



P.O. Box 1526 □ Sacramento, CA □ 95812-1526 □ (916) 444-0022 □
office@ecosacramento.net □ <http://www.ecosacramento.net/>

January 30, 2015

Scott A. Johnson, Planning Manager
City of Folsom
Community Development Department
50 Natomas Street
Folsom, CA 95630

Sent via email to: sjohnson@folsom.ca.us

Subject: Comments on the Draft Environmental Impact Report for Russell Ranch Project

Dear Mr. Johnson:

The Environmental Council of Sacramento (ECOS) greatly appreciates the opportunity to comment on the Draft Environmental Impact Report for Russell Ranch. We expressed many of our concerns at the time of the environmental document for the Folsom Plan Area Specific Plan (FPASP), but we believe many of those concerns were not adequately addressed at that stage and are still not adequately addressed. In our comments on the Final Notice of Preparation (NOP), we specifically requested that certain areas be addressed. They were not adequately addressed in this document, either. The document must therefore be considered inadequate and incomplete.

Land Use

The current Russell Ranch Project is a small portion of the overall Folsom Plan Area Specific Plan (FPASP), yet the entire compatibility analysis and evaluation is based on the assumption that the FPASP will be built out as planned. This seldom happens in the real world, but even if the FPASP is built out as planned, the DEIR indicates that this would occur over thirty years, leaving many intervening years of ensuing incompatibility. ECOS is therefore very concerned that the CEQA analysis may not reflect the single most likely scenario. At a minimum, an analysis should have been included that evaluated the project on its own merits, without reliance on the FPASP in its entirety, to conclude that it meets General Plan policies and that the goals and objectives of the Sacramento Council of Government's Blueprint are met.

The Russell Ranch Project by itself cannot be considered smart growth development since it is typical executive housing, and typical of the previously approved Empire Ranch. Neither can it be considered conducive to reducing vehicle miles travelled nor to reducing greenhouse gas emissions. As noted in our NOP comments, this project is just another auto oriented subdivision that, in itself, does not meet any smart growth principals.

Relying on the remainder of the FPASP to improve the compatibility of Russell Ranch with smart growth principals, when the remainder of the APASP may not be built as planned (or at all), is basically recapitulates the environmental document for the FPASP. This DEIR states that the "Preferred Blueprint Scenario" includes smart growth principles, including transportation choices, mixed-use development, compact development and housing choice and diversity. The DEIR concludes that the Russell Ranch project is generally consistent with the SACOG Blueprint Project and would implement the growth principles from the "Preferred Scenario". ECOS disagrees with that assertion and concludes the DEIR is deficient.

A mitigation measure which imposes phasing on the Russell Ranch project is appropriate. Allowing only 40% of Russell Ranch to develop prior to final approval of improvement plans for higher density residential and employment projects in the remainder of the FPASP would ameliorate some of the current policy conflicts that exist and make the DEIR highly suspect.

Growth Inducement

The Growth-Inducing Impacts section of the DEIR (Section 5.2) completely ignores ECOS's NOP comments. We must reiterate that the growth-inducing nature of this project must be thoroughly reviewed and its impacts mitigated in this DEIR. The excuse that the area where growth inducement will occur is outside of Folsom's jurisdiction and therefore cannot be mitigated is not legally defensible.

Under CEQA, impacts of growth inducement are like any other impact. They must be mitigated where feasible. The issue isn't where the growth is, but who has authority to implement the proposed mitigation. Folsom does have the authority to refrain from extending its sphere of influence further south and to choose not to annex that property, which would essentially preclude the growth-inducing impacts. Folsom also has the authority to size the infrastructure for this project that would mitigate growth-inducing impacts to the south.

The Southeast Connector JPA, in its environmental document, recognized the growth-inducing impacts of its project, which includes White Rock Road adjacent to this project, and included mitigation for those impacts. This project is as growth-inducing, as the Connector it is adjacent to, if not more so. Growth inducement was not adequately analyzed in this environmental document and the impacts were not mitigated. The DEIR is therefore currently inadequate and incomplete.

ECOS believes there are feasible mitigation measures to reduce the growth inducing impacts. These include directing conservation easements for the loss of agricultural and grazing land due to the development of Russell Ranch to areas immediately beyond or very close to the southern FPASP boundary. Partnering financially with the Southeast Connector JPA to implement growth inducement mitigation would be an appropriate mechanism to accomplish this necessary and feasible mitigation.

Biological Resources

Special Status species impacted:

No mention or analysis of potential impacts to ferruginous hawks was included in this DEIR. The ferruginous hawk is a state listed species of special concern, and the dominant covertime impacted by this project, grassland, is the preferred habitat for this avian species during its winter stays in the Central Valley. Please include discussion of potential impacts, which would be largely removal of foraging habitat, for this important species.

Tri-colored blackbird:

As discussed in this DEIR, there are currently no nesting blackbird colonies or suitable habitat for colonies to nest in the project site. Mention is made of a nearby blackbird colony and the actions that will be taken to control disturbance to that colony during construction. No mention is made of the fact, though, that tri-colored blackbirds commonly forage on grassland and that

this project will be removing substantial acreage of this suitable foraging habitat, nor does it provide any mitigation for this loss.

Compensatory mitigation for loss of wetlands:

There is no analysis of the impacts associated with the creation or restoration component of the compensatory mitigation for the loss of wetlands in the project site. The DEIR states that the project proponent will comply with the USACOE permits as issued. This is a deferral of mitigation and a deferral of providing full disclosure of the impacts. No information is provided as to where restoration/creation might occur, how much mitigation will be required, and what the potential impacts from that restoration/creation component might be.

Biological Isolation:

Discussion is included in this DEIR about the project site not being a corridor for wildlife movement because of the existing development to the north and the east. A brief comment is made about the possibility of larger mammals using avoided creeks for travel. No discussion was provided about the importance of connectivity to the avoided open space habitats in the project site. It might not be a suitable corridor, but if adequately sized connectivity corridors are not properly mapped out for the open space in the project, that open space will become biologically isolated and more prone to denigration – plants as well as more mobile species require connectivity. The issue of connectivity is further complicated by the fact that Russell Ranch is only one project in the newly annexed land that was in the sphere of influence. How does the Russell Ranch project nest within future projects such that adequate connectivity is provided for avoided open space habitats? As a condition of annexation, LAFco required that a third of the annexed land be left as open space. How does/will Russell Ranch's open space resources fit into and compliment the open space resources of future projects in a way that provides viable connectivity? How wide will connectivity corridors be? Will they have native plantings? How will the connectivity corridors be treated in term of fire safety?

Water

ECOS is very concerned that this project, and any subsequent development in the Folsom South Area, relies on the maximization of the City's anticipated conserved water without analyzing the implications of this action in "dry" and "extremely dry" conditions.

Background:

The total demand of Folsom Plan Area (FPA) South of US Highway 50 was determined to be 5,421 AFA in a normal year in the "Addendum to the Environmental Impact Report for the Folsom Plan Area Project for Purposes of Analyzing an Alternative Water Supply for the Project" (hereafter referred to as the "FPASPP Addendum"). The Russell Ranch DEIR estimates a dry year demand of the project to be 658 AFA (DEIR pg. 468), which is within the estimated demand of the FPA.

The subsequent plan to supply 5600 AFA of water to the FPA from conserved sources of up to 6450 AFA (FPASPP Addendum, pg 4) was passed by resolution on December 11th, 2012. ECOS regrets that a supplemental EIR was never published for this change of plan, and, having not, feels that this analysis must be called into question as it relates to the Russell Ranch project.

As stated in the DEIR, the city can conserve 6450 AFA from a) 4600 AFA of water conserved by repairing the leakage in existing City water infrastructure, and b) from at least 1850 AFA of conservation through implementation of water meters and a tiered rate billing system. The City proposes to use these water-savings to supply development of the entire Folsom South growth area, which is estimated to require 5421 AFA in a normal water year.

It is stated that, from these conservation activities, 5000 AFA of Pre-1914 water rights (from GSWC) and an additional 600 AFA of conserved water from the 7500 AFA "Fazio" supply (from SCWA) will be transferred to supply water to the FPA,. The Staff Report on the FPASPP addendum states on page 5 that the remainder of the "previously unused" Fazio supply will then be used for build out of the existing City's East Area. However, section 2.2.2 "Exchange of City Water Supplies" of the draft environmental analysis included in this same Staff Report (page 39) states "the City's East Area will receive 5,500 Acre Feet Per Year of the yield of the above-described conservation measures." A clarification of this discrepancy in explaining the use of conserved water is necessary in determining whether the City is meeting the obligations of SBx7-7.

Dry Year Implications:

ECOS acknowledges Folsom's recent efforts to conserve water, and recognizes the City's right to use its conserved water for other purposes. However, by planning to maximize almost the entirety of the City's 34,000 AFA of entitlements in addition to using water saved through concerted conservation efforts to supply the FPA, the City substantially limits its flexibility to supply water to all its residents in dry and extremely dry years. This scenario exposes future and existing residents of the City, and the region, to increased likelihood of extraordinary conservation measures, the impacts of which have not been analyzed in the DEIR.

As per the Water Forum Agreement (page 64), Folsom's 34,000 AFA of entitlements are subject to a reduction to 20,000 AFA, analysis of how this reduced supply would be stretched across the new development and existing City has not been adequately demonstrated.

Further, the fact that this dry year allocation of 20,000 AFA is not actually guaranteed has not been acknowledged in the documentation. Even Folsom's very senior pre-1914 water rights are subject to cut backs in dry years, relative to the actual in-flow of the American River. And more, there is no mention at all of the vulnerability of the Folsom Reservoir intake, the City's sole source of supply. As recently as 2014, Folsom storage levels came dangerously close to exposing the intake, which would obviously render the pumps inoperable. With no established back-up supply, how does the city plan to serve water to it's the existing residents in addition to the new growth in such a situation? There is no analysis of the impacts of this very feasible scenario, nor has a plan been offered to mitigate them.

The brief discussion of Folsom's five-stage drought conservation reduction regime (DEIR pg. 470-471) offers little explanation of how Folsom would be successful in meeting water demands under increasingly severe drought conditions at full build-out including Folsom South. Moreover, it is not even clear if the first and second stages of this regime would be able to produce any more conservation than the similar activities likely to be undertaken by residents in response to water metering now in place. The FPASPP addendum, which the DEIR relies on for demonstration of water supply, offers no discussion of dry year scenario analysis at all.

Finally, the DEIR does not adequately evaluate the regionally cumulative impact of maximizing the use of its conserved water, particularly in dry years, in meeting the provisions of the Water

Forum Agreement for a combined jurisdictional effort to achieve conjunctive use balance of surface and groundwater supplies that will ensure the long term sustainable yield of groundwater and a biologically healthy American River. Folsom may indeed be meeting the fine print of the Water Forum agreement, and be implementing Best Management Practices of the CA Urban Water Council for Conservation, but if this is the case, it is not adequately demonstrated in any analysis the City has put forward to date.

Conclusion:

The DEIR must fully examine the consequences of maximizing the use of the City's entitlements and conserved water by Folsom residents to supply future growth without a back-up water supply. ECOS requests the following:

a. A more comprehensive accounting of Folsom's current supplies, including recently anticipated Aerojet exchanges, is needed to adequately understand the implications of this plan, as well as further clarification of how and where these conserved waters will be used.

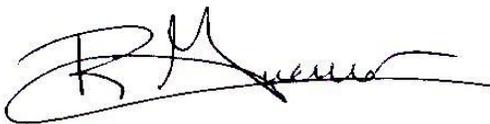
b. Water conserved through the leak repair program, largely completed, is a long term reliable supply, but only to the extent that the city maintains an active and successful leak detection and repair program. At a minimum, a mitigation requirement that Folsom maintain an active inspection and repair program to minimize system leakages should be incorporated into the project.

c. An analysis of regionally cumulative impacts on conjunctive use balance in achieving a long-term sustainable yield of the region's ground water and a biologically healthy American River is needed. This should include an illustration of the water supply plan's compliance to the conservation obligations of the Water Forum Agreement and the CA Urban Water Council BMPs.

d. Most importantly, the dry year implications of the water supply plan have not been fully analyzed, for future or existing residents. The DEIR must adequately address the impacts of committing the remainder of its conserved water supplies to new growth during extended and/or severe drought conditions.

ECOS feels that Folsom has a legal obligation to conduct this analysis, but regardless, the City owes its residents, who will bear the future burden of meeting severe water shortages in increasingly more frequent drought events, a more forthright discussion of this issue than has heretofore occurred.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Guerrero", with a long horizontal flourish extending to the right.

Rick Guerrero, ECOS President