstream end of the SOIA area that rises more quickly and has a higher peak flow than under existing or Baseline conditions. This will result from the combination of the runoff volume increase and the provision of engineered storm drainage facilities in the developed portions of the SOIA area that will have smooth pavement, curb and gutter and pipelines to convey stormwater.

Development within the SOIA territory will be required to meet the City of Folsom's Design & Procedures Manual and Improvement Standards (August 1995), and be consistent with City Policy 28.2 which requires that "The quality and quantity of surface water runoff from a property shall not exceed existing flows or existing quality, or shall comply with City standards for offsite drainage." Since the SOIA is a large site, the City of Folsom will require computation of runoff hydrographs using HEC-1 (or equivalent program) to demonstrate the effectiveness of flow routing and detention (Section 10.2.2 of the Storm Drainage Design Standards). Outfall to Alder Creek will be modeled using HEC-2 (or equivalent program) for existing and ultimate development land use to determine design water surface elevations and hydraulic grade lines (Section 10.3.3 of the Storm Drainage Design Standards).

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of increased stormwater runoff is expected to be less than significant since the magnitude of the estimated runoff volume increase would be relatively small for such a large area of potential development, making it feasible and practical for the City of Folsom to implement adequate storm runoff detention onsite in compliance with City of Folsom policies and standards to prevent increased runoff from affecting downstream receiving waters.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact of increased stormwater runoff with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required.

Impact

4.10-2 Flood Hazards

Eventual urban development within the portion of the SOIA territory along the main stem of Alder Creek could be exposed to flood hazards, and the use of flood protection measures could adversely affect water surface elevations on- or offsite. There are no recent FEMA maps of floodprone areas within the project boundaries, so the location of the 100-year floodplain is not well known. Soil conditions, riparian and wetland vegetation and anecdotal information indicates that the area along the main stem of Alder Creek within the SOIA territory (grid B3 and C3) experiences overbank flooding under relatively frequent flows (i.e., the 2-year event). Therefore, it is likely that overbank flooding would also occur in response to 100-year storms, with deeper and/or larger areas of inundation than for the frequent events.

The City of Folsom would require a detailed analysis of 100-year floodplain in the SOIA territory using HEC-2 (or equivalent program) and FEMA standards (Section 10.3.4 of the Storm Drainage Design Standards) as part of storm drainage planning. This will allow more precise identification of the floodprone area. While it is possible that the City of Folsom will determine that the flood damage prevention codes apply, City of Folsom Code section 14.32.030 has language that states its provisions apply only to special flood hazard zones identified on the 1981 Flood Insurance Rate Map.

It would be possible that development could encroach into the floodplain and/or floodway of Alder Creek during implementation of future urban development. While technologically sound flood proofing options could prevent onsite damage to persons and structures, such protection measures could result in adverse changes in water surface elevations in other locations. Without specific prohibitions for floodplain encroachment, the eventual development of the SOIA territory could result in flood hazard impacts, either to locations within or downstream of the SOIA site.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation

Commission finds that the impact the potential exposure of future development and existing down-stream uses to flood hazards is expected to be significant and unavoidable.

Proposed Mitigation

- 4.10-2 Prior to permitting annexation of any property within the SOIA territory, LAFCo shall require that the City of Folsom, for development within the 100-year floodplain of Alder Creek (to be identified by hydraulic and hydrologic modeling), that the development will not result in an increase in flood water surface elevations within or downstream of the SOIA site. Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and may substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence from flood hazards. However, the Sacramento Local Agency Formation Commission further finds that, because of the early stage of project approval and planning and the uncertainty of the exact magnitude and method of implementation of the measures in the future, the mitigation measure at this stage of project development can not be found with certainty to substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that there are no additional mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment.

The Sacramento Local Agency Formation Commission has imposed a number of conditions upon the project pursuant to its power under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions provide for flood hazard mitigation, they do not mitigate environmental impacts to less than significant levels. These conditions accomplish important state policies of ensuring that adequate services are available prior to urbanization as well as preserving open space, agricultural use, and habitat for species. (See specifically Resolution No. LAFC1196 Conditions, 8, 12, and 14.)

Impact

4.10-3 Surface Water Quality

Eventual urban development within the SOIA site will require extensive grading and alteration of the surface soils and will establish permanent urbanized surfaces that could deteriorate water quality in onsite and downstream receiving waters. The water quality of surface runoff from the SOIA area has the potential to affect the water quality of Alder Creek, Lake Natoma, Deer Creek and the Cosumnes River, and could result in indirect effects on biological resources and recreational uses of the water bodies.

Temporary effects on water quality and/or long-term sedimentation in water bodies could result from construction activities that expose soil to erosion and transport of sediment to downstream points. During construction, fuels, solvents and/or other chemicals and construction waste could be spilled, dumped or discarded in a manner that seeps or leaks into waterways. Long-term effects on water quality from contaminated urban storm runoff would be associated with runoff flows over roofs, driveways, streets, parking lots, parks, lawns, etc. Typical urban pollutants vary with specific land use, but include heavy metals, oil and grease, pesticides and other synthetic organic compounds, nutrients from organic matter and fertilizers, oxygen demanding substances, and bacterial and viral contaminants.

The City of Folsom's Storm Drainage Design Standards include provisions (Section 10.15) requiring cut and fill slopes to be prepared and maintained to control against erosion, and the preparation and compliance with an erosion control plan that addresses a full range of temporary measures, revegetation standards, and monitoring requirements to minimize construction impacts to water quality.

City of Folsom General Plan Policy 28.2 states that "The quality and quantity of surface water runoff from a property shall not exceed existing flows or existing quality or shall comply with City standards for offsite drainage. The City shall implement a surface-runoff water quality monitoring program to insure compliance with City standards." A standard condition of approval by the City of Folsom is that storm drainage improvements meet standards that reflect the water quality requirements of the municipal NPDES permit from the Regional Water Quality Control Board. Certain classes of land use include activities that may also be required to obtain and comply with general or individual NPDES permits for industrial activities.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of potential degradation of surface water quality is expected to be less than significant because adequate protection measures will be

required in compliance with City of Folsom development standards and potential permits from state and federal resource agencies.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact of degradation of surface water quality with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required.

Impact

4.10-4 Ground Water Recharge

Eventual urban development in the SOIA site, while increasing the surface area covered by roadways, buildings and associated infrastructure, would not substantially decrease ground water recharge of the Sacramento ground water basin. The existing rates of infiltration, deep percolation and ground water recharge are very low across the SOIA site, and the project will not substantially decrease the rates of recharge. While the surface soils may be "improved" for landscaping or park development, the underlying claypans, hardpans and bedrock will not be affected in a manner that decreases water loss through the soil to subsurface. The SOIA territory is not well hydraulically connected to the major alluvial ground water aquifers of the Sacramento ground water basin to the west, and there are no present or planned uses of ground water on the site. Therefore, a possible decrease in recharge from the site is unlikely to have a substantial effect on the ground water resources of the vicinity.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of decreased ground water recharge is expected to be less than significant because adequate protection measures will be required in compliance with City of Folsom development standards and potential permits from state and federal resource agencies.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact of ground water recharge with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required.

Impact

4.10-5 Ground Water Quality

Infiltration and deep percolation of surface water (i.e., urban storm runoff, excess irrigation, etc.) within the developed SOIA could introduce contamination to the ground water beneath the site but would not adversely affect the migration rate or composition of existing contaminated ground water within the adjacent alluvial groundwater system to the west of the SOIA territory.

If applied water and/or urban storm runoff from the SOIA site becomes more likely to infiltrate and percolate to depth in comparison to background conditions, it could affect ground water quality under the SOIA site and in down-gradient locations. This would be of concern if a substantial portion of the SOIA area had hydraulic connections with the alluvial ground water system of the Sacramento Basin that underlies Aerojet to the west. If an increase in hydraulic head from the SOIA area (towards Aerojet) could increase the rate of migration of existing contamination plumes in the alluvial ground water aquifers, it could adversely affect the rate at which down-gradient ground water users are affected. If the urban contaminants in percolating water from the SOIA area could migrate and intermingle with the existing contaminant plumes, it could potentially introduce nitrate into the plumes. Nitrate has been tentatively associated with worsening the adverse human-health effects of perchlorate ion.

The following discussion lists several reasons why such impacts on ground water quality would not occur in association with the eventual development of the SOIA territory.

1. The groundwater in fractured bedrock aquifers underlying the SOIA territory is not of high yield or of high quality and it is not presently used, or proposed for use, as a source of domestic, municipal, industrial or agricultural water. Therefore, the possible minor degradation of ground water quality below the SOIA site due to urban pollutants would not be significant.
2. The existing rates of infiltration, deep percolation and ground water recharge are very low across the SOIA site, and the project will not substantially increase the rates of recharge. While the surface soils may be "improved" for landscaping or park development, the underlying claypans, hardpans and bedrock will not be affected in a manner that increases water loss through the soil to subsurface. The City of Folsom's policies and standards for water conservation and for water quality protection will also help prevent excess percolation and limit contamination of waters that may percolate.
3. The western boundary of the SOIA area is essentially on or along the structural boundary between the valley sediments and tilted bedrock units forming the foothills of the Sierra Nevada. Only a very limited portion of the SOIA site,

restricted to a narrow zone (up to a few hundred feet) along the Prairie City Road boundary, has a probable hydraulic connection to the alluvial aquifers to the west of the site. Therefore, the only possible excess percolation from the SOIA area development that could have a pathway to the alluvial aquifers would be from this limited area. Under existing land use policies, no uses would ever be allowed in this area, which is essentially equivalent to the Aerojet industrial bufferlands (see Section 4.1). Consideration of the limited infiltration/percolation area, the naturally low infiltration rates of the soils, the anticipated water conservation and water quality protection measures, and the land use restrictions along the western edge of the SOIA area indicates that limited water would be expected to flow towards the alluvial ground water system and its contamination levels would be minor.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of potential degradation of groundwater quality is expected to be less than significant since the potential effects would be limited in magnitude and not influence beneficial use of ground water under the site or in the vicinity.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because the impact to ground water quality with implementation of the City of Folsom Sphere of Influence Amendment is expected to be less than significant, no mitigation measures are required.

Impact

4.10-6 Water Supply

The City of Folsom will require additional water supply to meet existing General Plan buildout before the year 2030, and the eventual development of the SOIA Land Use Scenario would impose the need for an additional 3,418 AF/year beyond the projected supply of 34,000 AF/year. Though the City of Folsom will be able to meet the 2030 no-project water demand under normal conditions, it would likely experience substantial shortages under drier than normal conditions. Eventual buildout of the SOIA site under the forecast Land Use Scenario will require an additional 3,418 AF/year in excess of the projected City of Folsom demand for 2030. The City's MSE discusses several potential options for supplying needed water supplies to the SOIA territory.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impact of inadequate water supply is expected to be significant because the City has not yet demonstrated the feasibility of any of the water supply options set forth in the Master Services Agreement, nor has it obligated itself to implement programs to provide sufficient water supplies to the serve the SOIA area.

Proposed Mitigation

- 4.10-6 Prior to permitting annexation of any portion of the Folsom SOIA territory, LAFCo shall require the City of Folsom to identify and secure sufficient water supplies to serve existing customers, future customers within the existing service area, and all proposed uses within the SOIA territory subject of the annexation proposal.

Given the uncertainty of future potential land uses, LAFCo finds that it is not now possible to define mitigation with certainty. At the time annexation to the City of Folsom is proposed, consistent with the requirements of CEQA and the conditions of the foregoing mitigation measure, LAFCo will prepare a second tier environmental evaluation of the City's detailed land use plan and this potential impact, and will impose all additional feasible mitigation measures.

Findings on Proposed Mitigation

The Sacramento Local Agency Formation Commission finds that the above-stated mitigation measure is made a condition of approval of the City of Folsom Sphere of Influence Amendment. The Sacramento Local Agency Formation Commission further finds that the above measure is appropriate and feasible, and will substantially lessen or avoid the potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment by avoiding a lack of sufficient water supply prior to the need for such water by future urban development within the amended Sphere of Influence.

Impact

- 4.10-7 Development of Water Supplies

The City of Folsom will require additional water supply to meet existing General Plan buildout before the year 2030, and the eventual development of the SOIA Land Use Scenario. Because obtaining and using supplemental water sources may adversely affect regional surface and ground water resources, be inconsistent with regional water plans and policies, and/or create adverse impacts. Implementation of supplemental water supply options would contribute to a portion of the anticipated

impacts of the Water Forum Agreement on water-dependent resources of the lower American River, Nimbus Hatchery and/or Folsom Reservoir. Implementation of some supplemental water supply options would result in as-yet-unspecified construction and operational impacts of conveyance facilities. Implementation of one water supply option could result in lower water sales, but would not be associated with direct or indirect impacts to water resources or water-dependent resources.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the impact evaluation criteria, the Sacramento Local Agency Formation Commission finds that the impacts of developing additional water supplies are expected to be significant and unavoidable.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that there are no mitigation measures at this stage of project development that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. Therefore, no mitigation measures are recommended.

Section K. Significant Irreversible Environmental Changes and Commitments of Resources

Urban development arising from implementation of the requested Folsom Sphere of Influence Amendment project would result in the long-term commitment of resources which are, as yet, the unavoidable consequences of growth.

Implementation of the proposed project would result in the mid- to long-term in the conversion of existing land that is currently used for livestock grazing, open space, and wildlife habitat to urban uses. Additionally, a variety of resources, including land, energy, construction materials, and human resources would be irretrievably committed for construction and operation and maintenance of potential urban uses in the SOIA territory.

Development of urban uses and infrastructure to serve those uses may be regarded as a permanent and irreversible change from undeveloped land. Construction and alteration would permanently alter the existing visual character and would eliminate an area of land in open space and livestock grazing uses.

Construction of urban uses fostered by approval of the SOIA would also require a commitment of a variety of other non-renewable or slowly renewable natural resources. These resources primarily include fossil fuels used in construction equipment and vehicles. Other resources consumed would

include, but would not necessarily be limited to, lumber and other forest products, sand and gravel, asphalt, petrochemicals, metals, and water.

Increased local demands on community services and public utilities to operate and maintain urban uses would necessitate the extension, expansion, and/or construction of infrastructure. Consequently, long-term commitment of public services would also be required, thereby establishing increased demand on such services and increasing the need for nonrenewable or slowly renewable resources.

The Sacramento Local Agency Formation Commission finds that existing conditions will be irreversibly changed. The Sacramento Local Agency Formation Commission further finds that future generations could experience both the benefits of additional work opportunities, housing, retail opportunities, and urban culture while also experiencing adverse environmental effects. However, for the reasons stated throughout these findings and in the statement of overriding considerations, the Sacramento Local Agency Formation Commission finds that adoption and implementation of the City of Folsom Sphere of Influence Amendment is appropriate and beneficial to the health, safety and general welfare of the City of Folsom and Sacramento County, despite the irreversible environmental changes that are likely to result.

Section L. Growth Inducement

Impact

DIRECT GROWTH INDUCEMENT

Section 15226(g) of the CEQA Guidelines requires a discussion of the ways in which the proposed project could be growth inducing; how it promotes economic or population growth, or the construction of new housing. Induced growth as defined in this section of CEQA includes the direct employment, population, or housing growth of a project as well as the secondary or indirect growth accompanying direct growth. New employees from commercial development and new population from residential development represent direct growth and induce additional economic activity in a given area from the increase in aggregate spending generated as purchases of goods and services. New employment also adds to the demand for local housing, although since all employees employed in a given community will not necessarily live in that community, this housing demand increase will be less than the increase in employment. A project can induce growth by lowering or removing infrastructure barriers to growth, improving transportation access to an area, or by creating an amenity such as tourist-oriented facilities which attract new population or economic activity.

The proposed Folsom SOIA area is located in northeastern Sacramento County, immediately south of the City of Folsom adjacent to the border between Sacramento and El Dorado Counties. (See FEIR Plate 3-1) The City of Folsom is located in northeastern Sacramento County, approximately 20 miles east of the City of Sacramento at the boundary of the central valley and the foothills of the Sierra Nevada. The American River separates the City into northern and southern portions. Most current urban development is occurring in the southern portion of the City. The area immediately

north of the project site is currently largely non-urbanized. The City of Folsom has approved entitlements that would result in residential, commercial and industrial development of the entirety of the area. (See FEIR Plates 4.1-1 and 4.1-2) Substantial development has occurred within the City of Folsom in the area north of Highway 50 adjacent to the SOIA area since preparation of the Draft EIR in 1997. Residential, commercial and office uses consistent with the adopted Broadstone 2 Master Plan have been constructed west of East Bidwell Street, with construction expected to continue. East of East Bidwell Street, mass grading and street construction have been initiated in both the Broadstone Unit 3 Specific Plan area and the within the Empire Ranch (formerly Russell Ranch or Foothills). Extensive construction of a mixture of land uses will occur within these two areas over the next several years.

The City of Sacramento acts as the high density urban core of the Sacramento region and is surrounded by rapidly expanding suburban development. Moving away from the City of Sacramento, continuous growth is concentrated to the south and east from the City along the axes of the major freeways. Regional urban development extends along the axes of the major freeways into both Placer and El Dorado Counties to the east. The project site is one of the few remaining areas adjacent to U.S. 50 in Sacramento County that is non-urbanized, remaining as undeveloped open space in agricultural use. In El Dorado County, urban development forms a discontinuous pattern centered along U.S. 50 from the western County boundary to the City of Placerville. Areas in the extreme northern, eastern and southern portions of Sacramento County remain largely rural in nature. The largest undeveloped areas occur in the southern and southeastern parts of the County.

The proposed SOIA project boundary encompasses a 3,584+ acre area south of the existing corporate boundary of the City of Folsom, bounded by Highway 50 on the north, Prairie City Road on the west, White Rock Road on the south, and the El Dorado County line on the east. The northerly project boundary is U.S. Highway 50 - the existing corporation and Sphere of Influence boundary of the City of Folsom. The predominant land use in the SOI expansion area is extensive agriculture. If used for developed purposes, most of the land within the project area is used for seasonal grazing. Relatively few constructed features exist beyond perimeter roadways, power lines, and accessory agricultural facilities such as stock tanks and fencing. The Sacramento Municipal Utility District and PG&E operate four overhead electrical transmission lines ranging from 115 kV to 230 kV within a 400 foot wide corridor trending in a northeast to southwest direction through the SOIA area east of Prairie City Road. Easements for these transmission lines restrict structures such as buildings, swimming pools, wells, or other bodies of water within the area of the easement. A portion of the far northeastern corner of the site is developed with telecommunications facilities and antennae.

As depicted in FEIR, Plate 4.1-2, surrounding land uses include the 13,000-acre industrial campus of Aerojet General Corporation located immediately west of the project area (including several parcels within the Folsom SOIA area itself); the Prairie City State Vehicular Recreation Area operated by the State of California Department of Parks and Recreation, and extensive grazing lands to the south; a rural subdivision (Springfield Meadows) and undeveloped land to the east; and the 4-lane freeway of U.S. Highway 50 and undeveloped land in the City of Folsom to the north.

The area north of the project within the City of Folsom, though currently undeveloped, is scheduled for intensive urban development under the adopted Folsom General Plan and approved private development plans. Similarly, much of the area east of the SOIA area in El Dorado County is scheduled for urban development. No adjacent urban development has been approved or is currently under consideration by Sacramento County.

Land use within the project area is regulated by Sacramento County through the various plans and ordinances adopted by the County. These adopted plans include the Sacramento County General Plan, the Aerojet Special Planning Area (SPA) ordinance, and the County Zoning Ordinance. The City of Folsom and El Dorado County regulate land use respectively within each of their jurisdictions. Upon approval of the Folsom SOIA, land use would continue to be regulated by Sacramento County within the expanded SOI until such time as individual parcels were annexed to the City of Folsom, at which time land use regulation and the provision of most public services would become the responsibility of the City.

In summary, the area of the proposed Folsom SOIA is currently used for extensive grazing uses. The Sacramento County General Plan designates a continuation of these uses. Adjacent areas of both the City of Folsom and El Dorado County are planned to accommodate intense urban land uses in the near future.

As discussed above, induced growth may occur due to the direct employment, population, or housing growth of a project, as well as by the secondary or indirect growth accompanying direct growth. The proposed Folsom SOIA project would not directly result in the construction of housing units, employment generating uses, or other urban land uses. Thus, adoption of SOIA would not directly induce growth within the project territory or elsewhere.

INFRASTRUCTURE BARRIERS TO GROWTH

A second way in which a project could be expected to induce growth is by removing an infrastructure barrier to growth. Infrastructure barriers can be both physical - lack of a road for access or sufficient sewage treatment capacity - or they can be institutional - the lack of some regulatory condition or capacity to allow development to occur.

As required by LAFCo, the City of Folsom has prepared a "Master Services Element" for providing public services to the SOIA area. This Master Services Element, or MSE, sets forth the capacities, types, cost, and implementation schedule for the City of Folsom to extend public services to the SOIA territory. Through the MSE, the City demonstrates to LAFCo that it has the ability to serve both the existing City of Folsom and the expanded area within the SOIA. As documented in the MSE, the City anticipates providing the following services to the SOIA area:

- domestic water
- wastewater collection and treatment
- stormwater drainage
- solid waste collection and disposal
- fire protection and emergency medical services
- police protection services

- parks and recreation services
- roads and streets
- public transportation.

The SOIA territory is now unserved by these common urban utilities, or served at levels of service that would not permit the urbanization of the area. Provision of these services would serve to induce the development and urbanization of the SOIA area. Upon amendment of the City of Folsom's Sphere of Influence, the City would initiate formal planning and engineering to provide urban services within the territory. As individual property owners annexed their property to the City, the City would serve them with urban levels of public services, thereby permitting development of a greater intensity within the SOIA territory than would be currently true. Thus, implementation of the requested SOI Amendment would serve to reduce an infrastructure barrier to growth. The secondary environmental effects of this induced growth would be the same as those identified in the Final EIR.

INSTITUTIONAL BARRIERS TO GROWTH

The proposed project could also result in induced growth if it removed a policy or political (institutional) barrier to urban growth. The following discussion qualitatively evaluates this impact.

The proposed Folsom SOIA project would result in removing an institutional barrier to growth within the SOIA territory. LAFCo views the expansion of an agency's Sphere of Influence as an annexation occurring in the mid- to long-term future (LAFCo 1990). Other LAFCo policies direct the Commission to "favorably consider proposals that will provide urban services in areas with high growth potential rather than in areas with limited potential for future growth." Thus, it would be reasonable to assume that amendment of the City of Folsom's SOI represents the first step in annexation of the area to the City of Folsom and eventual urban development.

The Sacramento County General Plan expressly disallows urban development within the SOIA territory. Under the Growth Management Strategy outlined in the Sacramento County General Plan, the SOIA territory is outside of both the Urban Policy Area (where growth will occur in the short- to mid-term) and the Urban Service Boundary (which represents the ultimate boundary of urban development in the County).

Approval of the proposed SOI Expansion would indicate that LAFCo, as well as the City of Folsom, have found that the SOIA area is appropriate for urban development. Once the SOIA were approved by LAFCo, the City could consider annexation and development requests for areas within the SOIA territory. Once some or portions of the SOIA area were annexed to the City, the growth management policies of the Sacramento County General Plan would become inapplicable. In this way, approval of the SOIA request would reduce an institutional barrier to the urban growth of the SOIA territory. Since the area of the project has not been identified in an adopted land use plan for urban development, this would be a significant impact.

Implementation of the proposed SOIA would ultimately permit urban development in an area designated by Sacramento County for non-urban uses outside of the Urban Services Boundary (USB). Because the Urban Services Boundary is a policy of the County of Sacramento, a decision

by LAFCo to designate the City SOI outside of the USB would not signal a policy shift on the part of the County. As distinguished from Deer Creek Hills and Riverwalk, two projects proposed in unincorporated Sacramento County outside of the USB, the decision to approve a project in conflict with Sacramento County's USB policy would be made by decision-makers other than those of Sacramento County. It is reasonable to assume that approval of the Folsom SOIA by LAFCo would make it no more likely that Sacramento County decision-makers themselves would modify the USB policy or find extraordinary benefit to permit development outside of the USB. However, LAFCo approval of the SOIA area would signal that urban development proposals adjacent to existing Cities (such as Sacramento, Folsom and Galt), could be approved, thus increasing development pressures adjacent to these jurisdictions.

This pressure for urban development adjacent to existing Cities, but outside of the USB, would occur in the Folsom SOIA area, and areas to the south; areas adjacent to the City of Galt, especially in areas to the north and northeast; and in the City of Sacramento in areas adjacent to North Natomas. The secondary environmental effects of permitting such urban development outside of the USB would be similar to those identified as cumulative impacts in the Final EIR.

Finding on Significance of Impact

Based on the analysis contained within the Final EIR, other considerations in the record, and the project's goals, the Sacramento Local Agency Formation Commission finds that the impact of growth inducement, both within the project site and adjacent to incorporated cities throughout Sacramento County, is expected to be significant and unavoidable.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that there are no mitigation measures at this stage of project development that would be appropriate and feasible and that would substantially lessen or avoid this potential adverse environmental effect associated with the City of Folsom Sphere of Influence Amendment. Therefore, no mitigation measures are recommended.

Section M. Cumulative Impacts

Under CEQA, an EIR is required to analyze "cumulative" impacts. This analysis is designed to show the overall effect on the environment when project impacts are combined with the impacts of similar projects that are already developed or planned for development in the foreseeable future. By requiring an evaluation of cumulative impacts, CEQA attempts to minimize the possibility that an EIR will overlook large-scale environmental impacts by only focusing on the effects of a single project.

Cumulative development, in the City of Folsom, Sacramento County and western El Dorado County, in conjunction with the Folsom SOIA project, would result in the following significant effects:

- conversion of large areas of grazing lands to urban uses in the City of Folsom, Sacramento County, and western El Dorado County;
- result in the conversion of large areas of open space to urban uses in the City of Folsom, Sacramento County, and western El Dorado County;
- increase average daily traffic volumes on local roadways under existing plus project conditions in the City of Folsom, Sacramento County, and western El Dorado County;
- increase average daily traffic volumes on U.S. 50 under existing and cumulative plus project conditions from Sunrise Boulevard to El Dorado Hills Boulevard;
- increase average daily traffic volumes on local roadways under cumulative plus project conditions in the City of Folsom, Sacramento County, and western El Dorado County;
- generate short-term construction air emissions (ROG, NOx, and PM10) in the Sacramento Valley Air Basin, a non-attainment area;
- increase emissions of criteria air pollutants from additional vehicle trips and associated mobile sources in the Sacramento Valley Air Basin, a non-attainment area;
- increase long-term energy consumption and emissions from natural gas consuming appliances and fire places in the Sacramento Valley Air Basin, a non-attainment area;
- contribute to a loss or degradation of habitat for special status species of plants and animals in the City of Folsom, Sacramento County, and western El Dorado County, with a subsequent decline in the populations of such species;
- contribute to a loss of native, heritage or landmark trees in the City of Folsom, Sacramento County, and western El Dorado County;
- convert oak woodlands to urban uses in the City of Folsom, Sacramento County, and western El Dorado County;
- disrupt known and unknown cultural resources in the City of Folsom, Sacramento County, and western El Dorado County;
- contribute to flow or temperature changes that would adversely affect Lower American River habitat (i.e., flow &/or temperature);
- contribute to flow or temperature changes that would adversely affect Nimbus Hatchery

- contribute to reservoir level or temperature changes that would adversely affect Folsom Reservoir habitat; and.
- require the construction of public infrastructure that would have construction and/or operations effects.

Finding on Significance of Impacts

Based on the analysis contained within the Final EIR, other considerations in the record, and the project's goals, the Sacramento Local Agency Formation Commission finds that cumulative impacts in the City of Folsom, Sacramento, and western El Dorado County, to which the project would contribute, are expected to be significant and unavoidable.

Proposed Mitigation

The Sacramento Local Agency Formation Commission further finds that because of the lack of regional coordination and comprehensive programs to regulate or rectify these impacts, there are no mitigation measures that would be appropriate and feasible and that would substantially lessen or avoid these potential cumulative adverse environmental effects associated with the City of Folsom Sphere of Influence Amendment. Therefore, no mitigation measures are recommended.

The Sacramento Local Agency Formation Commission has imposed a number of conditions pursuant to its powers under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. While these conditions do not mitigate environmental impacts to a less than significant level, these conditions do implement important state goals of balancing orderly growth with open space and agricultural preservation, as well as preservation of habitat, discouraging urban sprawl and piecemeal development, provide transportation and circulation improvements at the time of annexation, and ensure adequate infrastructure and service.

The County of Sacramento and the City of Folsom mutually desired to establish a regional planning process that the Sacramento Local Agency Formation Commission supports. To accomplish regional planning goals, the County and the City entered into a Memorandum of Understanding, effective November 14, 2000. It is the intent of the Memorandum of Understanding to serve as the guide to sound regional long-range planning efforts by establishing and reorganizing planning principals that will be incorporated into any annexation process relative to the Sphere of Influence Amendment area into the City of Folsom, if such annexation ever occurs. The Sacramento Local Agency Formation Commission has incorporated the Memorandum of Understanding as part of its conditions on the project. In addition, the Commission has imposed other conditions as previously specified. (See Resolution No. LAFC1196.)

Section N. Findings on Alternatives to the City of Folsom Sphere of Influence Amendment

Project alternatives were considered as part of the environmental review and approval process. Following is a summary of project alternatives and the reason for their rejection.

Alternative 1 NO PROJECT ALTERNATIVE (BUILDOUT ACCORDING TO THE EXISTING LAND USE DESIGNATIONS)

This alternative includes full buildout of the SOIA territory under existing Sacramento County General Plan and Zoning designations. Under this alternative, Sacramento LAFCo would not expand the City of Folsom's Sphere of Influence as requested by the City. The SOIA territory would remain under the jurisdiction and regulation of Sacramento County. The territory would be developed according to existing Sacramento County General Plan and Zoning Ordinance guidelines. Existing land use regulations in the SOIA territory would permit Aerojet to develop up to 690,000 square feet of office and research and development uses (assuming a development intensity of 11,500 square feet per acre) at the northwest corner of the SOIA area without discretionary review by the County of Sacramento. Other Aerojet lands within the SOIA territory could only be used for agricultural uses under the terms of the Aerojet Special Planning Area ordinance administered by Sacramento County.

Elsewhere in the SOIA territory, Sacramento County has designated the area for continued extensive agricultural uses. Under terms of the Sacramento County Zoning Ordinance, other uses in addition to extensive agriculture could be developed in the area based on the current zoning designations. These uses could range from up to 46 dwelling units on parcels averaging 80 acres in size, to public parks and other recreational uses such as golf courses.

Rejection of Alternative 1

The Sacramento Local Agency Formation Commission rejects Alternative 1, the No Project - Existing Conditions alternative, as infeasible for each and every reason listed, each reason being a separate and independent basis upon which the Sacramento Local Agency Formation Commission finds the alternative to be infeasible:

- The No Project - Existing Conditions alternative does not provide the land area within the City of Folsom necessary to accommodate future year urban expansion.
- The alternative does not provide urban services in an area with high growth potential.
- This alternative fails to provide a means of addressing the inevitable growth that the City will encounter and could result in the City not meeting its fair share of regional growth as established by the State Housing Element Law.
- The alternative fails to advance LAFCo's goal of establishing a single provider of all urban utilities and services within an area, rather than permitting multiple single service providers to furnish urban services.
- The No Project - Existing Conditions alternative is also rejected as infeasible because it does not advance the adopted goals of the Folsom General Plan for amending and expanding the City's Sphere of Influence.

The basis for each of the foregoing determinations can be found in Section I of these Findings and Chapter 3 of the Final EIR dated July 1998 regarding the City's project goals, Chapter 5 of the Final EIR dated July 1998 regarding the environmental effects of the Alternative, and the information presented in Section P of these Findings, the LAFCo staff report of March 7 2001, and LAFCo Resolution No. LAFC 1194 regarding LAFCo policy and factual determinations.

To the extent that any environmental impacts might be less significant under the No Project - Existing Conditions alternative, the rejection of this alternative is appropriate for the reasons stated above and in the statement of overriding considerations.

Alternative 2 DELETION OF AEROJET-OWNED PROPERTY ALTERNATIVE

The Deletion of Aerojet-Owned Property Alternative is based on the proposed project, modified to delete two parcels of land on the western edge of the SOIA territory from the project area at the request of the property owner - Aerojet General Corporation. These two parcels, totaling 844 acres, are situated adjacent to Prairie City Road and the main Aerojet campus. (See Plate 5-1) All of the Aerojet-owned property would continue to be regulated by Sacramento County land use policies and procedures. The City of Folsom would continue to provide both treated and untreated water for Aerojet industrial operations. The Aerojet Special Planning Area ordinance (SPA) would permit the development of up to 690,000 square feet of office uses on the northerly parcel. The SPA requires that the larger, southerly parcel be maintained in open space.

For the SOIA, implementation of this alternative would result in a reduction of the overall SOIA area to 2,740 acres. Of this, 1,918 acres would continue to be developed with industrial and research & development uses (yielding 28,853,500 square feet of employment generating uses), while 822 acres would be maintained in open space uses.

Rejection of Alternative 2

The Sacramento Local Agency Formation Commission rejects Alternative 2, the Deletion of Aerojet-Owned Property Alternative, as infeasible for each and every reason listed, each reason being a separate and independent basis upon which the Sacramento Local Agency Formation Commission finds the alternative to be infeasible.

- The Deletion of Aerojet-Owned Property Alternative does not provide rational boundaries described by roads, streams, lakes, or easily recognizable geographic features.
- The Deletion of Aerojet-Owned Property Alternative is also rejected as infeasible because it does not fully advance the adopted goals of the Folsom General Plan for amending and expanding the City's Sphere of Influence.
- The Deletion of Aerojet-Owned Property Alternative is rejected as infeasible because while it avoids the potentially significant impact of contamination on Aerojet-owned lands attributed to the proposed project, it would result in impacts of greater magnitude than the project upon riparian resources.

The basis for each of the foregoing determinations can be found in Section I of these Findings and Chapter 3 of the Final EIR dated July 1998 regarding the City's project goals, Chapter 5 of the Final EIR dated July 1998 regarding the environmental effects of the Alternative, and the information presented in Section P of these Findings, the LAFCo staff report of March 7 2001, and LAFCo Resolution No. LAFC 1194 regarding LAFCo policy and factual determinations.

To the extent that any environmental impacts might be less significant under the Deletion of Aerojet-Owned Property Alternative, the rejection of this alternative is appropriate for the reasons stated above and in the statement of overriding considerations.

Alternative 3 DELETION OF TERRITORY WEST OF SCOTT ROAD ALTERNATIVE

The Deletion of Territory West of Scott Road Alternative is based on the proposed project, modified to delete all property west of Scott Road from the project area, in order to avoid large areas of sensitive biological resources, minimize land use conflicts with Aerojet, and avoid cultural resources and districts. (See Plate 5-1) This area, totaling 2,131 acres, would continue to be regulated by Sacramento County land use policies and procedures.

For the SOIA, implementation of this alternative would result in a reduction of the overall SOIA area to 1,453 acres. Of this, 1,020 acres would continue to be developed with industrial and research & development uses (yielding 11,730,000 square feet of employment generating uses), while 433 acres would be maintained in open space uses.

Rejection of Alternative 3

The Sacramento Local Agency Formation Commission rejects Alternative 3, the Deletion of Territory West of Scott Road Alternative, as infeasible for each and every reason listed, each reason being a separate and independent basis upon which the Sacramento Local Agency Formation Commission finds the alternative to be infeasible.

- The Deletion of Territory West of Scott Road Alternative does not provide sufficient land area within the City of Folsom necessary to accommodate future year urban expansion.
- The alternative does not provide urban services in an area with high growth potential.
- This alternative fails to provide a means of addressing the inevitable growth that the City will encounter and could result in the City not meeting its fair share of regional growth as established by the State Housing Element Law.
- The alternative fails to advance LAFCo's goal of establishing a single provider of all urban utilities and services within an area, rather than permitting multiple single service providers to furnish urban services.

- The Deletion of Territory West of Scott Road Alternative is also rejected as infeasible because it does not advance the adopted goals of the Folsom General Plan for amending and expanding the City's Sphere of Influence.
- The Deletion of Territory West of Scott Road Alternative is rejected as infeasible because while it avoids the potentially significant impacts of the disruption of historic districts and landscapes, and contamination on Aerojet-owned lands attributed to the proposed project, it would result in impacts of greater magnitude than the project on riparian resources.

The basis for each of the foregoing determinations can be found in Section I of these Findings and Chapter 3 of the Final EIR dated July 1998 regarding the City's project goals, Chapter 5 of the Final EIR dated July 1998 regarding the environmental effects of the Alternative, and the information presented in Section P of these Findings, the LAFCo staff report of March 7 2001, and LAFCo Resolution No. LAFC 1194 regarding LAFCo policy and factual determinations.

To the extent that any environmental impacts might be less significant under the Deletion of Territory West of Scott Road Alternative, the rejection of this alternative is appropriate for the reasons stated above and in the statement of overriding considerations.

Alternative 4 DELETION OF EID-SERVED PROPERTY ALTERNATIVE

The Deletion of El Dorado Irrigation District-Served Property Alternative is based on the proposed project, modified to delete two parcels of land on the eastern edge of the SOIA territory from the project area at the request of the water service provider - the El Dorado Irrigation District (to maintain the multi-county jurisdiction of the District for funding purposes). These two parcels, totaling 186 acres, are situated adjacent to the Sacramento/El Dorado County boundary between U.S. 50 and White Rock Road. (See Plate 5-1) All of the EID-served property would continue to be regulated by Sacramento County land use policies and procedures.

For the SOIA, implementation of this alternative would result in a reduction of the overall SOIA area to 3,398 acres. Of this, 2,380 acres would continue to be developed with industrial and research & development uses (yielding 27,370,000 square feet of employment generating uses), while 1,204 acres would be maintained in open space uses.

Rejection of Alternative 4

The Sacramento Local Agency Formation Commission rejects Alternative 4, Deletion of El Dorado Irrigation District-Served Property Alternative, as infeasible for each and every reason listed, each reason being a separate and independent basis upon which the Sacramento Local Agency Formation Commission finds the alternative to be infeasible.

- The Deletion of El Dorado Irrigation District-Served Property Alternative does not provide rational boundaries described by roads, streams, lakes, or easily recognizable geographic features.

- The Deletion of El Dorado Irrigation District-Served Property Alternative is also rejected as infeasible because it does not fully advance the adopted goals of the Folsom General Plan for amending and expanding the City's Sphere of Influence.
- The Deletion of El Dorado Irrigation District-Served Property Alternative is rejected as infeasible because does not reduce any of the environmental effects attributed to the project.

The basis for each of the foregoing determinations can be found in Section I of these Findings and Chapter 3 of the Final EIR dated July 1998 regarding the City's project goals, Chapter 5 of the Final EIR dated July 1998 regarding the environmental effects of the Alternative, and the information presented in Section P of these Findings, the LAFCo staff report of March 7 2001. and LAFCo Resolution No. LAFC 1194 regarding LAFCo policy and factual determinations.

The rejection of this alternative is appropriate for the reasons stated above and in the statement of overriding considerations.

Alternative 5 DELETION OF AEROJET-OWNED LANDS AND EID-SERVED TERRITORY

The Deletion of Aerojet-Owned Lands and EID-Served Territory Alternative is based on the proposed project, modified to delete two areas of land on the far west and east sides of the SOIA territory from the project area. (See Plate 5-1) For a detailed description of these two previous alternatives, refer to the discussion of alternatives 2 and 4.

Rejection of Alternative 5

The Sacramento Local Agency Formation Commission rejects Alternative 5, Deletion of Aerojet-Owned Lands and EID-Served Territory Alternative, as infeasible for each and every reason listed, each reason being a separate and independent basis upon which the Sacramento Local Agency Formation Commission finds the alternative to be infeasible.

- The Deletion of Aerojet-Owned Lands and EID-Served Territory Alternative does not provide rational boundaries described by roads, streams, lakes, or easily recognizable geographic features.
- The Deletion of Aerojet-Owned Lands and EID-Served Territory Alternative is also rejected as infeasible because it does not fully advance the adopted goals of the Folsom General Plan for amending and expanding the City's Sphere of Influence.
- The Deletion of Aerojet-Owned Lands and EID-Served Territory Alternative is rejected as infeasible because while it avoids the potentially significant impact of contamination on Aerojet-owned lands attributed to the proposed project, it would result in impacts of greater magnitude than the project on riparian resources.

The basis for each of the foregoing determinations can be found in Section I of these Findings and Chapter 3 of the Final EIR dated July 1998 regarding the City's project goals, Chapter 5 of the Final EIR dated July 1998 regarding the environmental effects of the Alternative, and the

information presented in Section P of these Findings, the LAFCo staff report of March 7 2001, and LAFCo Resolution No. LAFC 1194 regarding LAFCo policy and factual determinations.

To the extent that any environmental impacts might be less significant under the Deletion of Aerojet-Owned Lands and EID-Served Territory Alternative, the rejection of this alternative is appropriate for the reasons stated above and in the statement of overriding considerations.

Section O. Findings on Section 15088.5 Review of EIR

In the fall of 2000 to ensure that the FEIR evaluating the SOIA project contains sufficient information to serve LAFCo commissioners and the public, the Sacramento Local Agency Formation Commission re-evaluated the FEIR for the City of Folsom SOIA project to determine whether the FEIR prepared in 1998 contains current environmental information and complies with the requirements of the Guidelines for implementation of the California Environmental Quality Act (CEQA), as amended.

The provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 et seq.) govern the adequacy of information presented in an EIR. This law is further interpreted in Guidelines for Implementation of the California Environmental Quality Act (Guidelines) (California Code of Regulations, §15000 et seq.). In 1998, subsequent to the preparation of the FEIR, the CEQA Guidelines were substantially amended. Two provisions of the amended Guidelines apply to the current project.

Section 15007(c) provides that, "If a document meets the content requirements in effect when the document is sent out for public review, the document shall not need to be revised to conform to any new content requirements in Guideline amendments taking effect before the document is finally approved." According to the Guidelines, "Subsection (c) provides an interpretation clarifying the content requirement for documents. It provides expressly that if a document met all content requirements in effect at the time when it was sent out for public review, the contents of the document would not need to be changed even if new amendments altering the content requirements took effect before the document was finally approved."

The second guidance provided by the CEQA Guidelines regarding new or changed information in EIRs is set forth in §15088.5. This Guidelines section discusses when new or changed information would require recirculation of an EIR prior to certification. Following is the text of this Guideline section.

15088.5. Recirculation of an EIR Prior to Certification

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a

substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
 - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
 - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
 - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043)
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.
 - (c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.
 - (d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.
 - (e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.
 - (f) The lead agency shall evaluate and respond to comments as provided in Section 15088. Recirculating an EIR can result in the lead agency receiving more than one set of comments from reviewers. Following are two ways in which the lead agency may identify the set of comments to which it will respond. This dual approach avoids confusion over whether the lead agency must respond to comments which are duplicates or which are no longer pertinent due to revisions to the EIR. In no case shall the lead agency fail to respond to pertinent comments on significant environmental issues.
 - (1) When the EIR is substantially revised and the entire EIR is recirculated, the lead agency may require that reviewers submit new comments and need not respond to those comments received during the earlier circulation period. The lead agency shall advise reviewers, either within the text of the revised EIR or by an attachment to the revised EIR, that although part of the administrative record, the previous comments do not require a written response in the final EIR, and that new comments must be submitted for the revised EIR. The lead agency need only respond to those

comments submitted in response to the recirculated revised EIR. The lead agency shall send directly to every agency, person, or organization that commented on the prior draft EIR a notice of the recirculation specifying that new comments must be submitted.

(2) When the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the lead agency may request that reviewers limit their comments to the revised chapters or portions. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated. The lead agency's request that reviewers limit the scope of their comments shall be included either within the text of the revised EIR or by an attachment to the revised EIR.

(g) When recirculating a revised EIR, either in whole or in part, the lead agency shall, in the revised EIR or by an attachment to the revised EIR, summarize the revisions made to the previously circulated draft EIR.

Discussion: The purpose of this section is to provide guidance in applying Public Resources Code section 21092.1. It codifies the interpretation of that section made by the state Supreme Court in *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112.

Recirculation applies only to EIRs which have been made available for review, but which have not been certified. Once an EIR has been certified, then the procedures established under sections 15162, 15163, and 15164 apply to the question of whether or not a subsequent EIR, supplement to an EIR, or addendum must be prepared. Circulating a subsequent EIR or supplement to an EIR is not "recirculation" as described under section 15088.5.

Subsection (f) clarifies the responsibility of the lead agency to respond to comments received on the previously circulated EIR. When the previously circulated EIR has been extensively revised prior to recirculation, the lead agency is not required to respond to comments received during the previous circulation. This provision is intended to relieve the lead agency of the responsibility to respond to comments on what is essentially a different EIR than that currently being circulated. Nonetheless, the lead agency must specifically notify reviewers that it does not intend to respond to comments on the previous version of the EIR, and the lead agency must respond to all comments received during the recirculation. Subsection (g) requires the lead agency to summarize any changes made to a previously circulated EIR. This will help reviewers to familiarize themselves with the revised EIR and give them a quick indication of whether it addresses their previous concerns.

When the previously circulated EIR has not been extensively revised, the lead agency must respond to the comments received during each circulation period.

The Sacramento Local Agency Formation Commission evaluated all environmental information contained in the FEIR to determine whether it had changed in any way since preparation of the FEIR in 1998. In implementing this evaluation of the FEIR, the Sacramento Local Agency Formation Commission systematically evaluated each Chapter of the EIR in light of the foregoing questions (except for Chapters 2, 7, 8 and 9 which are either administrative or summaries of the remainder of the FEIR). For each instance where environmental information had changed, using the definition of "significant new information" described above in CEQA Guidelines §15088.5, the Sacramento Local Agency Formation Commission makes a determination regarding whether a change resulted in new or more severe impacts, or new required mitigation measures or alternatives, different than those previously described in the FEIR. For Chapters of the FEIR that needed revision to incorporate new information, the revised sections of such Chapters are also reproduced in the Section 15088.5 Review document published in October 2000. This inclusion constitutes incorporation of the Chapters as revised into the Final EIR.

Findings on Section 15088.5 Review of EIR

The Sacramento Local Agency Formation Commission has evaluated the FEIR for the City of Folsom Sphere of Influence Amendment project to determine whether the FEIR prepared in 1998 contains current environmental information and complies with the requirements of the Guidelines for implementation of the California Environmental Quality Act (CEQA), as amended. Applicable Guidelines Sections include §15007 and §15088.5, which set forth respectively content requirements for environmental documents and recirculation requirements for cases where new information is added to an uncertified environmental document.

As a result of this evaluation, the Sacramento Local Agency Formation Commission has determined that the FEIR as written has met all content requirements in the law and Guidelines, and in the procedures of the Sacramento Local Agency Formation Commission, existing at the time the EIR was circulated for public review. Thus, the FEIR meets the criterion of CEQA Guidelines §15007(c), and no modification of the FEIR would be necessary to meet new or modified content requirements.

Based on the "significant new information" evaluation, the Sacramento Local Agency Formation Commission revised and recirculated the Air Quality assessment contained in the FEIR in December 2000 for a period of 45 days. The Sacramento Local Agency Formation Commission responded in writing to all comments received. These responses were published on March 2, 2001. For all other issue areas, the Sacramento Local Agency Formation Commission finds that none of the conditions that would require recirculation of the FEIR pursuant to CEQA Guidelines §15088.5 exist.

Section P. Statement of Overriding Considerations

Section 15092 of the State CEQA Guidelines prescribes the steps necessary for project consideration by lead agencies. According to §15092(b), [a] public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:

1. The project as approved will not have a significant effect on the environment; or
2. The agency has:
 - A. Eliminated or substantially lessened all significant effects on the environment as shown in findings...; and,
 - B. Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.

As set forth in Section J above, the Sacramento Local Agency Formation Commission has identified the following impacts that could not be eliminated or reduced to a less than significant level by mitigating programs or policies included in the project description, or by the addition of mitigation measures identified in Section J. All other impacts identified in Section J would be reduced below a significant level by the imposition of mitigation measures identified in the Findings.

The Sacramento Local Agency Formation Commission finds, based on the analysis set forth in Section J, that approval and implementation of the proposed City of Folsom Sphere of Influence Amendment would result in the following significant unavoidable adverse impacts:

- 4.2-1 Conversion of Rangelands
- 4.2-4 Conversion of Open Space Resources
- 4.4-1 Increased Average Daily Traffic Volumes on Local Roadways Under Existing Plus Project Conditions
- 4.4-2 Increased Average Daily Traffic Volumes on U.S. 50 Under Existing and Cumulative Plus Project Conditions
- 4.4-3 Increased Demand for Transit Service Under Existing and Cumulative Plus Project Conditions
- 4.4-4 Increased Demand for Bikeway and Pedestrian Facilities Under Existing and Cumulative Plus Project Conditions
- 4.4-5 Interference with the Implementation of Planned Bikeways Under Existing and Cumulative Plus Project Conditions
- 4.4-6 Increased Average Daily Traffic Volumes on Local Roadways Under Cumulative Plus Project Conditions
- 4.5-1 Generation of Short-Term Construction Emissions (ROG, NO_x and PM₁₀)
- 4.5-2 Potential Increase in Emissions Of Criteria Pollutants from Additional Vehicle Trips and Associated Mobile Sources
- 4.5-4 Project Contribution to Cumulative Emissions of Criteria Air Pollutants in the Project Area.
- 4.5-6 Project Contribution to Urban Heat Island Effect
- 4.7-2 Loss of native, heritage, or landmark trees
- 4.7-3 Loss of oak woodlands
- 4.7-6 Loss or disturbance of special status species
- 4.8-2 Indirect effects to historic resources and districts

- 4.9-1 Construction Disturbance of Contaminated Soils and Groundwater from Aerojet Activities and Operations
- 4.9-2 Contamination from Historic Activities within the SOIA Area
- 4.10-2 Flood Hazards
- 4.10-7 Development of Water Supplies
 - Significant Irreversible Environmental Changes and Commitments of Resources
 - Growth Inducement
 - Cumulative impacts

Notwithstanding the disclosure of the significant, unavoidable impacts described above, the Sacramento Local Agency Formation Commission has determined, pursuant to §15093 of the California CEQA Guidelines, that the benefits of the City of Folsom Sphere of Influence Amendment project outweigh the adverse impacts and that the project should be approved. The Sacramento Local Agency Formation Commission specifically finds and makes a statement of overriding considerations that there are specific social, economic, and other reasons for approving this project, notwithstanding the disclosure of significant adverse impacts to public health and safety, as described and evaluated in the Draft, Recirculated Draft, and Final EIRs, the Section 15088.5 Review, Recirculated Air Quality Analysis, and Final Responses to Comments prepared for the proposed project for the City of Folsom Sphere of Influence Amendment, and the independent analysis of potential effects set forth in Section J of these Findings.

The specific social, economic and other reasons for approving this project, which override environmental concerns, are as follows. The Sacramento Local Agency Formation Commission finds the following reasons for approval of the City of Folsom Sphere of Influence Amendment project, each and every specific social, economic and other reason being a separate basis upon which the Sacramento Local Agency Formation Commission finds for approval of the project.

- A. The City of Folsom is one of the fastest growing areas within Sacramento County. Population and employment projections indicate that the City will continue to grow at a rate significantly greater than the countywide average. The City of Folsom's current Sphere of Influence is coterminous with the existing City limits. No additional areas within the City or its existing SOI are available to site future urban development. Expansion of the City's Sphere of Influence is necessary to accommodate future year urban expansion.
- B. The amount of vacant and undeveloped land currently available for urban expansion within the City is limited. A Residential Housing Forecast, prepared by the City in 1995, shows that at the current rate of issuing single-family building permits, the build-out of the existing City will occur by the year 2013. Additionally, the majority of vacant lands within the City currently have approved specific plans, subdivision maps or other land use entitlements that guide their future development. Only limited areas are available and unencumbered for urban expansion within the City.
- C. The Cortese-Knox-Hertzberg Act holds that a Sphere of Influence is an area designated as that necessary to accommodate urban development for a City over a 20-year period. Given the above findings, the City of Folsom does not have a 20-year supply of land necessary to serve projected urban development. Amendment of the City's Sphere of Influence would

not be a land use action or approval of any development project, but rather would be a designation of the City's probable, future urban boundary necessary to provide for the urban development needs of the City for a 20-year period.

- D. The territory proposed for inclusion in the SOIA is contiguous to lands within the City of Folsom and in El Dorado County that are developed with an urban uses or lands which have received approvals for urban development.
- E. The City of Folsom is bounded by El Dorado County on the east; Folsom Lake and Placer County on the north, and developed lands in Sacramento County on the west. State law prohibits cities from incorporating within two different counties. Thus, the City of Folsom is precluded from expanding to the north and east. Expansion to the west would not serve the future urban development needs of the City, since the area is already developed with urban uses.
- F. The proposed City of Folsom Sphere of Influence Amendment territory provides rational future boundaries to the City of Folsom, based on its contiguous location, availability of services, and the defined, certain boundaries proposed.
- G. Territory within the proposed SOIA area does not meet the test of LAFCo policy regarding "Prime" agricultural land. By expanding the City of Folsom's SOI as proposed, LAFCo would be designating additional developable lands not located on important agricultural resources.
- H. The proposed City of Folsom Sphere of Influence territory is located outside of the floodplains of the Sacramento and American Rivers, thus reducing regional flood impacts on urban development.
- I. The Master Services Element submitted by the City of Folsom for the proposed SOIA shows that City is the most logical and prospectively the most efficient provider of infrastructure and services for the subject territory.
- J. Approval of the proposed Sphere of Influence Amendment would lead to future urbanization of the area, thus providing an undetermined number of construction, labor, and building materials jobs over a period of several decades. Additionally, development of the area consistent with the City of Folsom's preferred land use scenario would lead to the creation of permanent, high-wage jobs in industry and research and development.
- K. As outlined in the staff report dated March 27, 2001, the proposed Sphere of Influence Amendment conforms to all of the requirements of LAFCo, and LAFCo is able to make all necessary findings in the affirmative as required by the Cortese-Knox-Hertzberg Act (Government Code §56000), as applicable, and Sacramento LAFCo's Policies and Procedures.

L. LAFCo has found that no feasible alternative would avoid the adverse impacts as defined above which would occur with approval of the City of Folsom Sphere of Influence Amendment. Except for the no-project alternative (Alternative 1), all of the remaining alternatives, including the proposed project, would have significant and unavoidable environmental effects. On balance, LAFCo finds that the proposed project would best meet the requirements of LAFCo, and the needs and adopted policy of the City of Folsom.

M. Memorandum of Understanding - The Sacramento Local Agency Formation Commission finds that the County of Sacramento and the City of Folsom mutually desire to establish regional planning goals for the City of Folsom's Sphere of Influence Amendment proposal. To accomplish these goals, the County and the City have entered into a Memorandum of Understanding. It is the intent of the Memorandum of Understanding to serve as the guide to sound regional long-range planning efforts by establishing and reorganizing planning principals that will be incorporated into any annexation proposal relative to the Sphere of Influence Amendment area into the City of Folsom, if such annexation ever occurs. In order to accomplish its purpose, the Memorandum of Understanding addresses the following issues:

1. Comprehensive Planning;
2. Public- Stakeholder Participation and input from Sacramento County, El Dorado County, City of Folsom, affected school districts and other affected entities;
3. Open Space Preservation;
4. Preservation and/or mitigation of habitat for species;
5. Housing;
6. Regional Growth Issues; and
7. Goal of Avoiding Piecemeal Development.

The Sacramento Local Agency Formation Commission has incorporated the Memorandum of Understanding as part of its conditions upon the project.

N. Conditions - LAFCo has imposed certain conditions on the approval of the Folsom Sphere of Influence. The conditions are in addition to the mitigation measures and are consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to discourage urban sprawl, preserve open space, agriculture, habitat for species, and promote orderly development. The conditions are set forth in Resolution No. LAFC 1196 and incorporated herein by reference.

O. Additional Facts


1. The project will increase local control over and accountability for decisions affecting Folsom by having an elected city council made up of Folsom residents serve as the community's primary local government representatives;
2. The project may ensure that comprehensive planning, zoning and other regulatory land use decisions affecting Folsom and its quality of life are made in Folsom;
3. The project will increase local responsibility for determining services, service levels and capital improvements in Folsom;

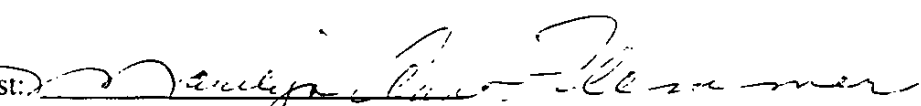
4. The project may improve and enhance where possible the level of services available in Folsom;
5. LAFCo has established numerous mitigation measures as a condition of its approval of the proposal;
6. The EIR for the project discusses cumulative impacts of concern to LAFCo, and a description of a range of reasonable alternatives;
7. Evaluations of current levels of service, existing and projected growth rates/holding capacities and density patterns, and Sphere of Influence Plans have been evaluated;
8. The majority of anticipated urbanization provides housing and employment opportunities necessary to support regional population growth;
9. LAFCo is not authorized to exercise land use authority;
10. Project approval is consistent with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;
11. Federal, state, and local planning entities were consulted during the environmental review process. Comments have been incorporated into LAFCo staff reports and Environmental Impact Report.
12. State, federal, and local agencies that have been authorized to regulate compliance with agricultural and open space resource conservation and preservation have been consulted during the environmental review process. Comments have been incorporated into LAFCo staff reports and the Environmental Impact Report.
13. The area jurisdiction will continue to be subject to all state and federal laws governing open space and agricultural resource conservation and preservation.
14. Specific annexation proposals that may adversely affect resources will be subject to subsequent environmental review pursuant to the requirements of CEQA.
15. State, federal, and local agencies that have been authorized to regulate compliance with air quality management and improvement legislation were consulted during the environmental review process. Comments have been incorporated into LAFCo staff reports and the Environmental Impact Report.
16. State, federal, and local agencies that have been authorized to regulate compliance with biological resource management, conservation and preservation legislation were consulted during the environmental review process. Comments have been incorporated into LAFCo staff reports and the Environmental Impact Report.

Section Q. Certification

The Sacramento Local Agency Formation Commission hereby recognizes and adopts the foregoing Findings of Fact and Statement of Overriding Considerations for the City of Folsom Sphere of Influence Amendment.

Dated: June 6, 2001

By: 
Chair
Sacramento Local Agency Formation Commission

Attest: 
Clerk, Sacramento Local Agency Formation Commission