

# Appendix I

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## Tribal Consultation Record



April 22, 2020

Robert Edgerton, AICP CEP  
HELIX Environmental Planning, Inc.  
11 Natoma Street, Suite 155  
Folsom, CA 95630

**RE: Tribal Consultation Record for Compliance with Assembly Bill 52 and CEQA for the Avenida Senior Living Project, City of Folsom**

Dear Robert:

The California Environmental Quality Act (CEQA), as amended in 2014 by Assembly Bill 52 (AB 52), requires that the City of Folsom (City) provide notice to any California Native American tribes that have requested notice of projects subject to CEQA review and consult with tribes that responded to the notice within 30 days of receipt with a request for consultation. Section 21073 of the Public Resources Code (PRC) defines California Native American tribes as "a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of the Statutes of 2004." This includes both federally and non-federally recognized tribes. For the City of Folsom, these include the following tribes that previously submitted general request letters, requesting such noticing:

- Wilton Rancheria (letter dated January 13, 2020);
- Lone Band of Miwok Indians (letter dated March 2, 2016); and
- United Auburn Indian Community (UAIC) of the Auburn Rancheria (letter dated November 23, 2015).

The purpose of consultation is to identify Tribal Cultural Resources (TCRs) that may be significantly impacted by the proposed Project, and to allow the City to avoid or mitigate significant impacts prior to Project approval and implementation. Section 21074(a) of the PRC defines TCRs for the purpose of CEQA as:

Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- a) included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or
- b) included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or
- c) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section

5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because the first two criteria also meet the definition of a Historical Resource under CEQA, a TCR may also require additional consideration as an Historical Resource. TCRs may or may not exhibit archaeological, cultural, or physical indicators and can only be identified by a culturally affiliated tribe, which has been determined under State law to be the subject matter expert for TCRs.

CEQA requires that the City initiate consultation with tribes at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures. Therefore, in accordance with the requirements summarized above, the City carried out, or attempted to carry out, tribal consultation for the Project. The methods and results of tribal consultation are summarized below, and a copy of the complete non-confidential administrative record is provided in Attachment A.

Within 14 days of initiating CEQA review for the Project, on March 18, 2020, the City sent Project notification letters to the three California Native American tribes named above, which had previously submitted general consultation request letters pursuant to 21080.3.1(d) of the PRC. Each tribe was provided a brief description of the Project and its location, the contact information for the City's authorized representative, and a notification that the tribe has 30 days to request consultation. The 30-day response period concluded on April 17, 2020.

As a result of the initial notification letters, two tribes responded to the opportunity to consult on the Project: Wilton Rancheria and the UAIC, as described below. The Lone Band of Miwok Indians did not respond within the 30-day response window, therefore, no consultation was required or carried out with the Lone Band of Miwok Indians under CEQA.

On April 7, 2020, Wilton Rancheria responded to the City's initial letter by email requesting consultation on the Project and the opportunity to discuss the topics listed in California PRC section 21080.3.2(a), including the type of environmental review to be conducted, project alternatives, significant effects, and mitigation measures for any direct, indirect, or cumulative impacts the project may cause to TCRs. The tribe provided their recommended mitigation measures for TCRs and stated that they wish to discuss design options that would avoid impacts to TCRs, pre-project surveys, and TCR identification and evaluation as well as culturally appropriate treatment. The letter also served as a formal request to allow a Wilton Rancheria representative to observe and participate in cultural resource surveys, and to view the documentation and results of all existing cultural resources assessments and records searches.

Therefore, on April 9, 2020, within 30 days of receiving the response, the City initiated consultation with Wilton Rancheria. The City invited the tribe to a consultation teleconference on April 17, 2020. To facilitate that consultation meeting, the City provided a copy of the cultural resources assessment, as requested. The tribe did not respond to the City's email and the April 17, 2020 teleconference was not attended by any tribal representatives. Thus, having offered the tribe an opportunity to participate in the meeting, the

City issued a response to the tribe indicating that in the absence of the tribe's participation, they will be continuing with the Project and adopting a mitigation measure for inadvertent discoveries of TCRs for their environmental document. On April 20, 2020, the City concluded consultation with Wilton Rancheria pursuant to PRC Section 21082.3(d)(2), 21080.3.2(b)(1), and 21082.3(d)(1).

On April 15, 2020, UAIC responded to the City's initial letter by email, declining consultation on the Project and stated that there are no known TCRs in the Project area and that there is the potential for unrecorded or buried TCRs to occur. The tribe also requested a copy of the environmental document and suggested that it provide mitigation measures for inadvertent discoveries and avoidance. On April 20, 2020, the City responded to UAIC to request that the tribe provide any suggested mitigation measures for the City to consider, provided information on how the tribe can review the CEQA document upon release, and closed consultation.

Based on the consultation record summarized above and in Attachment A, ECORP recommends that the City conclude that there will be a less than significant Impact on TCRs with the incorporation of the following mitigation measure for unanticipated discoveries:

TCR-01: Unanticipated Discovery of TCRs

If potentially significant TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the Project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to treatment directed by the City.

If you have any questions, you may reach me by phone at (916) 782-9100 or by email at [LWestwood@ecorpconsulting.com](mailto:LWestwood@ecorpconsulting.com).

Sincerely,



Lisa Westwood, RPA  
Vice President

Attachment A: Non-Confidential Tribal Consultation Record

**ATTACHMENT A**

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Non-Confidential Tribal Consultation Record

## AB 52 Log

City received a general request letter dated November 23, 2015 from United Auburn Indian Community.

City received a general request letter dated January 13, 2020 from Wilton Rancheria.

City received a general request letter dated March 2, 2016 from Lone Band of Miwok Indians.

March 18, 2020: City sent 14-day notices to tribes. 30-day response window closes on April 17.

April 7, 2020: City received an email from Wilton Rancheria in response to the AB 52 initial notice. Wilton Rancheria has formally requested consultation and provided their mitigation measures.

April 9, 2020: City sent initiation letter and scheduled a consultation teleconference call with Wilton Rancheria for April 17 at 9:00am.

April 15, 2020: United Auburn Indian Community emailed and declined consultation, but requested copies of environmental document, notification in event of unanticipated discovery, and to provide their mitigation measures.

April 17, 2020: Wilton Rancheria did not participate in the consultation teleconference.

April 20, 2020: The City concluded consultation with Wilton Rancheria pursuant to PRC Section 21082.3(d)(2), 21080.3.2(b)(1), and 21082.3(d)(1). The City provided information to both Wilton Rancheria and UAIC on how they can review the CEQA document and closed consultation.

The Lone Band of Miwok Indians did not respond within the 30-day response window, therefore, no consultation was required or carried out with Lone Band of Miwok Indians under CEQA.



*Daniel Miller*

MIWOK United Auburn Indian Community  
MAIDU of the Auburn Rancheria

Gene Whitehouse  
Chairman

John L. Williams  
Vice Chairman

Danny Rey  
Secretary

Brenda Adams  
Treasurer

Calvin Moman  
Council Member

November 23, 2015

City of Folsom Representative  
50 Natoma Street  
Folsom, CA 95630

RE: AB 52 Notification Request, California Environmental Quality Act Public Resources Code section 21080.3, subd. (b) Request for Formal Notification of Proposed Projects within the United Auburn Indian Community (UAIC) of the Auburn Rancheria's Geographic Area of Traditional and Cultural Affiliation

Dear City of Folsom Representative:

In accordance with Public Resources Code Section 21080.3.1, subd. (b), The United Auburn Indian Community (UAIC) of the Auburn Rancheria, which is traditionally and culturally affiliated with a geographic area within your agency's geographic area of jurisdiction, requests formal notice of and information on proposed projects for which your agency will serve as a lead agency under the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.

Enclosed with this letter is a copy of a map that depicts the ancestral territory that the UAIC is traditionally and culturally affiliated with. UAIC's traditionally and culturally affiliated geographic area is supported by, and has been developed through, multiple lines of evidence including oral tradition, history, ethnography, geography, linguistic, kinship, biology, archaeology, anthropology, folklore, other relevant information and expert opinion, and Congressional action through the Auburn Indian Restoration Act of 1994 (H.R. 4228 [103<sup>rd</sup>]).

Pursuant to Public Resources Code section 21080.3.1, subd. (b), and until further notice, we hereby designate the following person as the tribe's lead contact person for purposes of receiving notices of proposed projects from your agency:

Lead Contact:  
Gene Whitehouse,  
Chairman  
10720 Indian Hill Road  
Auburn, CA 95603  
916-883-2320



# Ione Band of Miwok Indians

A Federally Recognized Sovereign Tribe

2 March 2016

City of Folsom  
Community Development Dept.  
David Miller Director  
50 Natoma St.  
Folsom Calif. 95630

RE: Formal Request for Tribal Consultation Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code section 21080.3.1, subs. (b), (d) and (e) for City of Folsom

Dear , Mr. Miller

This letter constitutes a formal request for tribal consultation for the first phase of planning under the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21080.3.1 subdivisions (b), (d) and (e)) for the mitigation of potential project impacts to tribal cultural and environmental resources for the above referenced project. The Ione Band of Miwok Indians requests formal notice and information for all projects within your agency's jurisdiction.

The Ione Band of Miwok Indians requests consultation on the following topics listed below, which shall be included in consultation if requested (Public Resources Code section 21080.3.2, subd. (a)):

- Alternatives to the project
- Recommended mitigation measures
- Significant effects of the project

The Ione Band of Miwok Indians also requests consultation on the following discretionary topics listed below (Public Resources Code section 21080.3.2, subd. (a)):

- Type of environmental review necessary
- Significance of tribal cultural resources, including any regulations, policies or standards used by your agency to determine significance of tribal cultural resources
- **Significance of the project's impacts on tribal cultural resources**
- Project alternatives and/or appropriate measures for preservation or mitigation that we may recommend, including, but not limited to:

- (1) Avoidance and preservation of the resources in place, pursuant to Public Resources Code section 21084.3, including, but not limited to, planning and construction, geotechnical tests, utility location, and pedestrian surveys to avoid harming the resources (including water, endangered tribal plant resources, and endangered animal resources), and to protect the cultural and natural context, or planning greenspace, parks or other open space, to incorporate the resources with culturally appropriate protection and management criteria;



# Ione Band of Miwok Indians

A Federally Recognized Sovereign Tribe

(2) Treating the resources with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resources, including but not limited to the following:

- Protecting the cultural character and integrity of the resource
- Protecting the traditional use of the resource
- Protecting the confidentiality of the resource

(3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places

(4) Protecting the resource

Additionally, the Ione Band of Miwok Indians would like to receive any cultural resources assessments or other assessments that have been completed on all or part of the project's potential "area of project effect" (APE), including, but not limited to:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response
- Notification of whether the probability is low, moderate, or high that cultural resources are located in the APE
- Notification if a records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE
- Notification if a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures
- All information regarding site locations, Native American human remains, and associated funerary objects; such information should be placed in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.



# Ione Band of Miwok Indians

A Federally Recognized Sovereign Tribe

3. The results of any Sacred Lands File (SFL) check conducted through the Native American Heritage Commission. The request form can be found at <http://www.dot.ca.gov/hq/env/cultural/#templates> under Compliance Document Templates. Click on the link *Sacred Lands Inventory Form* to download the pdf. USGS 7.5- minute quadrangle name, township, range, and section are required for the search.
4. Any ethnographic studies conducted for any area including all or part of the potential APE
5. Any geotechnical reports regarding all or part of the potential APE

We would like to remind your agency that CEQA Guidelines section 15126.4, subdivision (b)(3) states that preservation-in-place is the preferred manner of mitigating impacts to archaeological sites. Section 15126.4, subd. (b)(3) of the CEQA Guidelines has been interpreted by the California Court of Appeal to mean that "feasible preservation in place must be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of impacts." *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal.App.4th 48, disapproved on other grounds, *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439.

The Ione Band of Miwok Indians expects to begin consultation within 30 days of your receipt of this letter. Please contact the Cultural Committee of the Ione Band of Miwok Indians.

Thank you.

Sincerely,

Randy Yonemura  
Cultural Committee Chair  
P.O. Box 699  
9252 Bush St., Suite 2  
Plymouth, CA 95669  
Tel. (209) 245-5800  
Email: [Randy\\_yonemura@yahoo.com](mailto:Randy_yonemura@yahoo.com)



Copies to:  
Jason Camp  
Tribal Historic Preservation Officer  
10720 Indian Hill Road  
Auburn, CA 95603  
(530) 883-2320  
jcamp@auburnrancheria.com

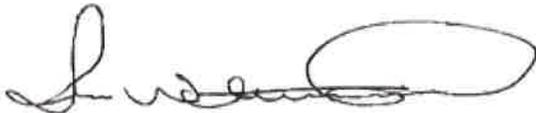
Marcos Guerrero  
Cultural Resources Manager  
10720 Indian Hill Road  
Auburn, CA 95603  
(530) 883-2364  
mguerrero@auburnrancheria.com

We request that all notices be sent via certified U.S. Mail with return receipt and that your notices specify a lead contact person for your agency. Following receipt and review of the information your agency provides, within the 30-day period outlined in Public Resources Code section 21080.3.1, subd. (d), the UAIC may request consultation, as defined by Public Resources Code section 21080.3.1, subd. (b), pursuant to Public Resources Code section 21080.3.2 to discuss issues including the type of environmental review to be conducted, project alternatives, significant effects of the project and mitigation measures for any project impacts (direct, indirect and cumulative) a specific project may cause to tribal cultural resources.

For your information, UAIC's policy is to be present during project cultural resource surveys, including initial pedestrian surveys, to identify tribal cultural resources. UAIC's policy is also to be provided all existing cultural resource assessments, including the request for and results of any records search that may have been conducted prior to the initial survey or consultation meeting. Finally, UAIC's general policy is preservation in place and avoidance of tribal cultural resources, and any subsurface testing or data recovery must not occur without first consulting with UAIC and receiving UAIC's written consent.

We recommend that your agency retain this correspondence in your permanent files. If you have any questions or need additional information, please contact Marcos Guerrero, Cultural Resources Manager, at (530) 883-2364 or by email at mguerrero@auburnrancheria.com.

Sincerely,



Gene Whitehouse,  
Chairman

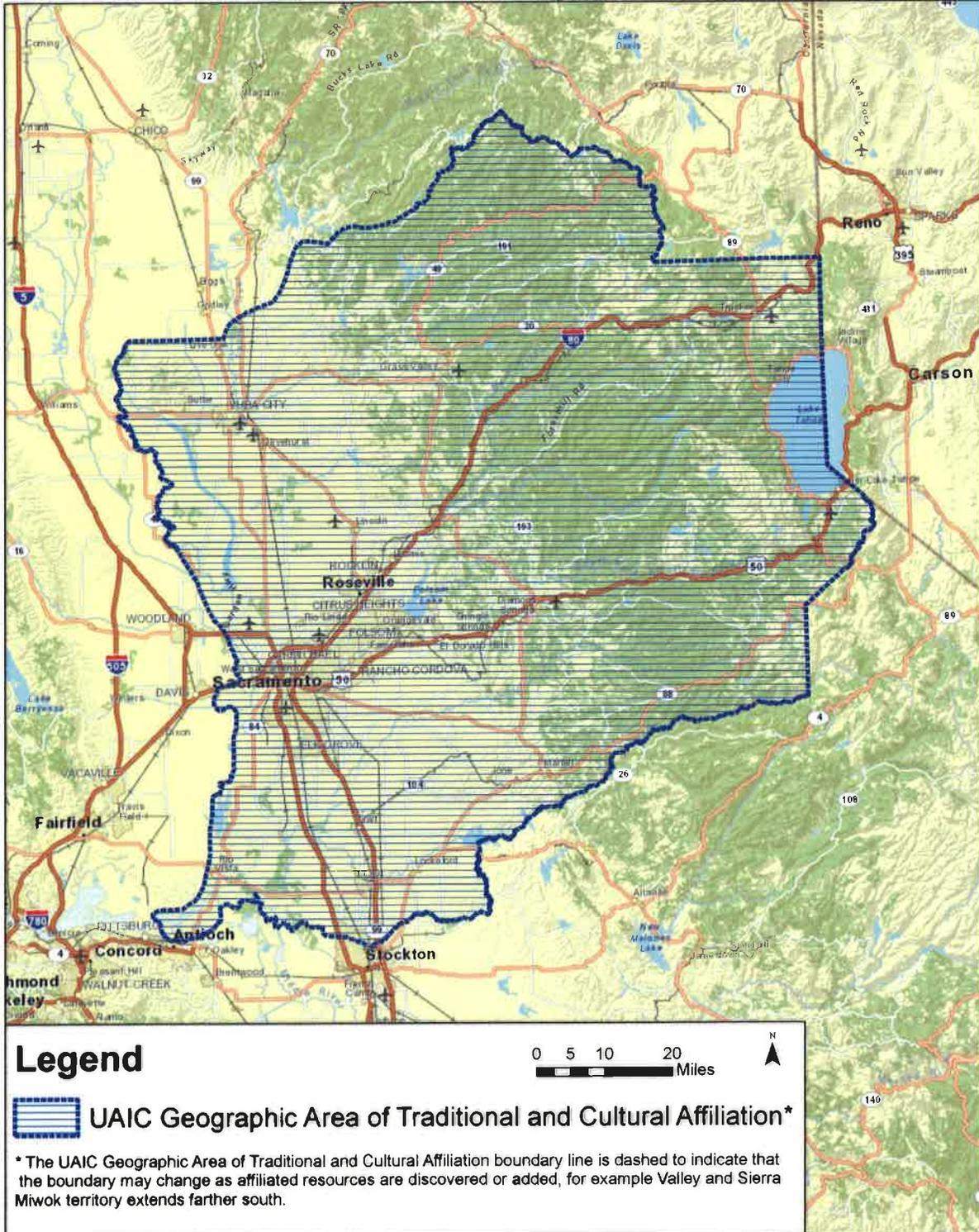
CC: Jason Camp, THPO  
Marcos Guerrero, CRM  
Cynthia Gomez, NAHC

# UAIC Geographic Area of Traditional and Cultural Affiliation

(for the purposes of California AB 52)

This area includes all of Amador, El Dorado, Nevada, Placer, Sacramento, Sutter and Yuba counties as well as portions of Butte, Plumas, San Joaquin, Sierra, Solano, and Yolo counties.

Map Created on 10/28/2015 by the UAIC Tribal Preservation Department



This map is no substitute for direct consultation with UAIC prior to considering any proposed project or commencing any archaeological activities in or around sensitive areas.

Note: While we make every effort to identify Tribal Cultural Resources that exist within the UAIC Geographic Area of Traditional and Cultural Affiliation, it is highly probable that there are additional, older sites that we have not yet identified due to restricted access or other reasons or that agricultural or construction activities have distributed burials and cultural materials beyond the previously known boundaries of these sites. Even if these materials are in a disturbed condition, they still retain cultural value to UAIC and should be respected and protected. Because of this, thorough survey with a qualified Native American Monitor to confirm site boundaries and search for unknown sites is critical. This survey should be conducted after consultation with the Tribe and prior to the final determination of the type of environmental document to be used.

## FW: New Contact Info

Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>

Thu 4/18/2019 8:52 AM

To: [REDACTED]

FYI

### **Scott A. Johnson, AICP**

*Planning Manager*

Community Development Department

50 Natoma Street, Folsom, CA 95630

O: 916.461.6206



CITY OF  
**FOLSOM**  
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[www.folsom.ca.us](http://www.folsom.ca.us)

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**From:** Cynthia Turner <[Cynthia@ionemiwok.net](mailto:Cynthia@ionemiwok.net)>

**Sent:** Thursday, April 18, 2019 8:41 AM

**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>

**Subject:** New Contact Info

Good Morning

We received your letter; Randy Yonemura is no longer our Chairwoman at the Lone Band Of Miwoks.  
The new contact is Sara D. Setshwaelo – Chairwomen

Thank You,

Cynthia Turner  
Administrative Assistant  
Office: (209) 245-5800 x403  
Cell: (209)418-8435

Lone Bank of Miwok Indians  
9252 Bush Street  
PO Box 699  
Plymouth, CA 95669

# Wilton Rancheria



9728 Kent Street, Elk Grove, CA 95624

January 13, 2020

City of Folsom  
50 Natoma St  
Folsom, CA 95630

RE: *California Environmental Quality Act Public Resources Code section 21080.3, subd. (b) Request for Formal Notification of Proposed Projects Within Wilton Rancheria Tribe's Geographic Area of Traditional and Cultural Affiliation*

Dear Sir or Madam,

As of the date of this letter, in accordance with Public Resources Code Section 21080.3.1, subd. (b), Wilton Rancheria, which is traditionally and culturally affiliated with a geographic area within your agency's geographic area of jurisdiction, requests formal notice of and information on proposed projects for which your agency will serve as a lead agency under the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq.

Pursuant to Public Resources Code section 21080.3.1, subd. (b), and until further notice, we hereby designate the following person as the tribe's lead contact person for purposes of receiving notices of proposed projects from your agency:

Attn: Chairman Raymond C. Hitchcock / Director  
Ralph Hatch Wilton Rancheria, Cultural Preservation  
Department  
9415 Rancheria Drive  
Wilton, CA 95693 [crd@wiltonrancheria-nsn.gov](mailto:crd@wiltonrancheria-nsn.gov)  
[rhatch@wiltonrancheria-nsn.gov](mailto:rhatch@wiltonrancheria-nsn.gov)

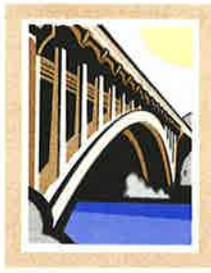
We request that all notices be sent via certified U.S. Mail with return receipt. Following receipt and review of the information your agency provides, within the 30-day period proscribed by Public Resources Code section 21080.3.1, subd. (d), the Wilton Rancheria may request consultation, as defined by Public Resources Code section 21080.3.1, subd. (b), pursuant to Public Resources Code section 21080.3.2 to mitigate any project impacts a specific project may cause to tribal cultural resources.

If you have any questions or need additional information, please contact our lead contact person listed above.

Respectfully,

*Ralph Hatch*

Ralph Troy Hatch  
Executive Director of Cultural Preservation



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

March 18, 2020

Gene Whitehouse  
United Auburn Indian Community of the Auburn Rancheria  
10720 Indian Hill Road  
Auburn, CA 95603

RE: Notice of Opportunity to Consult under Assembly Bill 52 for the Avenida Senior Living Project,  
City of Folsom, California

Dear Chairman Whitehouse:

The Community Development Department of the City of Folsom is initiating environmental review under the California Environmental Quality Act (CEQA) for the proposed Avenida Senior Living Project. The property is also known as Assessor's Parcel Number 072-2270-006. Avenida Senior Living, Inc. (applicant) proposes to construct a 154-unit senior multi-family apartment community on 6.9 acres. Construction would include removal of an existing parking lot with curb and gutter, and grading, utility installation, foundations, and slab-on-grade activities to construct the new facility. The property is located at 115 Healthy Way, east of Serpa Way, south of Iron Point Road and north of Healthy Way. A project location map and proposed plans are enclosed for your information.

Assembly Bill 52 (AB 52) and Section 21080.3.1(d) of the California Public Resources Code (PRC), require that we respond to your written request to be notified of projects in our jurisdiction that will be reviewed under CEQA. Your name was provided to us as the point of contact for your tribe. We are hereby notifying you of an opportunity to consult with us regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB 52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the subdivision of this parcel. If Tribal Cultural Resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts.

In accordance with Section 21080.3.1(d) of the PRC, you have 30 days from the receipt of this letter to either request or decline consultation in writing for this project. Please send your written response to my attention at the City of Folsom, Community Development Department, 50 Natoma Street, Folsom, CA 95630. You may also reach me by phone at (916) 461-6207 or by email at [sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us). If I do not receive a response within 30 days, then we will proceed.

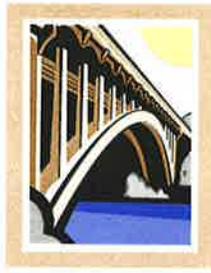
Thank you and we look forward to your response.

Respectfully,



Steve Banks  
Principal Planner  
City of Folsom

cc: Marcos Guerrero and Jason Camp, UAIC



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

March 18, 2020

Ralph Hatch, Director  
Wilton Rancheria  
Cultural Preservation Department  
9415 Rancheria Drive  
Wilton, CA 95693

RE: Notice of Opportunity to Consult under Assembly Bill 52 for the Avenida Senior Living Project,  
City of Folsom, California

Dear Director Hatch:

The Community Development Department of the City of Folsom is initiating environmental review under the California Environmental Quality Act (CEQA) for the proposed Avenida Senior Living Project. The property is also known as Assessor's Parcel Number 072-2270-006. Avenida Senior Living, Inc. (applicant) proposes to construct a 154-unit senior multi-family apartment community on 6.9 acres. Construction would include removal of an existing parking lot with curb and gutter, and grading, utility installation, foundations, and slab-on-grade activities to construct the new facility. The property is located at 115 Healthy Way, east of Serpa Way, south of Iron Point Road and north of Healthy Way. A project location map and proposed plans are enclosed for your information.

Assembly Bill 52 (AB 52) and Section 21080.3.1(d) of the California Public Resources Code (PRC), require that we respond to your written request to be notified of projects in our jurisdiction that will be reviewed under CEQA. Your name was provided to us as the point of contact for your tribe. We are hereby notifying you of an opportunity to consult with us regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB 52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the subdivision of this parcel. If Tribal Cultural Resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts.

In accordance with Section 21080.3.1(d) of the PRC, you have 30 days from the receipt of this letter to either request or decline consultation in writing for this project. Please send your written response to my attention at the City of Folsom, Community Development Department, 50 Natoma Street, Folsom, CA 95630. You may also reach me by phone at (916) 461-6207 or by email at [sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us). If I do not receive a response within 30 days, then we will proceed.

Thank you and we look forward to your response.

Respectfully,



Steve Banks  
Principal Planner  
City of Folsom



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

March 18, 2020

Chairman Raymond C. Hitchcock  
Wilton Rancheria  
Cultural Preservation Department  
9415 Rancheria Drive  
Wilton, CA 95693

RE: Notice of Opportunity to Consult under Assembly Bill 52 for the Avenida Senior Living Project,  
City of Folsom, California

Dear Chairman Hitchcock:

The Community Development Department of the City of Folsom is initiating environmental review under the California Environmental Quality Act (CEQA) for the proposed Avenida Senior Living Project. The property is also known as Assessor's Parcel Number 072-2270-006. Avenida Senior Living, Inc. (applicant) proposes to construct a 154-unit senior multi-family apartment community on 6.9 acres. Construction would include removal of an existing parking lot with curb and gutter, and grading, utility installation, foundations, and slab-on-grade activities to construct the new facility. The property is located at 115 Healthy Way, east of Serpa Way, south of Iron Point Road and north of Healthy Way. A project location map and proposed plans are enclosed for your information.

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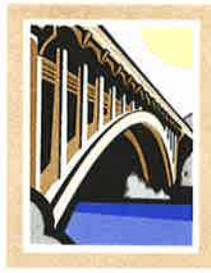
In accordance with Section 21080.3.1(d) of the PRC, you have 30 days from the receipt of this letter to either request or decline consultation in writing for this project. Please send your written response to my attention at the City of Folsom, Community Development Department, 50 Natoma Street, Folsom, CA 95630. You may also reach me by phone at (916) 461-6207 or by email at [sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us). If I do not receive a response within 30 days, then we will proceed.

Thank you and we look forward to your response.

Respectfully,



Steve Banks  
Principal Planner  
City of Folsom



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

March 18, 2020

Sara D. Setshwaelo, Chairperson  
Ione Band of Miwok Indians  
9252 Bush Street  
P.O. Box 699  
Plymouth, CA 95669

RE: Notice of Opportunity to Consult under Assembly Bill 52 for the Avenida Senior Living Project,  
City of Folsom, California

Dear Chairperson Setshwaelo:

The Community Development Department of the City of Folsom is initiating environmental review under the California Environmental Quality Act (CEQA) for the proposed Avenida Senior Living Project. The property is also known as Assessor's Parcel Number 072-2270-006. Avenida Senior Living, Inc. (applicant) proposes to construct a 154-unit senior multi-family apartment community on 6.9 acres. Construction would include removal of an existing parking lot with curb and gutter, and grading, utility installation, foundations, and slab-on-grade activities to construct the new facility. The property is located at 115 Healthy Way, east of Serpa Way, south of Iron Point Road and north of Healthy Way. A project location map and proposed plans are enclosed for your information.

Assembly Bill 52 (AB 52) and Section 21080.3.1(d) of the California Public Resources Code (PRC), require that we respond to your written request to be notified of projects in our jurisdiction that will be reviewed under CEQA. Your name was provided to us as the point of contact for your tribe. We are hereby notifying you of an opportunity to consult with us regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB 52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the subdivision of this parcel. If Tribal Cultural Resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts.

In accordance with Section 21080.3.1(d) of the PRC, you have 30 days from the receipt of this letter to either request or decline consultation in writing for this project. Please send your written response to my attention at the City of Folsom, Community Development Department, 50 Natoma Street, Folsom, CA 95630. You may also reach me by phone at (916) 461-6207 or by email at [sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us). If I do not receive a response within 30 days, then we will proceed.

Thank you and we look forward to your response.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Steve Banks', with a long horizontal flourish extending to the right.

Steve Banks  
Principal Planner  
City of Folsom

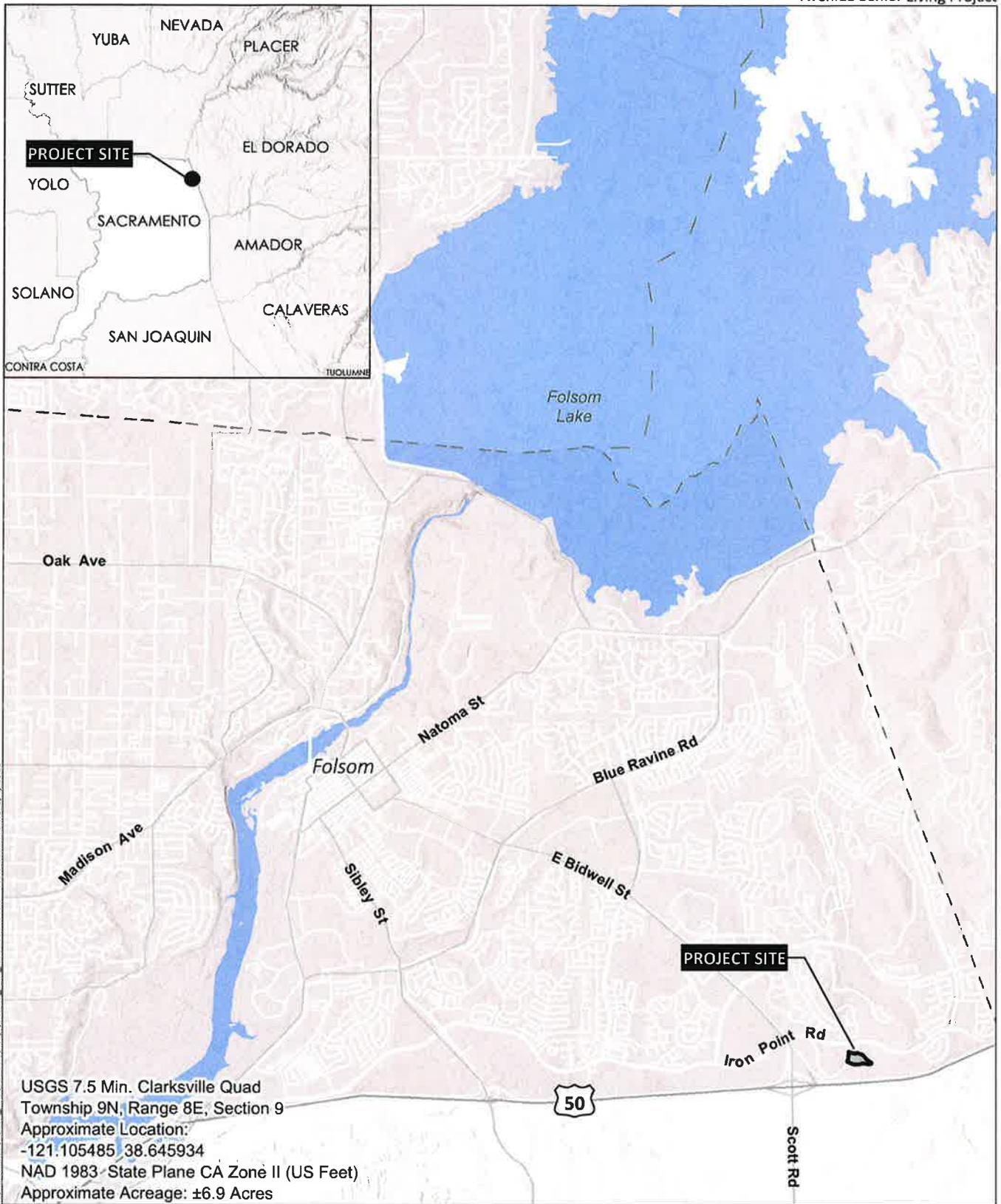
## **Project Description**

Avenida Senior Living, Inc. (Applicant) proposes to construct the Avenida Senior Living project (proposed project), a 154-unit, market-rate senior (age-restricted) apartment community on an estimated 6.9-acre site at the northeast corner of Healthy Way and Serpa Way in the City of Folsom.

The site is located at 115 Healthy Way, east of Serpa Way, south of Iron Point Road and north of Healthy Way in the City of Folsom (City) in Sacramento County, California. Known as Broadstone Crossing Parcel 6, the site is approximately 6.895+ acres (gross), 4.853+ acres (net), and is identified as Assessor's Parcel Number (APN) 072-2270-006. The site is located within Section 9, Township 9 North, Range 8 East (Mount Diablo Base and Meridian, United States Geological Survey 7.5-minute "Clarksville Quadrangle"). Refer to **Figure 1** for the Vicinity Map and **Figure 2** for an Aerial Map showing the project boundary.

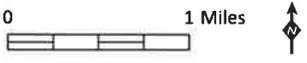
The proposed project is a 154-unit, market-rate senior multi-family apartment community with a mix of one and two-bedroom residential units in a 201,798 square foot (sf), four-story building. The project site includes surface parking lots arranged around the building to accommodate 168 vehicles, landscaping, and indoor and outdoor amenities. The net and gross densities of the proposed project are 24.5 and 22.3 units per acre, respectively. Refer to **Figure 3** for Preliminary Site Plan.

The site would be graded in a single phase and would move 6,500 cubic yards (cy) of cut and 5,000 cy of fill, with a net import of 1,500 cy of material. Grading and construction would take approximately 18-20 months to complete. Construction would include minor demolition of an existing parking lot with curb and gutter, grading, utilities, foundations, and slab-on-grade activities. Vertical construction would consist of a Type V four-story, wood-framed structure with elements of stucco, siding, and architectural details.



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Source: Base Map Layers (Esri, USGS, NGA, NASA)







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**From:** [REDACTED]  
**Sent:** Tuesday, April 7, 2020 12:18 PM  
**To:** [REDACTED]  
**Subject:** Fw: Avenida Senior Living Project  
**Attachments:** 1\_Mitigation\_Measures\_CEQA\_TCR\_Avoidance 04-19-19.docx; 2  
\_Mitigation\_Measures\_CEQA\_Discoveries 04-19-19.docx; 3  
\_Mitigation\_Measures\_CEQA\_Discoveries\_PostGroundDist\_SiteVisit 04-19-19.docx; 4  
\_Mitigation\_Measures\_CEQA\_Construction\_Worker\_Awareness\_Training 04-19-19.docx

**From:** Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>  
**Sent:** Tuesday, April 7, 2020 10:54 AM  
**To:** [REDACTED] 'RobertE@helixepi.com' <[RobertE@helixepi.com](mailto:RobertE@helixepi.com)>  
**Cc:** Kris Steward <[ksteward@phillipslandlaw.com](mailto:ksteward@phillipslandlaw.com)>  
**Subject:** FW: Avenida Senior Living Project

FYI

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**From:** Cultural Resource Department Inbox <[crd@wiltonrancheria-nsn.gov](mailto:crd@wiltonrancheria-nsn.gov)>  
**Sent:** Tuesday, April 7, 2020 10:53 AM  
**To:** Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>  
**Cc:** Cultural Resource Department Inbox <[crd@wiltonrancheria-nsn.gov](mailto:crd@wiltonrancheria-nsn.gov)>  
**Subject:** Avenida Senior Living Project

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

Good morning,

Wilton Rancheria received a letter from the City of Folsom dated March 18, 2020, formally notifying us of a proposed project, the Avenida Senior Living Project in the City of Folsom, and an opportunity to consult under AB 52. This letter is notice that Wilton Rancheria would like to initiate consultation under AB 52.

We would like to discuss the topics listed in Cal. Public Resources Code section 21080.3.2(a), including the type of environmental review to be conducted for the project; project alternatives; the project's significant effects; and mitigation measures for any direct, indirect, or cumulative impacts the project may cause to tribal cultural resources. As consultation progresses, we may also wish to discuss design options that would avoid impacts to tribal cultural resources; the scope of any environmental document that is prepared for the project; pre-project surveys; and tribal cultural resource identification, significance evaluations and culturally-appropriate treatment.

This letter is also a formal request to allow Wilton Rancheria tribal representatives to observe and participate in all cultural resource surveys, including initial pedestrian surveys for the project. Please send us all existing cultural resource assessments, as well as requests for, and the results of, any records searches that may have been conducted prior to our first consultation meeting. If tribal cultural resources are identified within the project area, it is Wilton Rancheria's policy that tribal monitors must be present for all ground disturbing activities. Finally, please be advised that our preference is to preserve tribal cultural resources in place and avoid them whenever possible. Subsurface testing and data recovery must not occur without first consulting with Wilton Rancheria and receiving Wilton Rancheria's written consent. In the letter Steve Banks is identified as the lead contact person for consultation on the proposed project. Mariah Mayberry will be Wilton Rancheria's point of contact for this consultation. Please contact Mariah by phone (916) 683-6000 ext. 2023 or email at [mmayberry@wiltonrancheria-nsn.gov](mailto:mmayberry@wiltonrancheria-nsn.gov) to begin the consultation process. Thank you for involving Wilton Rancheria in the planning process at an early stage. We ask that you make this letter a part of the project record and we look forward to working with you to ensure that tribal cultural resources are protected.

Sincerely,



**Mariah Mayberry**

Wilton Rancheria

Tel: 916.683.6000 ext 2023 | Fax: 916.683.6015

9728 Kent Street | Elk Grove | CA | 95624

[mmayberry@wiltonrancheria-nsn.gov](mailto:mmayberry@wiltonrancheria-nsn.gov)

[wiltonrancheria-nsn.gov](http://wiltonrancheria-nsn.gov)

## Tribal Cultural Resource Avoidance Mitigation Measure

Avoidance and preservation in place is the preferred manner of mitigating impacts to tribal cultural resources and will be accomplished by several means, including:

- Planning construction to avoid tribal cultural resources, archaeological sites and/ or other resources; incorporating sites within parks, green-space or other open space; covering archaeological sites; deeding a site to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity. Recommendations for avoidance of cultural resources will be reviewed by the CEQA lead agency representative, interested Native American Tribes and the appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project area to avoid cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource. Native American Representatives from interested Native American Tribes will be allowed to review and comment on these analyses and shall have the opportunity to meet with the CEQA lead agency representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate and feasible avoidance and design alternatives can be identified.
- If the resource can be avoided, the construction contractor(s), with paid Native American monitors from culturally affiliated Native American Tribes present, will install protective fencing outside the site boundary, including a buffer area, before construction restarts. The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area”. Native American representatives from interested Native American Tribes and the CEQA lead agency representative will also consult to develop measures for long term management of the resource and routine operation and maintenance within culturally sensitive areas that retain resource integrity, including tribal cultural integrity, and including archaeological material, Traditional Cultural Properties and cultural landscapes, in accordance with state and federal guidance including National Register Bulletin 30 (*Guidelines for Evaluating and Documenting Rural Historic Landscapes*), Bulletin 36 (*Guidelines for Evaluating and Registering Archaeological Properties*), and Bulletin 38 (*Guidelines for Evaluating and Documenting Traditional Cultural Properties*); National Park Service Preservation Brief 36 (*Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes*) and using the Advisory Council on Historic Preservation (ACHP) *Native American Traditional Cultural Landscapes Action Plan* for further guidance. Use of temporary and

## Tribal Cultural Resource Avoidance Mitigation Measure

permanent forms of protective fencing will be determined in consultation with Native American representatives from interested Native American Tribes.

## Inadvertent Discoveries Mitigation Measures

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Develop a standard operating procedure, points of contact, timeline and schedule for the project so all possible damages can be avoided or alternatives and cumulative impacts properly accessed.

If potential tribal cultural resources, archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered by Native American Representatives or Monitors from interested Native American Tribes, qualified cultural resources specialists or other Project personnel during construction activities, work will cease in the immediate vicinity of the find (based on the apparent distribution of cultural resources), whether or not a Native American Monitor from an interested Native American Tribe is present. A qualified cultural resources specialist and Native American Representatives and Monitors from culturally affiliated Native American Tribes will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. These recommendations will be documented in the project record. For any recommendations made by interested Native American Tribes which are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If adverse impacts to tribal cultural resources, unique archeology, or other cultural resources occurs, then consultation with Wilton Rancheria regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 should occur, in order to coordinate for compensation for the impact by replacing or providing substitute resources or environments.

## Post-Ground Disturbance Site Visit Mitigation Measure

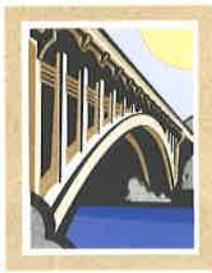
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A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the applicant shall notify the CEQA lead agency representative of the proposed earthwork start-date, in order to provide the CEQA lead agency representative with time to contact the Wilton Rancheria tribal representative shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of ground-breaking activity. During this inspection, a site meeting of construction personnel shall also be held in order to afford the tribal representative the opportunity to provide tribal cultural resources awareness information. If any tribal cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains are encountered during this initial inspection or during any subsequent construction activities, work shall be suspended within 100 feet of the find, and the project applicant shall immediately notify the CEQA lead agency representative. The project applicant shall coordinate any necessary investigation of the site with a Wilton Rancheria tribal representative, a qualified archaeologist approved by the City, and as part of the site investigation and resource assessment the archeologist shall consult with the Wilton Rancheria and provide proper management recommendations should potential impacts to the resources be found by the CEQA lead agency representative to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the CEQA lead agency representative by the qualified archaeologist. Possible management recommendations for tribal cultural resources, historical, or unique archaeological resources could include resource avoidance or, where avoidance is infeasible in light of project design or layout or is unnecessary to avoid significant effects, preservation in place or other measures. The contractor shall implement any measures deemed by CEQA lead agency representative staff to be necessary and feasible to avoid or minimize significant effects to the cultural resources, including the use of a Native American Monitor whenever work is occurring within 100 feet of the find.

## Tribal Cultural Resource – Awareness Training - Mitigation Measure

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A consultant and construction worker tribal cultural resources awareness brochure and training program for all personnel involved in project implementation will be developed in coordination with interested Native American Tribes. The brochure will be distributed and the training will be conducted in coordination with qualified cultural resources specialists and Native American Representatives and Monitors from culturally affiliated Native American Tribes before any stages of project implementation and construction activities begin on the project site. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker cultural resources awareness program will also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and will outline what to do and whom to contact if any potential archaeological resources or artifacts are encountered. The program will also underscore the requirement for confidentiality and culturally-appropriate treatment of any find of significance to Native Americans and behaviors, consistent with Native American Tribal values.



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

April 9, 2020

Mariah Mayberry  
Wilton Rancheria  
9728 Kent Street  
Elk Grove, California 95624

**RE: *Initiation of Consultation under Assembly Bill 52 for the Avenida Senior Living Project, City of Folsom, California***

Dear Ms. Mayberry,

We are in receipt of your email correspondence dated April 7, 2020 regarding the above-referenced project. We appreciate the tribe's interest in this project and welcome the opportunity to discuss this project in further detail with you. As requested, enclosed is the cultural resources technical report for the project, titled "Cultural Resource Assessment for Avenida Senior Living, 115 Healthy Way, Folsom, California," prepared by HELIX Environmental Planning (March 30, 2020). The report indicates that "the records search determined that no previously recorded cultural resources are located within the project site, and no archaeological resources were encountered during the survey. Ground visibility during the time of the survey was good, making it unlikely that near-surface archaeological resources are located within the project site" (HELIX 2020:6).

We are hereby initiating consultation with you under Assembly Bill 52 by inviting you to a teleconference at 9:00 am on April 17, 2020. The call-in number is (712) 770-5505, access code 967-306. If you are unable to attend, please contact me to schedule an alternate date. I can be reached by email at [sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us) or by phone at (916) 461-6207. Thank you and we look forward to consulting with you.

Respectfully,

A handwritten signature in black ink that reads "Steve Banks". The signature is fluid and cursive.

Steve Banks  
Principal Planner  
City of Folsom

HELIX Environmental Planning, Inc.  
11 Natoma Street, Suite 155  
Folsom, CA 95630  
www.helixepi.com



March 30, 2020

COF-31

Mr. Michael Murphy  
Avenida Partners  
130 Newport Center Drive, Suite 220  
Newport Beach, CA 92660

**Subject: Cultural Resource Assessment for Avenida Senior Living, 115 Healthy Way, Folsom, CA**

Dear Mr. Murphy:

This letter report presents the results of a cultural resources assessment conducted by HELIX Environmental Planning, Inc. (HELIX) for a proposed senior living facility to be located at 115 Healthy Way (project site) in the City of Folsom, Sacramento County, California (Figure 1 located in Attachment A).

Cultural resources investigations conducted in support of this project are subject to provisions of the California Environmental Quality Act (CEQA), as defined by Section 15064.5 of the CEQA Guidelines, with the City of Folsom (City) acting as the Lead Agency. This letter report documents HELIX's efforts to assess the potential of ground disturbances associated with this project to affect cultural resources that meet the criteria of significance under CEQA. This assessment, which addresses both archaeological and architectural resources, is based on the results of an archival records search, Native American coordination, and a pedestrian survey of the project site. The relevant regulatory framework for this project is included in Attachment B.

## **Project Description**

The proposed project would construct a 154-unit, market-rate senior multi-family apartment community on a 6.9-acre site (Figure 2). The apartment community would consist of a mix of one and two-bedroom residential units in an estimated 202,000 square foot (sf), four-story building. The project would be located on parcel APN 072-2270-006, located east of Serpa Way, south of Iron Point Road and north of Healthy Way.

The proposed building would extend around two large courtyards that include recreation amenities and landscaping. On the south elevation, a grand porte-cochere would identify the building entry and two-story lobby. Apartment units are planned on each of the four levels of the building and would be accessible from hallway corridors. The project site includes surface parking lots arranged around the building to accommodate 168 vehicles, landscaping, and indoor and outdoor amenities.

The pool courtyard is designed with a swimming pool, sun lounge area, and an outdoor fire ring seating area. Seasonal recreation activities would be available, including a spa, and patio area with an outdoor

kitchen. The courtyard would include palms in the sun lounge area, two raised planter and seat walls adjacent to the pool, and shade structures.

On the east side of the building, the garden courtyard would feature an informal garden and natural landscape with a curvilinear circuit walkway, gazebo, ornamental fountain, and accent landscape plantings. The courtyard walkway would connect to the walking route planned on the perimeter of the site.

### Archival Records Search

On March 3, 2020, an archival records search in support of the proposed project was conducted at the North Central Information Center (NCIC) of the California Historical Resources Information System, located at California State University, Sacramento. The records search addressed the project site and a 0.25-mile radius around the project site. Sources of information included previous survey and cultural resources files; the National Register of Historic Places (NRHP); the California Register of Historical Resources (CRHR); the Office of Historic Preservation (OHP) Archaeological Determinations of Eligibility; the OHP Directory of Properties in the Historic Property Data File; historical topographic maps; and historical aerial photographs.

The records search identified 27 studies that have previously been conducted within 0.25-mile of the project site (Table 1). Of these, three reports (003830, 009185, 004481) addressed all or part of the proposed project site.

**Table 1**  
**PREVIOUS STUDIES CONDUCTED WITHIN THE STUDY AREA**

Report	Year	Author(s)	Affiliation	Title
003830	1997	Windmiller, Ric, Louis A. Payen, and Pamela Payen	Consulting Archaeologist	Evaluation of Cultural Resources Broadstone Unit 3 Folsom Sacramento County, California
004475	1990	Peak & Associates, Inc.	Peak & Associates, Inc.	Cultural Resources Assessment of the Russell Ranch Project, Sacramento County, California.
004476	1986	Archo-Tec	Archeo-Tec	An Archaeological Surface Reconnaissance of the Proposed Russels Ranch Development Project, Folsom, California
004477	1994	Jackson, Robert J.	Pacific Legacy, Inc.	Determination of Adverse Effect for the Russell Ranch Project.
004481	1991	Lindstrom, Susan	Archaeological Consultant	A Cultural Resource Evaluation of the Broadstone 3 Project Involving 570 Acres Near Folsom, California, Sacramento County
004483	1993	Peak & Associates, Inc	Peak & Associates, Inc.	A Determination of Eligibility and Effect on Cultural Resources Within the Russell Ranch Project Area, Sacramento County, California
004520	1992	Mary Maniery	PAR Environmental Services, Inc.	Historic Survey Report and Historic Resource Evaluation Report for Sixteen Sites, Highway 50 Interchange Project Post Mile 18.8 TO 23.1, Sacramento County, California
004520A	1993	Mary Maniery	PAR Environmental Services, Inc.	Research Design to Conduct Phase II Investigations at PAR 6, Highway 50 and Oak Avenue Interchange Project, Sacramento County, California
004525	1991	Mary Maniery	PAR Environmental Services, Inc.	Archaeological Survey Report for the Highway 50 Interchange Project, Sacramento County, California.
006997	2006	Jensen, Sean	Genesis Society	Archaeological Inventory Survey Folsom South

Report	Year	Author(s)	Affiliation	Title
				Development Project, c. 1,443 acres on White Rock Road, Sacramento County, CA
007878	2004	Melinda A. Peak	Peak & Associates, Inc.	Determination of Eligibility and Effect for the Sacramento Property City of Folsom, CA
008119	2006	Kaptain, Neal	LSA	Historic Property Survey Report for the State Route 50/Empire Ranch Road Interchange Project
008119B	2006	Neal Kaptain and Susan Huster	LSA	Neal Kaptain and Susan Huster
008736	2006	Ric Windmiller	Consulting Archaeologist	Carpenter Ranch Cultural Resources Inventory, Folsom, Sacramento County, California
<b>009185</b>	<b>1991</b>	<b>Deborah A. Jones, Marianne Babal, Stephen D. Mikesell, and Stephen R. Wee</b>	<b>Far Western Anthropological Research Group and Jackson Research Projects</b>	<b>A Cultural Resources Study for the Folsom East Area Facilities Plan and Portions of the Sewer and Water Line System.</b>
009390	2001	Lisa Westwood	URS Corporation	Cultural Resources Survey Report for the Department of Veterans Affairs, National Cemetery Administration, Sacramento and Solano Counties, California (Contract Number: D002712103)
011337	2013	Katherine Knapp and Lisa Westwood	ECORP Consulting, Inc.	Cultural Resources Testing and Evaluation Report for the Mangini Ranch APE, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California ECORP Project No. 2012-037.1
011395	2012	Lisa Westwood, Katherine Knapp, Stephen Pappas, David Quirvey, and Roger Mason	ECORP Consulting, Inc.	Cultural Resources Testing and Evaluation Report for the Carpenter Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project; Cultural Resources Inventory Report for the Carpenter Ranch APE within the Folsom South of Highway 50 Specific Plan
011408	2012	Lisa Westwood, Katherine Knapp, Stephen Pappas, David Quirvey, and Roger Mason	ECORP Consulting, Inc.	Cultural Resources Testing and Evaluation Report for the Carpenter Ranch Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project; Cultural Resources Inventory Report for the Carpenter Ranch APE within the Folsom South of Highway 50 Specific Plan
011728	2014	Lisa Westwood	ECORP Consulting, Inc.	Historic Property Treatment Plan for the Non-Backbone Prairie City Road Business Park Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project Sacramento County, California
011894	2014	Lisa Westwood and Katherine Knapp	ECORP Consulting, Inc.	Finding of Effect Report for the Arcadian Heights APE Folsom South of U.S. Highway 50 Specific Plan Project Sacramento County, California
012049	2015	Lisa Westwood	ECORP Consulting, Inc.	Light Detection and Ranging (LIDAR) data for the Folsom South of U.S. Highway 50 Specific Plan Project. Generated in compliance with Section 4.4 of the approved (August 2013) Historic Property Treatment Plan for the Backbone Infrastructure permit area (SPK-2007-02159).
012053	2015	Lisa Westwood	ECORP Consulting, Inc.	Data Recovery Report for Archaeological Sites in the Backbone Infrastructure Area of Potential Effects, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California, ECORP Project No. 2005-429.6
012088	2015	Lisa Westwood	ECORP Consulting,	Historic Property Treatment for the Non-Backbone Prairie

Report	Year	Author(s)	Affiliation	Title
		and Katherine Knapp	Inc.	City Road Business Park Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California (ECORP Project No. 2009-168.8)
012419	2013	Katherine Knapp and Lisa Westwood	ECORP Consulting, Inc.	Historic Property Treatment Plan for the Backbone Infrastructure Permit Area, Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California
012458	2015	Lisa Westwood, Jeremy Adams, Stephen Pappas, Susan Lindstrom, and Roger Mason	ECORP Consulting, Inc.	Folsom South of U.S. Highway 50 Specific Plan Project, Historic Properties Management Plan, Sacramento County, California
012722	2018	Megan Webb	ECORP Consulting, Inc	Confidential Annual Report of Archaeological Inspections for the Folsom Plan Area Conservation Area and Passive Recreation Open Space, Sacramento County

The records search also determined that 15 previously recorded cultural resources that are located within 0.25-mile of the project site. Of these 15 resources, none are within the proposed project site (Table 2).

**Table 2**  
**PREVIOUSLY DOCUMENTED RESOURCES WITHIN THE STUDY AREA**

Primary	Trinomial CA-SAC_	Description	Year	Recorder	Affiliation	NRHP Status
P-34-000335	000308H	Folsom Mining District	1992	Mary L. Maniery	NA	Eligible
P-34-000806	000367H	Historic refuse including stove parts, a shovel head and an ephemeral scatter of glass.	1991	D. Jones, T. Kingsbury, D. Dyer, S. Warnesh	Far Western Anthropological Research Group, Inc	Not Evaluated
P-34-000807	000368	Bedrock milling station, cobble pestles and a possible grinding slick.	1991	D. Jones, T. Kingsbury, D. Dyer, S. Warnesh	Far Western Anthropological Research Group, Inc.	Not Evaluated
P-34-000808	NA.	Historic rock walls, brush fences, wire fences	1991	D. Jones, D. Glover, E. Montes	Far Western Anthropological Research Group, Inc.	Not Evaluated
P-34-000809	NA	Historic Mining Ditch	1991	D. Jones, D. Glover, E. Montes	Far Western Anthropological Research Group, Inc.	Eligible
P-34-001393	NA	Historic Mining Ditch	1991	Keith Syda, Will Shapiro	PAR Environmental Services, Inc.	Not Evaluated
P-34-001482	000905H	Historic Mining Ditch	2001	Susan McPherson	URS Corporation	Not Evaluated
P-34-001809	NA	Historic Fence Line	2006	Ric Windmiller	Consulting Archaeologist	Not Evaluated
P-34-001810	NA	Historic Rock Cairns	2006	Ric Windmiller	Consulting Archaeologist	Not Evaluated
P-34-001811	NA	Historic Rock Cairns	2006	Ric Windmiller	Consulting Archaeologist	Not Evaluated

Primary	Trinomial CA-SAC-__	Description	Year	Recorder	Affiliation	NRHP Status
P-34-001812	NA	Historic Rock Outcrop	2006	Ric Windmiller	Consulting Archaeologist	Not Evaluated
P-34-001813	NA	Historic Rock Pile	2006	Ric Windmiller	Consulting Archaeologist	Not Evaluated
P-34-004583	NA	Historic Road Grade	2012	S. Pappas, D. Quivey	ECORP Consulting, Inc	Not Evaluated
P-34-004623	NA	Historic Rock Pile	2012	S. Pappas, D. Quivey	ECORP Consulting, Inc	Not Evaluated
P-34-005120	NA	Historic Railroad Grade	1991	Keith Syda, Will Shapiro	PAR Environmental Services, Inc	Not Evaluated

### Native American Coordination

On March 5, 2020, HELIX requested that the Native American Heritage Commission (NAHC) conduct a search of their Sacred Lands File for the presence of Native American sacred sites or human remains in the vicinity of the proposed project site. A written response received from the NAHC on March 12, 2020, stated that the Sacred Lands File failed to indicate the presence of Native American cultural resources in the immediate project area.

On March 20, 2020 HELIX sent letters to 10 Native American contacts that were recommended by the NAHC as potential sources of information related to cultural resources in the vicinity of the project area:

- Grayson Coney, Tsi Akim Maidu
- Rhonda Moningstar Pope, Chairperson, Buena Vista Rancheria of Me-Wuk Indians
- Sara Setchwaelo, Chairperson, Lone Band of Miwok Indians
- Cosme Valdez, Chairperson, Nashville Enterprise Miwok-Maidu-Nishinam Tribe
- Regina Cuellar, Chairperson, Shingle Springs Band of Miwok Indians
- Gene Whitehouse, Chairperson, United Auburn Indian Community of the Auburn Rancheria
- Ralph Hatch, Cultural Preservation Department, Miwok
- Antonio Ruiz, Officer, Wilton Rancheria
- Raymond Hitchcock, Chairperson, Wilton Rancheria
- Clyde Prout, Chairperson, Colfax-Todds Valley Consolidated Tribe

The letters advised the tribes and specific individuals of the proposed project and requested information regarding cultural resources in the immediate area, as well as any feedback or concerns related to the proposed project. As of the date of this report, no responses have been received. Documentation related to Native American coordination is included as Attachment C.

### Archaeological Survey Results

On February 28, 2020, HELIX Staff Archaeologist, Jentin Joe, conducted a pedestrian survey to characterize any prehistoric or historic-era archaeological resources located within the project site. The survey consisted of a pedestrian evaluation of the estimated 6.9-acre project site walked in parallel transects spaced at 10-meter intervals. During the survey the ground surface was examined for the

presence of historic-era artifacts (e.g., metal, glass, ceramics), prehistoric artifacts (e.g., flaked stone tools, tool-making debris), and other features that might represent human activity that took place more than 50 years ago.

The project site was fully surveyed for both archaeological and architectural resources. Survey conditions were good, with sparse vegetation allowing good ground surface visibility (Photographs 1 and 2 located in Attachment D). The project site was previously graded in 2002 and 2007; during the 2007 grading activity an earthen berm on the north edge of the property was apparently constructed (Photograph 3). The ground surface has been heavily disturbed by vehicle and construction activities as evidenced by vehicle tracks visible throughout the project site. The area is sparsely littered with construction materials, plastic fragments, and glass fragments. The soil on site consists primarily of a light-brown sand.

The archaeological survey determined that no archaeological resources are present on the surface of the project site. All observed cultural materials appear to be less than 50 years old, or are nondiagnostic fragments that cannot be attributed to a specific date range.

## **Conclusions and Recommendations**

The records search determined that no previously recorded cultural resources are located within the project site, and no archaeological resources were encountered during the survey. Ground visibility during the time of the survey was good, making it unlikely that near-surface archaeological resources are located within the project site.

No subsurface testing was conducted for this study, but the disturbed nature of the project site suggests that the potential for encountering buried cultural resources during grading or excavation is low. Unless substantial grading or excavation (i.e., deeper than 5-feet) is planned or project plans change to include areas not reviewed as part of this study, no further work associated with cultural resources is necessary with the implementation of the recommendations outlined below.

### **Inadvertent Discoveries**

In the event that cultural resources are exposed during ground-disturbing activities, construction activities should be halted in the immediate vicinity of the discovery. If the site cannot be avoided during the remainder of construction, an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards should then be retained to evaluate the find's significance under the California Environmental Quality Act (CEQA). If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and should be discussed in consultation with the City.

### **Treatment of Human Remains**

Although there is no evidence to suggest the presence of human remains, the discovery of human remains is always a possibility during a project. If such an event did occur, the specific procedures outlined by the NAHC, in accordance with Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code, will be followed:

1. All excavation activities within 60-feet of the remains will immediately stop, and the area will be protected with flagging or by posting a monitor or construction worker to ensure that no additional disturbance occurs.
2. The project owner or their authorized representative will contact the County Coroner.
3. The coroner will have two working days to examine the remains after being notified in accordance with HSC 7050.5. If the coroner determines that the remains are Native American and are not subject to the coroner's authority, the coroner will notify NAHC of the discovery within 24 hours.
4. NAHC will immediately notify the Most Likely Descendant (MLD), who will have 48 hours after being granted access to the location of the remains to inspect them and make recommendations for treatment of them. Work will be suspended in the area of the find until the senior archaeologist approves the proposed treatment of human remains.
5. If the coroner determines that the human remains are neither subject to the coroner's authority nor of Native American origin, then the senior archaeologist will determine mitigation measures appropriate to the discovery.

Should you have any questions regarding our approach, methodology, results or conclusions, please do not hesitate to contact me.

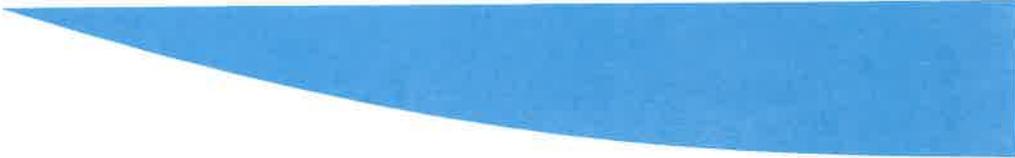
Sincerely,



Clarus J. Backes, Jr., RPA  
Senior Archaeologist  
HELIX Environmental Planning, Inc.

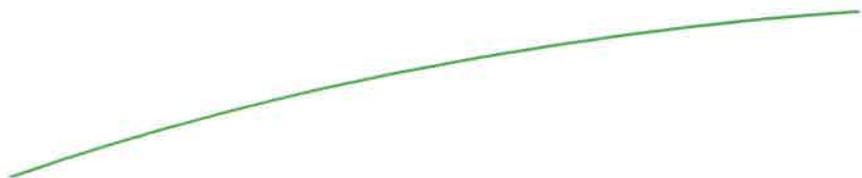
**Attachments:**

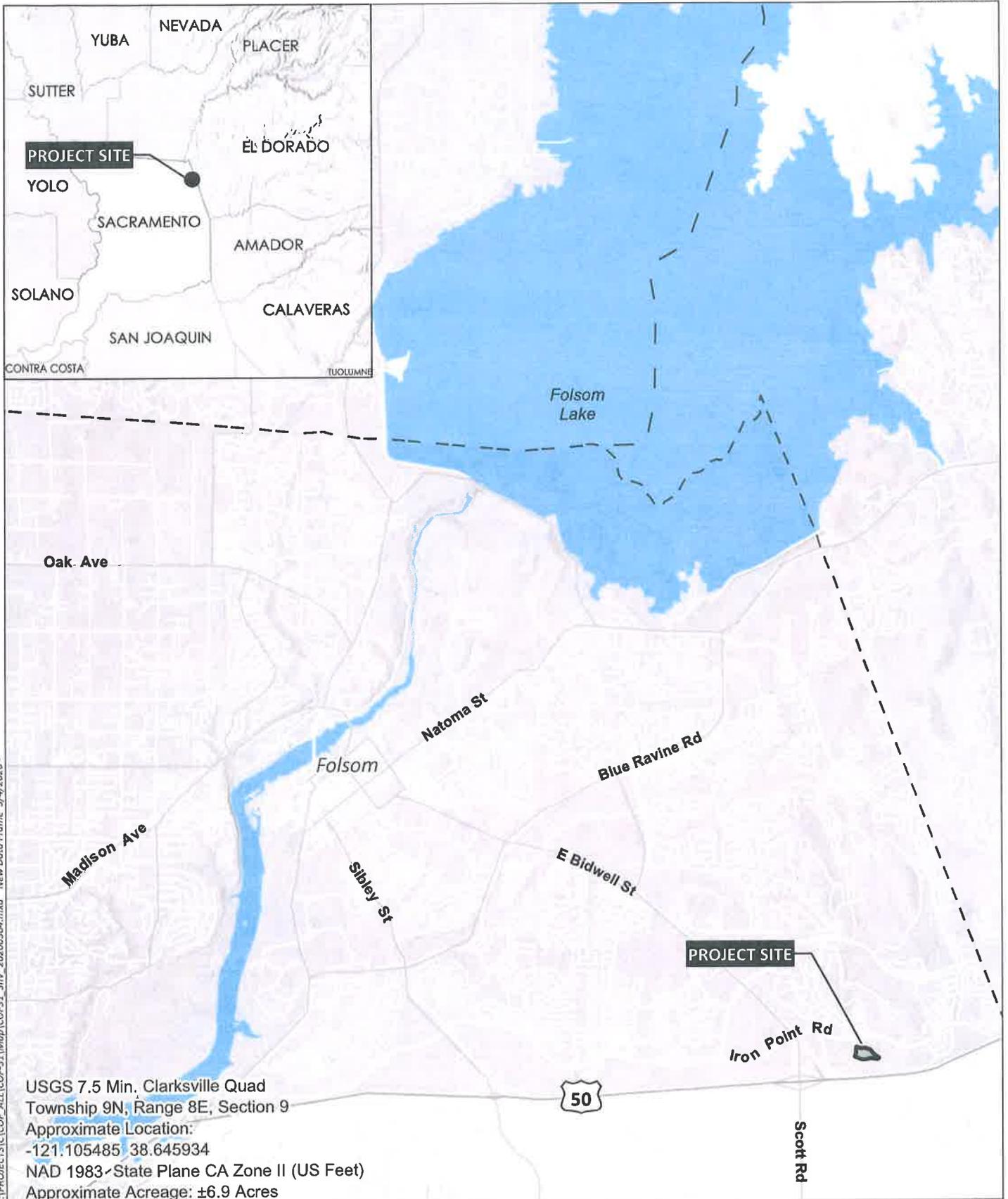
- Attachment A – Figures (2)
- Attachment B – Regulatory Framework
- Attachment C – Native American Correspondence
- Attachment D – Representative Site Photos



Appendix A

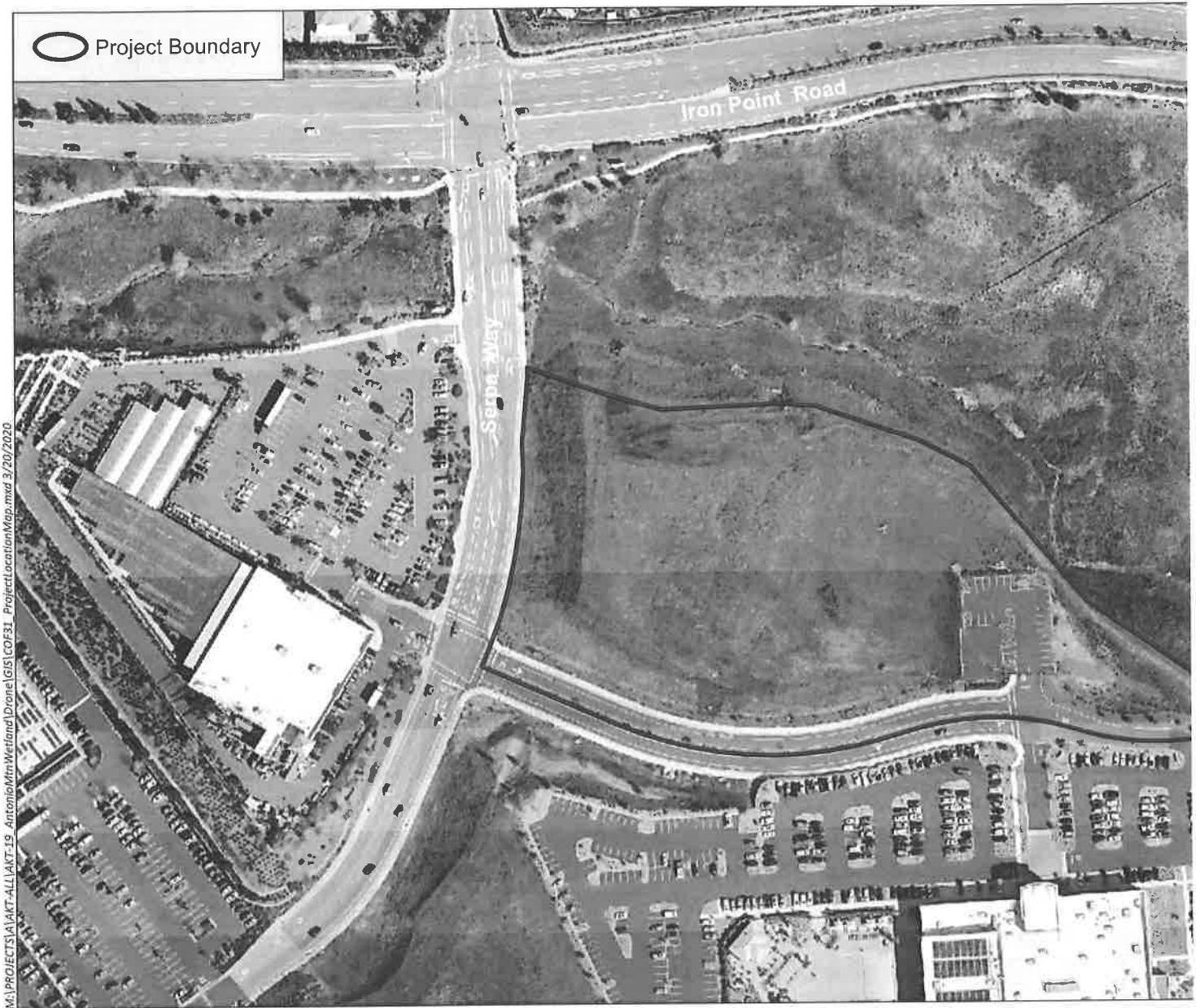
Figures 1-3



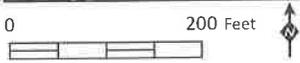


USGS 7.5 Min. Clarksville Quad  
 Township 9N, Range 8E, Section 9  
 Approximate Location:  
 -121.105485 38.645934  
 NAD 1983-State Plane CA Zone II (US Feet)  
 Approximate Acreage: ±6.9 Acres

Source: Base Map Layers (Esri, USGS, NGA, NASA)



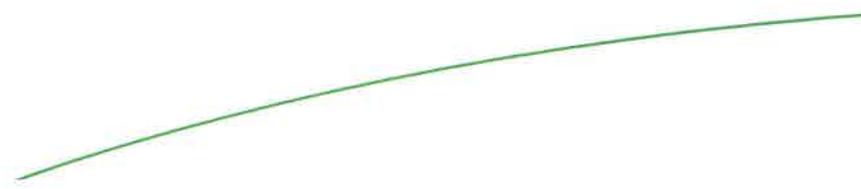
M:\PROJECTS\IA\AKT-19\_AntoniomWetland\Drone\GIS\COF31\_ProjectLocationMap.mxd 3/20/2020





# Appendix B

## Regulatory Framework



## **Attachment B Regulatory Framework**

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Pursuant to CEQA, a historical resource is a resource listed in, or eligible for listing in, the California Register of Historical Resources (CRHR). In addition, resources included in a local register of historic resources, or identified as significant in a local survey conducted in accordance with state guidelines, are also considered historical resources under CEQA, unless a preponderance of the facts demonstrates otherwise. According to CEQA, the fact that a resource is not listed in, or determined eligible for listing in, the CRHR, or is not included in a local register or survey, shall not preclude a Lead Agency, as defined by CEQA, from determining that the resource may be a historical resource as defined in California Public Resources Code (PRC) Section 5024.1.7.

CEQA applies to archaeological resources when (1) the archaeological resource satisfies the definition of a historical resource, or (2) the archaeological resource satisfies the definition of a “unique archaeological resource.” A unique archaeological resource is an archaeological artifact, object, or site that has a high probability of meeting any of the following criteria (PRC § 21083.2(g)):

1. The archaeological resource contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
2. The archaeological resource has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. The archaeological resource is directly associated with a scientifically-recognized important prehistoric or historic event or person.

### **CALIFORNIA REGISTER OF HISTORICAL RESOURCES**

Created in 1992 and implemented in 1998, the CRHR is “an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (PRC § 5024.1(a)). Certain properties, including those listed in or formally determined eligible for listing in the National Register of Historic Places (NRHP) and California Historical Landmarks (CHLs) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest program, identified as significant in historic resources surveys, or designated by local landmarks programs may be nominated for inclusion in the CRHR.

A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the State Historical Resources Commission determines that it meets one or more of the following criteria, which are modeled on NRHP criteria (PRC § 5024.1(c)):

- 1) It is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- 2) It is associated with the lives of persons important in our past.

## **Attachment B (cont.) Regulatory Framework**

- 3) It embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.
- 4) It has yielded, or may be likely to yield, information important in history or prehistory.

Resources nominated to the CRHR must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. It is possible that a resource whose integrity does not satisfy NRHP criteria may still be eligible for listing in the CRHR. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if, under Criterion 4, it maintains the potential to yield significant scientific or historical information or specific data. Resources that have achieved significance within the past 50 years also may be eligible for inclusion in the CRHR, provided that enough time has lapsed to obtain a scholarly perspective on the events or individuals associated with the resource.

### **NATIVE AMERICAN HERITAGE COMMISSION**

Section 5097.91 of the PRC established the Native American Heritage Commission (NAHC), whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Under Section 5097.9 of the PRC, a State policy of noninterference with the free expression or exercise of Native American religion was articulated along with a prohibition of severe or irreparable damage to Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines located on public property. Section 5097.98 of the PRC specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

### **GOVERNMENT CODE SECTIONS 6254(R) AND 6254.10**

These sections of the California Public Records Act were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission." Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports, maintained by, or in the possession of the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the Native American Heritage Commission, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a Native American tribe and a state or local agency."

### **HEALTH AND SAFETY CODE, SECTIONS 7050 AND 7052**

Health and Safety Code, Section 7050.5 declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

## **Attachment B (cont.) Regulatory Framework**

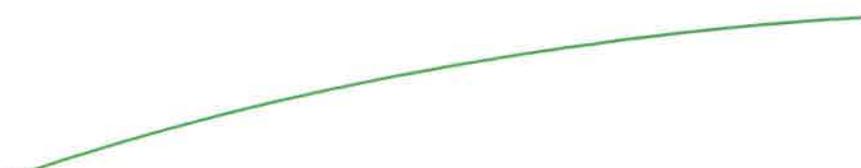
### **PENAL CODE, SECTION 622.5**

Section 622.5 of the Penal Code provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands, but specifically excludes the landowner.



Appendix C

Native American Correspondence



**NATIVE AMERICAN HERITAGE COMMISSION**

March 12, 2020

Clarus Backes

HELIX Environmental Planning

Via Email to: [clarusb@helixepi.com](mailto:clarusb@helixepi.com)

CHAIRPERSON  
**Laura Miranda**  
Luiseño

VICE CHAIRPERSON  
**Reginald Pagaling**  
Chumash

SECRETARY  
**Merrl Lopez-Keifer**  
Luiseño

PARLIAMENTARIAN  
**Russell Attebery**  
Karuk

COMMISSIONER  
**Marshall McKay**  
Wintun

COMMISSIONER  
**William Mungary**  
Paiute/White Mountain  
Apache

COMMISSIONER  
**Joseph Myers**  
Pomo

COMMISSIONER  
**Julie Tumamait-  
Stenslie**  
Chumash

COMMISSIONER  
[Vacant]

EXECUTIVE SECRETARY  
**Christina Snider**  
Pomo

**NAHC HEADQUARTERS**  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

**Re: Avenida Senior Living Project (COF-31), Sacramento County**

Dear Mr. Backes:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: [Nancy.Gonzalez-Lopez@nahc.ca.gov](mailto:Nancy.Gonzalez-Lopez@nahc.ca.gov).

Sincerely,

  
Nancy Gonzalez-Lopez  
Cultural Resources Analyst

Attachment

**Native American Heritage Commission  
Native American Contact List  
Sacramento County  
3/12/2020**

***Buena Vista Rancheria of Me-  
Wuk Indians***

Rhonda Momingstar Pope,  
Chairperson  
1418 20th Street, Suite 200  
Sacramento, CA, 95811  
Phone: (916) 491 - 0011  
Fax: (916) 491-0012  
rhonda@buenavistatribe.com

Me-Wuk

Ralph Hatch, Cultural  
Preservation Department  
9415 Rancheria Drive  
Wilton, CA, 95693  
crd@wiltonrancheria-nsn.gov

Miwok

***Ione Band of Miwok Indians***

Sara Setchwaelo, Chairperson  
9252 Bush Street, Suite 2  
Plymouth, CA, 95669  
Phone: (209) 245 - 5800  
sara@ionemiwok.net

Miwok

***Wilton Rancheria***

Antonio Ruiz, Cultural Resources  
Officer  
9728 Kent Street  
Elk Grove, CA, 95624  
Phone: (916) 683 - 6000  
aruiz@wiltonrancheria-nsn.gov

Miwok

***Nashville Enterprise Miwok-  
Maidu-Nishinam Tribe***

Cosme Valdez, Chairperson  
P.O. Box 580986  
Elk Grove, CA, 95758-0017  
Phone: (916) 429 - 8047  
Fax: (916) 429-8047  
valdezcome@comcast.net

Miwok

***Wilton Rancheria***

Raymond Hitchcock, Chairperson  
9728 Kent Street  
Elk Grove, CA, 95624  
Phone: (916) 683 - 6000  
Fax: (916) 683-6015  
rhitchcock@wiltonrancheria-  
nsn.gov

Miwok

***Shingle Springs Band of Miwok  
Indians***

Regina Cuellar, Chairperson  
P.O. Box 1340  
Shingle Springs, CA, 95682  
Phone: (530) 387 - 4970  
Fax: (530) 387-8067  
rcuellar@ssband.org

Maidu  
Miwok

***Colfax-Todds Valley  
Consolidated Tribe***

Clyde Prout, Chairperson  
P.O. Box 4884 none  
Auburn, CA, 95604  
Phone: (530) 577 - 3558  
miwokmaidu@yahoo.com

Maidu  
Miwok

***Tsi Akim Maidu***

Grayson Coney, Cultural Director  
P.O. Box 510  
Browns Valley, CA, 95918  
Phone: (530) 383 - 7234  
tsi-akim-maidu@att.net

Maidu

***United Auburn Indian  
Community of the Auburn  
Rancheria***

Gene Whitehouse, Chairperson  
10720 Indian Hill Road  
Auburn, CA, 95603  
Phone: (530) 883 - 2390  
Fax: (530) 883-2380  
bguth@auburnrancheria.com

Maidu  
Miwok

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Avenida Senior Living Project (COF-31), Sacramento County.

HELIX Environmental Planning, Inc.  
11 Natoma Street  
Suite 155  
Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Regina Cuellar  
Shingle Springs Band of Miwok Indians  
P.O. Box 1340  
Shingle Springs, CA 95682

Subject: COF-31 Avenida Senior Living Project

Dear Chairperson Cuellar,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

The proposed project would construct a 154-unit, market-rate senior multi-family apartment community on a 6.9-acre site. The apartment community would consist of a mix of one and two-bedroom residential units in a 201,798 square foot, four-story building. The project would be located on parcel APN 072-2270-006, located east of Serpa Way, south of Iron Point Road and north of Healthy Way. The project site includes surface parking lots arranged around the building to accommodate 168 vehicles, landscaping, and indoor and outdoor amenities. I have attached a topographical map depicting the project area. The legal description for the property is Township 9N, Range 8E, Section 9, as shown on the Clarksville, CA 7.5' USGS Quadrangle.

If there are sensitive resources on or near the proposed project location that could be impacted by construction activities please advise us accordingly. If you have any information, questions, or concerns regarding the proposed project, please feel free to contact me directly at (916) 365-8700 or [clarusb@helixepi.com](mailto:clarusb@helixepi.com).

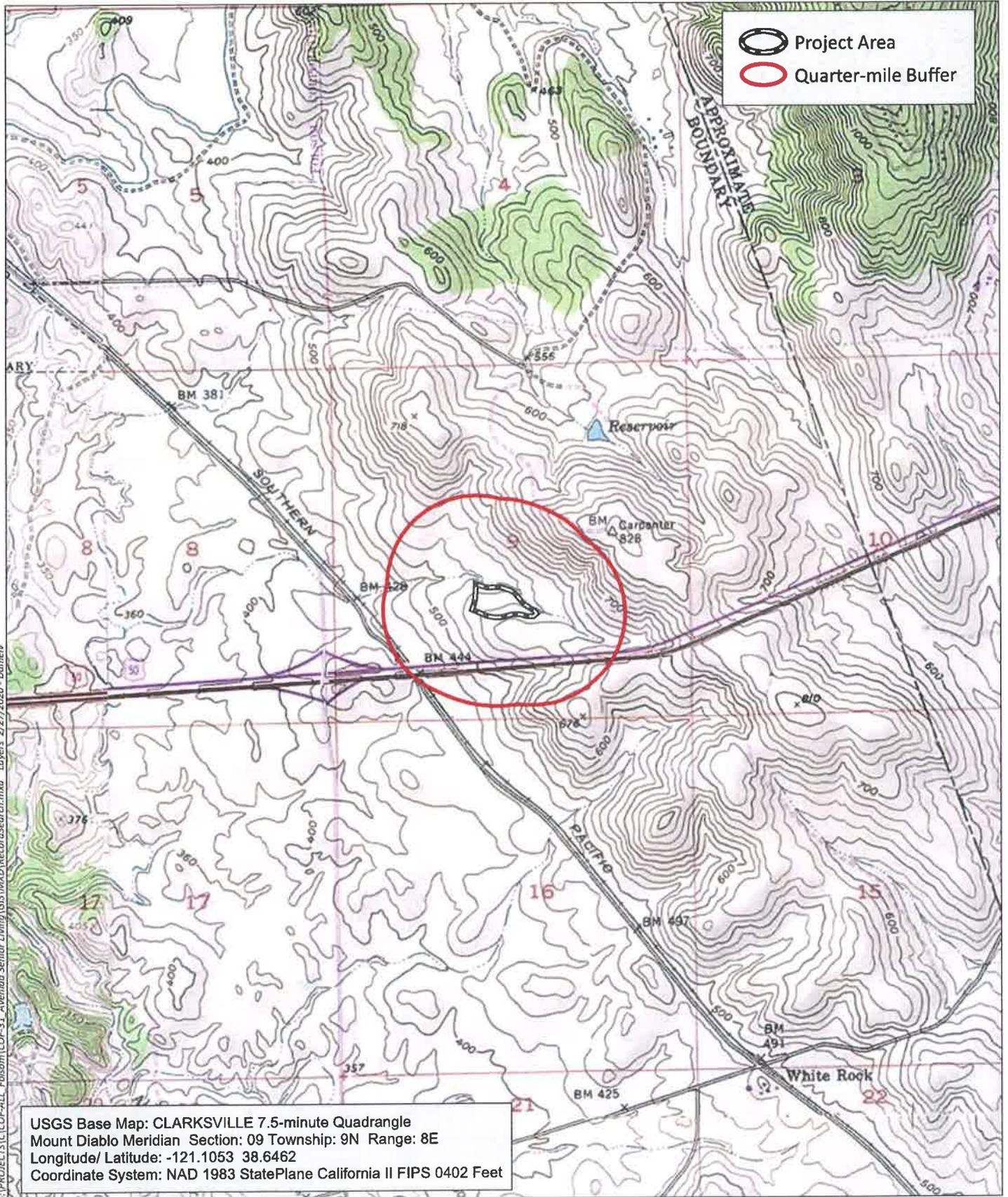
Sincerely,

A handwritten signature in black ink, appearing to read "Clarus J. Backes Jr.", written in a cursive style.

Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

[Enclosure: as stated]

-  Project Area
-  Quarter-mile Buffer



S:\PROJECTS\COF-ALL\_Folsom\GIS\MXD\RecordSearch.mxd Layers 2/27/2020 - Danielle

Source: USGS 2018, Sacramento County 2018



HELIX Environmental Planning, Inc.  
11 Natoma Street  
Suite 155  
Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Grayson Coney  
Tsi Akim Maidu  
P.O. Box 510  
Browns Valley, CA 95918

Subject: COF-31 Avenida Senior Living Project

Dear Chairperson Coney,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

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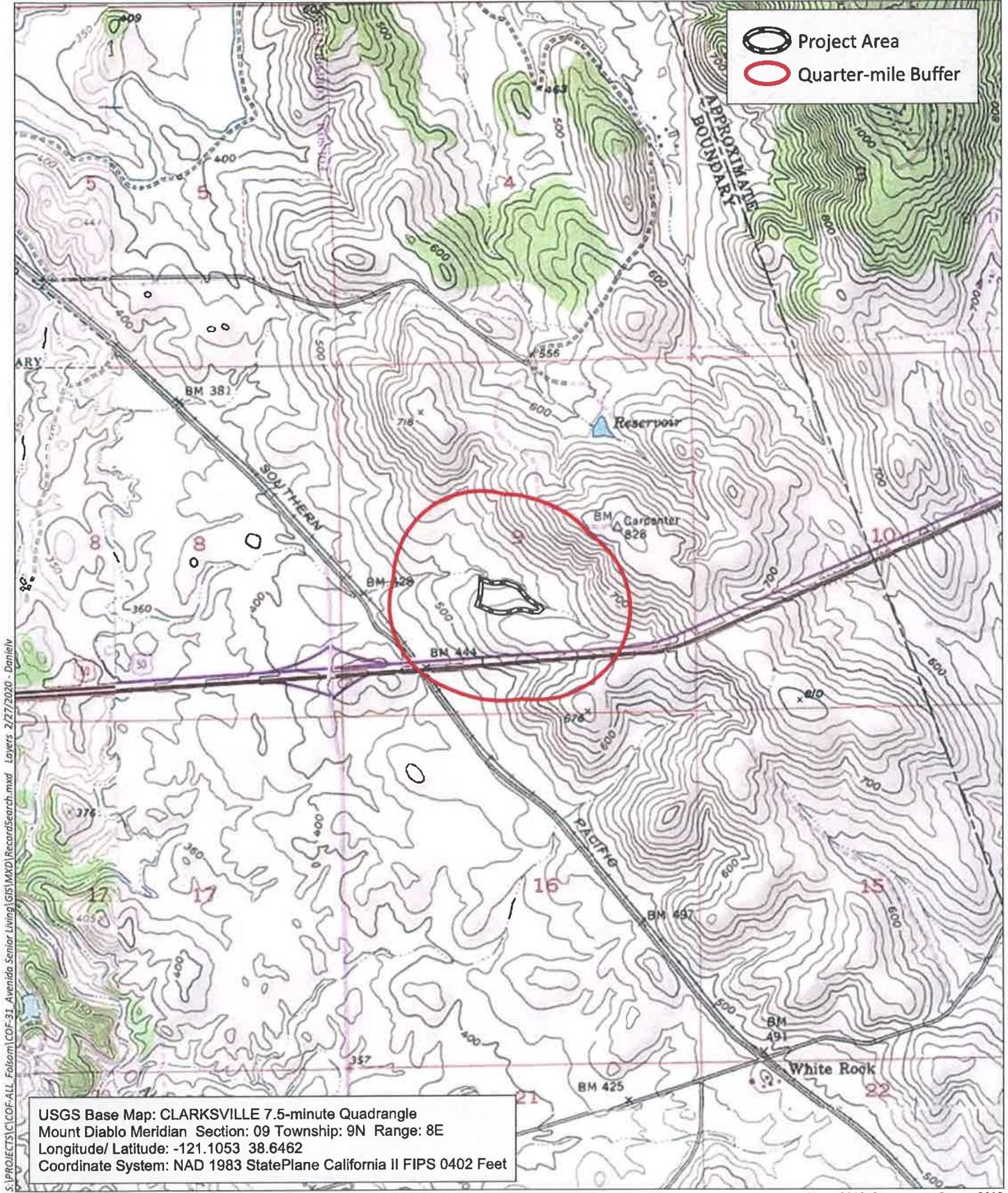
Sincerely,

A handwritten signature in black ink, appearing to read "Clarus J. Backes Jr.", is written over a light blue horizontal line.

Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

[Enclosure: as stated]

 Project Area  
 Quarter-mile Buffer



S:\PROJECTS\COF-ALL\_Folsom\COF-31\_Avenida\_Senior\_Living\GIS\MXD\RecordSearch.mxd Layers 2/27/2020 - Daniel



Source: USGS 2018, Sacramento County 2018

HELIX Environmental Planning, Inc.  
11 Natoma Street  
Suite 155  
Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Ralph Hatch  
Cultural Preservation Department  
Wilton Rancheria  
9415 Rancheria Drive  
Wilton, CA 95693

Subject: COF-31 Avenida Senior Living Project

Dear Mr. Hatch,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

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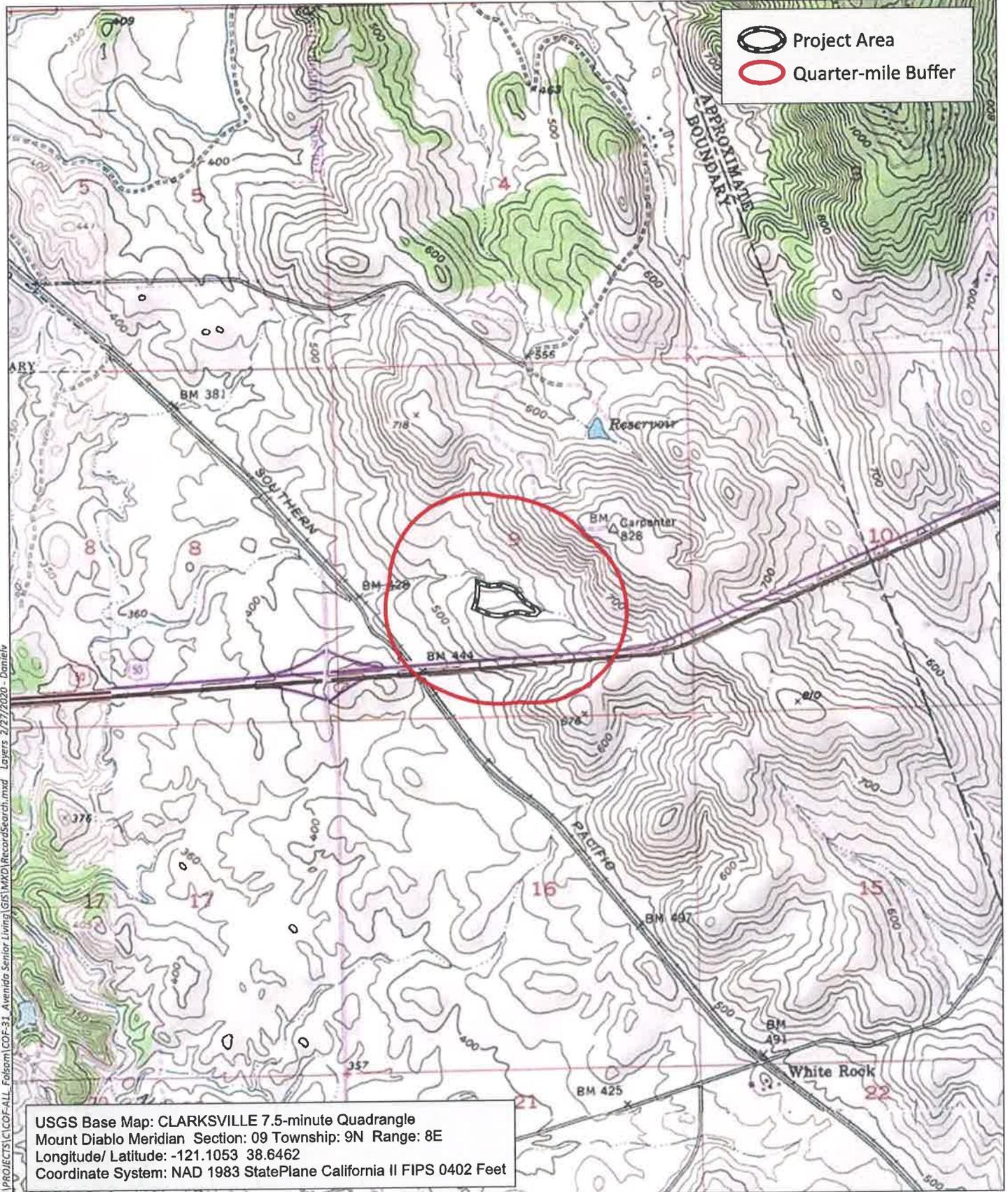
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Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

[Enclosure: as stated]



Source: USGS 2018, Sacramento County 2018



HELIX Environmental Planning, Inc.  
11 Natoma Street  
Suite 155  
Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Raymond Hitchcock  
Wilton Rancheria  
9728 Kent Street  
Elk Grove, CA 95624

Subject: COF-31 Avenida Senior Living Project

Dear Chairperson Hitchcock,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

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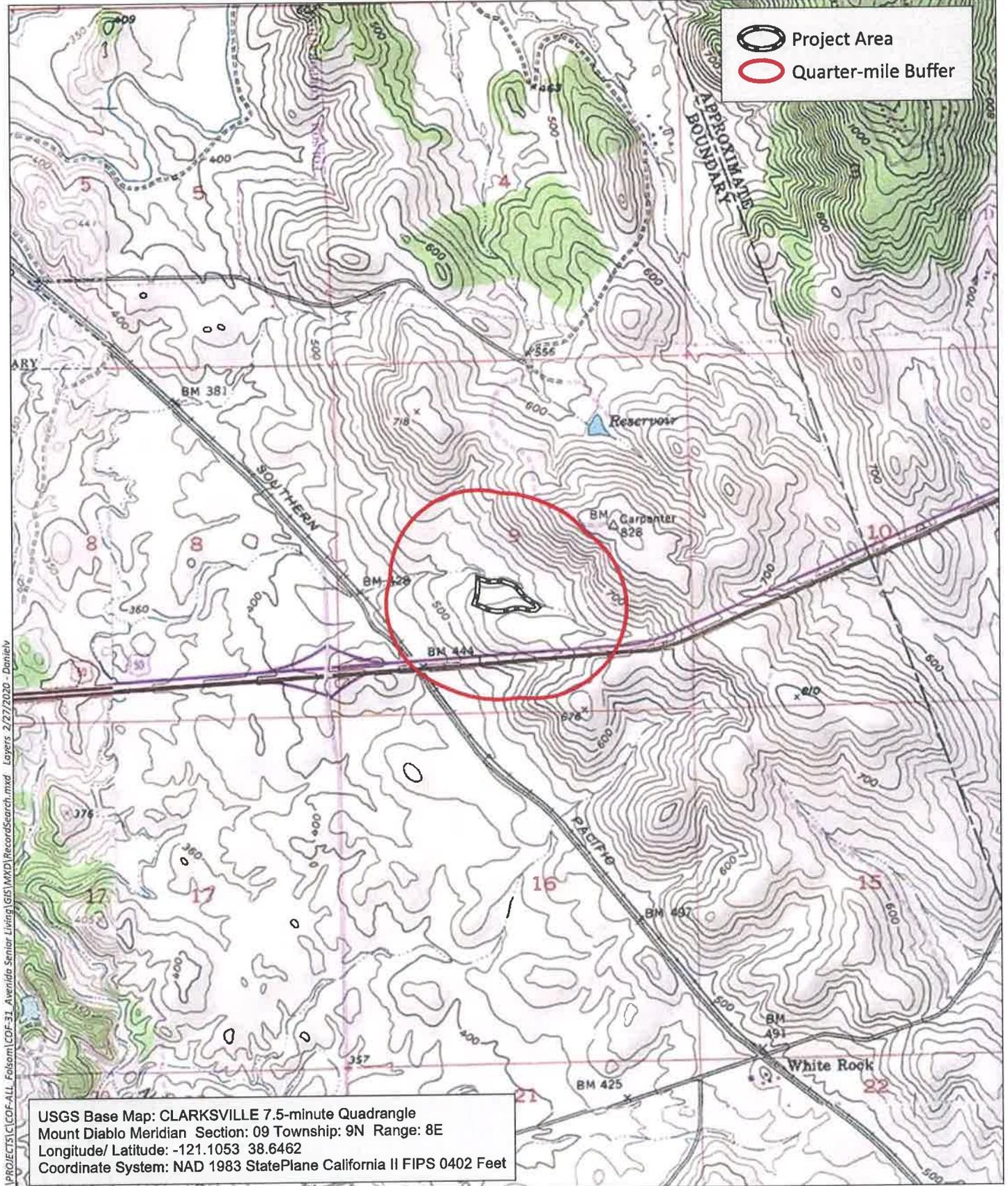
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Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

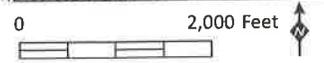
[Enclosure: as stated]

 Project Area  
 Quarter-mile Buffer



USGS Base Map: CLARKSVILLE 7.5-minute Quadrangle  
 Mount Diablo Meridian Section: 09 Township: 9N Range: 8E  
 Longitude/ Latitude: -121.1053 38.6462  
 Coordinate System: NAD 1983 StatePlane California II FIPS 0402 Feet

Source: USGS 2018, Sacramento County 2018



S:\PROJECTS\COF-ALL - Folsom\COF-31 - Avenida Senior Living\GIS\MXD\RecordSearch.mxd Layers 2/27/2020 - Daniela

HELIX Environmental Planning, Inc.  
11 Natoma Street  
Suite 155  
Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Rhonda Moningstar Pope  
Buena Vista Rancheria of Me-Wuk Indians  
1418 20<sup>th</sup> Street, Suite 200  
Sacramento, CA, 95811

Subject: COF-31 Avenida Senior Living Project

Dear Chairperson Pope,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

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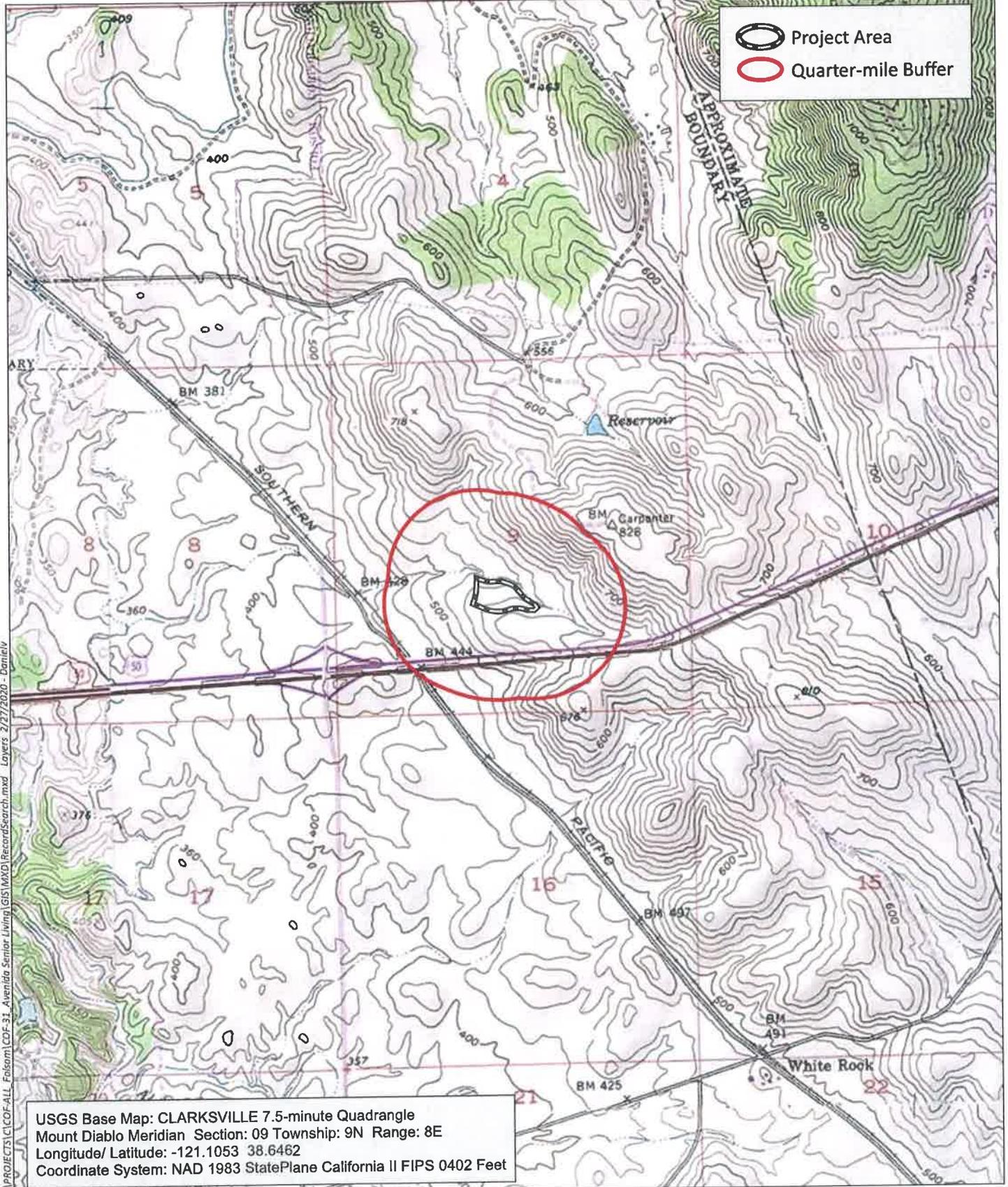
If there are sensitive resources on or near the proposed project location that could be impacted by construction activities please advise us accordingly. If you have any information, questions, or concerns regarding the proposed project, please feel free to contact me directly at (916) 365-8700 or [clarusb@helixepi.com](mailto:clarusb@helixepi.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Clarus J. Backes Jr.", written in a cursive style.

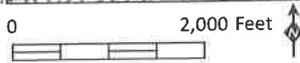
Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

[Enclosure: as stated]



S:\PROJECTS\CLDF-ALL\_Folsom\CDL-31\_Avenida Senior Living\GIS\MXD\RecordsSearch.mxd Layers 2/27/2020 - DanieV

Source: USGS 2018, Sacramento County 2018



HELIX Environmental Planning, Inc.  
11 Natoma Street  
Suite 155  
Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Clyde Prout  
Colfax-Todds Valley Consolidated Tribe  
P.O. Box 4884  
Auburn, CA 95604

Subject: COF-31 Avenida Senior Living Project

Dear Chairperson Prout,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

The proposed project would construct a 154-unit, market-rate senior multi-family apartment community on a 6.9-acre site. The apartment community would consist of a mix of one and two-bedroom residential units in a 201,798 square foot, four-story building. The project would be located on parcel APN 072-2270-006, located east of Serpa Way, south of Iron Point Road and north of Healthy Way. The project site includes surface parking lots arranged around the building to accommodate 168 vehicles, landscaping, and indoor and outdoor amenities. I have attached a topographical map depicting the project area. The legal description for the property is Township 9N, Range 8E, Section 9, as shown on the Clarksville, CA 7.5' USGS Quadrangle.

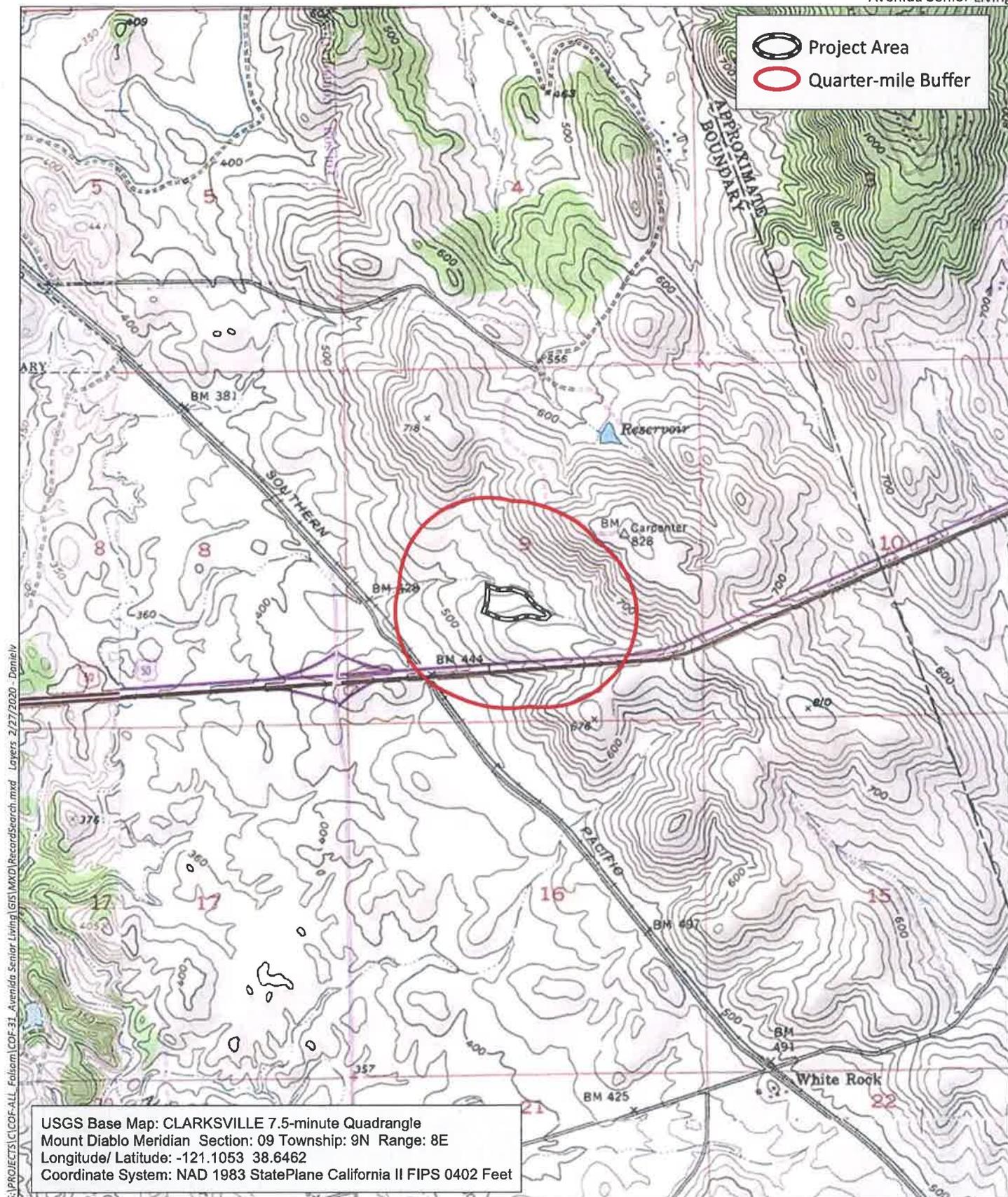
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Sincerely,

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Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

[Enclosure: as stated]



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Suite 155  
Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Antonio Ruiz  
Wilton Rancheria  
9728 Kent Street  
Elk Grove, CA 95624

Subject: COF-31 Avenida Senior Living Project

Dear Mr. Ruiz,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

The proposed project would construct a 154-unit, market-rate senior multi-family apartment community on a 6.9-acre site. The apartment community would consist of a mix of one and two-bedroom residential units in a 201,798 square foot, four-story building. The project would be located on parcel APN 072-2270-006, located east of Serpa Way, south of Iron Point Road and north of Healthy Way. The project site includes surface parking lots arranged around the building to accommodate 168 vehicles, landscaping, and indoor and outdoor amenities. I have attached a topographical map depicting the project area. The legal description for the property is Township 9N, Range 8E, Section 9, as shown on the Clarksville, CA 7.5' USGS Quadrangle.

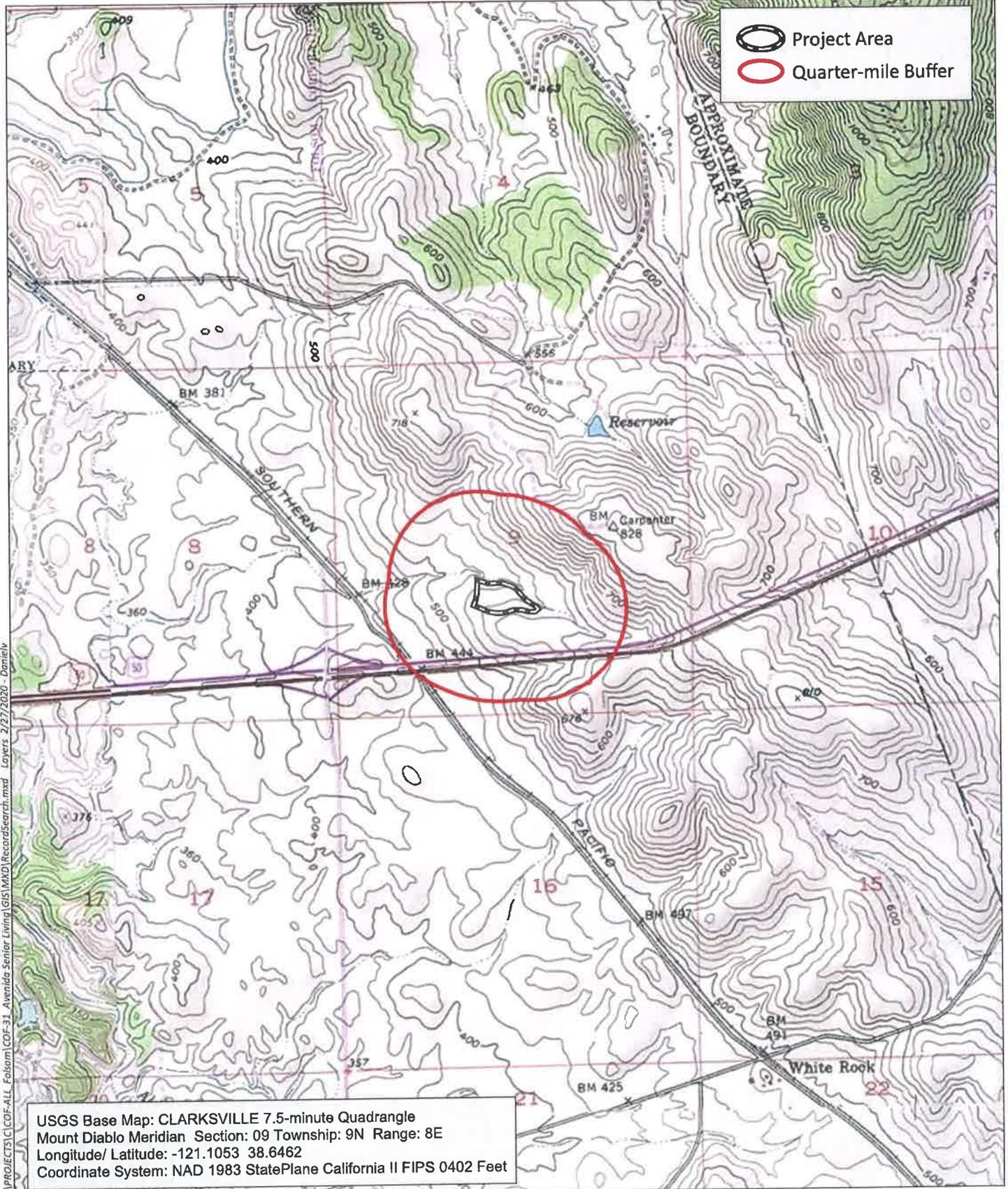
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Sincerely,

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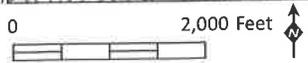
Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

[Enclosure: as stated]



S:\PROJECTS\COF-ALL\_Folsom\COF-31\_Avenida Senior Living\GIS\MXD\RecordsSearch.mxd Layers: 2/27/2020 - Donielv

Source: USGS 2018, Sacramento County 2018



HELIX Environmental Planning, Inc.  
11 Natoma Street  
Suite 155  
Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Sara Setchwaelo, Chairperson  
Lone Band of Miwok Indians  
9252 Bush Street, Suite 2  
Plymouth, CA 95669

Subject: COF-31 Avenida Senior Living Project

Dear Chairperson Setchwaelo,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

The proposed project would construct a 154-unit, market-rate senior multi-family apartment community on a 6.9-acre site. The apartment community would consist of a mix of one and two-bedroom residential units in a 201,798 square foot, four-story building. The project would be located on parcel APN 072-2270-006, located east of Serpa Way, south of Iron Point Road and north of Healthy Way. The project site includes surface parking lots arranged around the building to accommodate 168 vehicles, landscaping, and indoor and outdoor amenities. I have attached a topographical map depicting the project area. The legal description for the property is Township 9N, Range 8E, Section 9, as shown on the Clarksville, CA 7.5' USGS Quadrangle.

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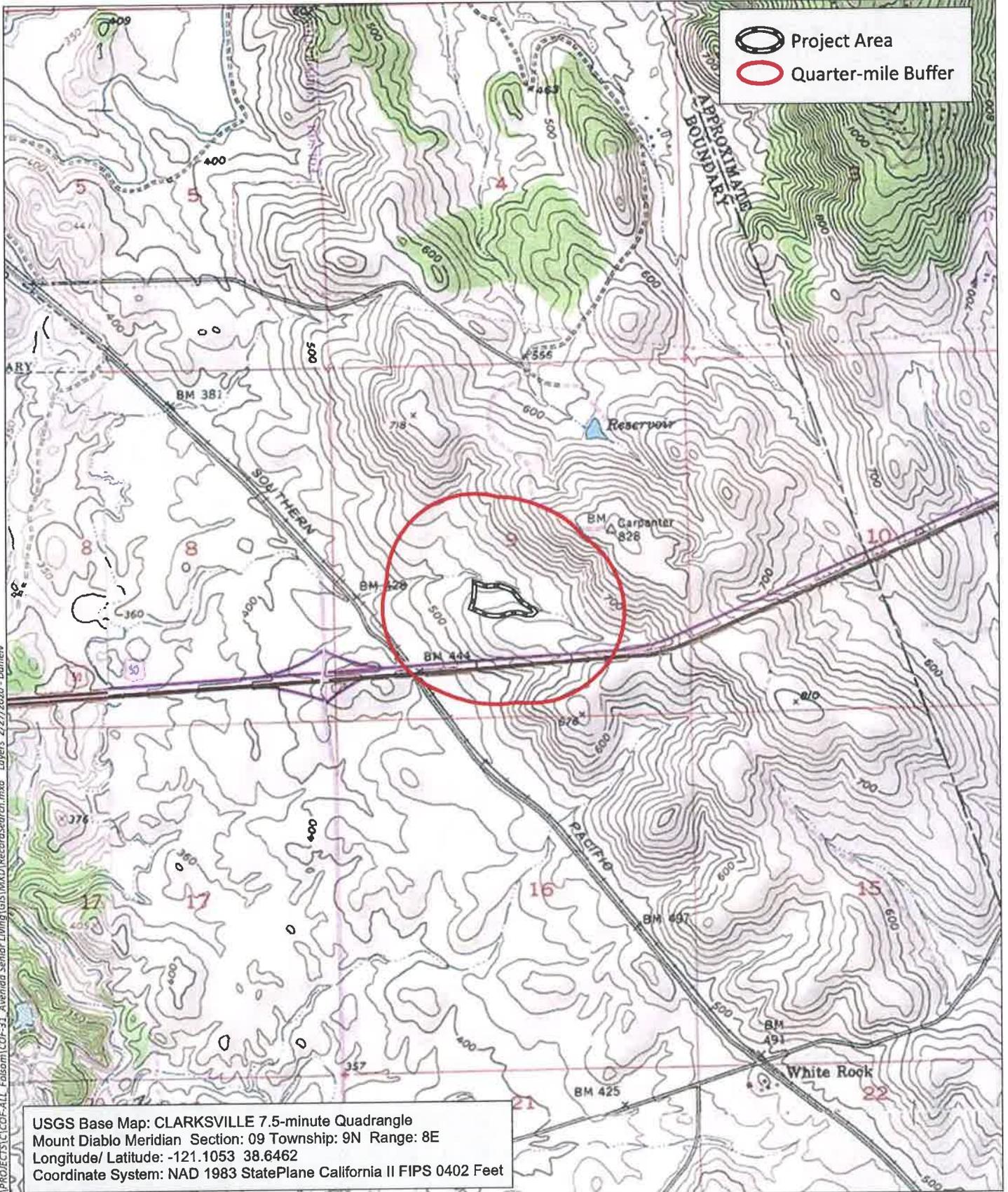
Sincerely,

A handwritten signature in black ink, appearing to read "Clarus J. Backes Jr.", is written over a light blue horizontal line.

Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

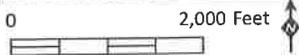
[Enclosure: as stated]

 Project Area  
 Quarter-mile Buffer



USGS Base Map: CLARKSVILLE 7.5-minute Quadrangle  
 Mount Diablo Meridian Section: 09 Township: 9N Range: 8E  
 Longitude/ Latitude: -121.1053 38.6462  
 Coordinate System: NAD 1983 StatePlane California II FIPS 0402 Feet

Source: USGS 2018, Sacramento County 2018



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HELIX Environmental Planning, Inc.  
11 Natoma Street  
Suite 155  
Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Cosme Valdez  
Nashville Enterprise Miwok-Maidu-Nishinam Tribe  
P.O. Box 580986  
Elk Grove, CA 95758-0017

Subject: COF-31 Avenida Senior Living Project

Dear Chairperson Valdez,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

The proposed project would construct a 154-unit, market-rate senior multi-family apartment community on a 6.9-acre site. The apartment community would consist of a mix of one and two-bedroom residential units in a 201,798 square foot, four-story building. The project would be located on parcel APN 072-2270-006, located east of Serpa Way, south of Iron Point Road and north of Healthy Way. The project site includes surface parking lots arranged around the building to accommodate 168 vehicles, landscaping, and indoor and outdoor amenities. I have attached a topographical map depicting the project area. The legal description for the property is Township 9N, Range 8E, Section 9, as shown on the Clarksville, CA 7.5' USGS Quadrangle.

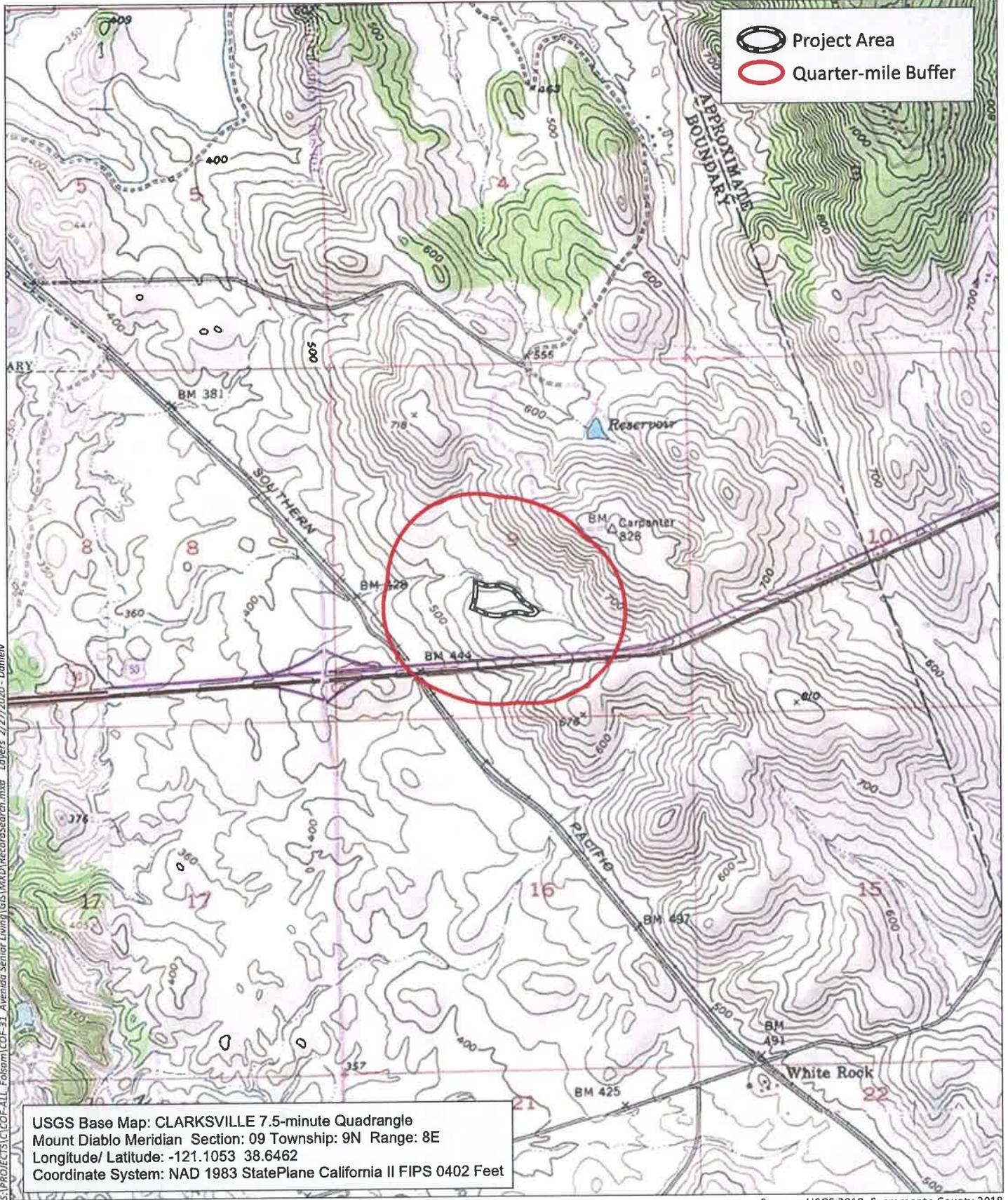
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Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

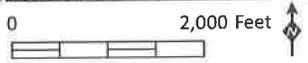
[Enclosure: as stated]



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USGS Base Map: CLARKSVILLE 7.5-minute Quadrangle  
 Mount Diablo Meridian Section: 09 Township: 9N Range: 8E  
 Longitude/ Latitude: -121.1053 38.6462  
 Coordinate System: NAD 1983 StatePlane California II FIPS 0402 Feet

Source: USGS 2018, Sacramento County 2018



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Folsom, CA 9530  
916.365.8700 tel  
619.462.0552 fax  
www.helixepi.com



March 21, 2020

Gene Whitehouse  
United Auburn Indian Community of the Auburn Rancheria  
10720 Indian Hill Road  
Auburn, CA 95603

Subject: COF-31 Avenida Senior Living Project

Dear Chairperson Whitehouse,

HELIX Environmental Planning, Inc. (HELIX) has contracted with The City of Folsom to provide a Cultural Resources Assessment in support of CEQA compliance for the proposed Avenida Senior Living Project (project). The Native American Heritage Commission has suggested we contact you for information regarding Native American resources in or near the project area.

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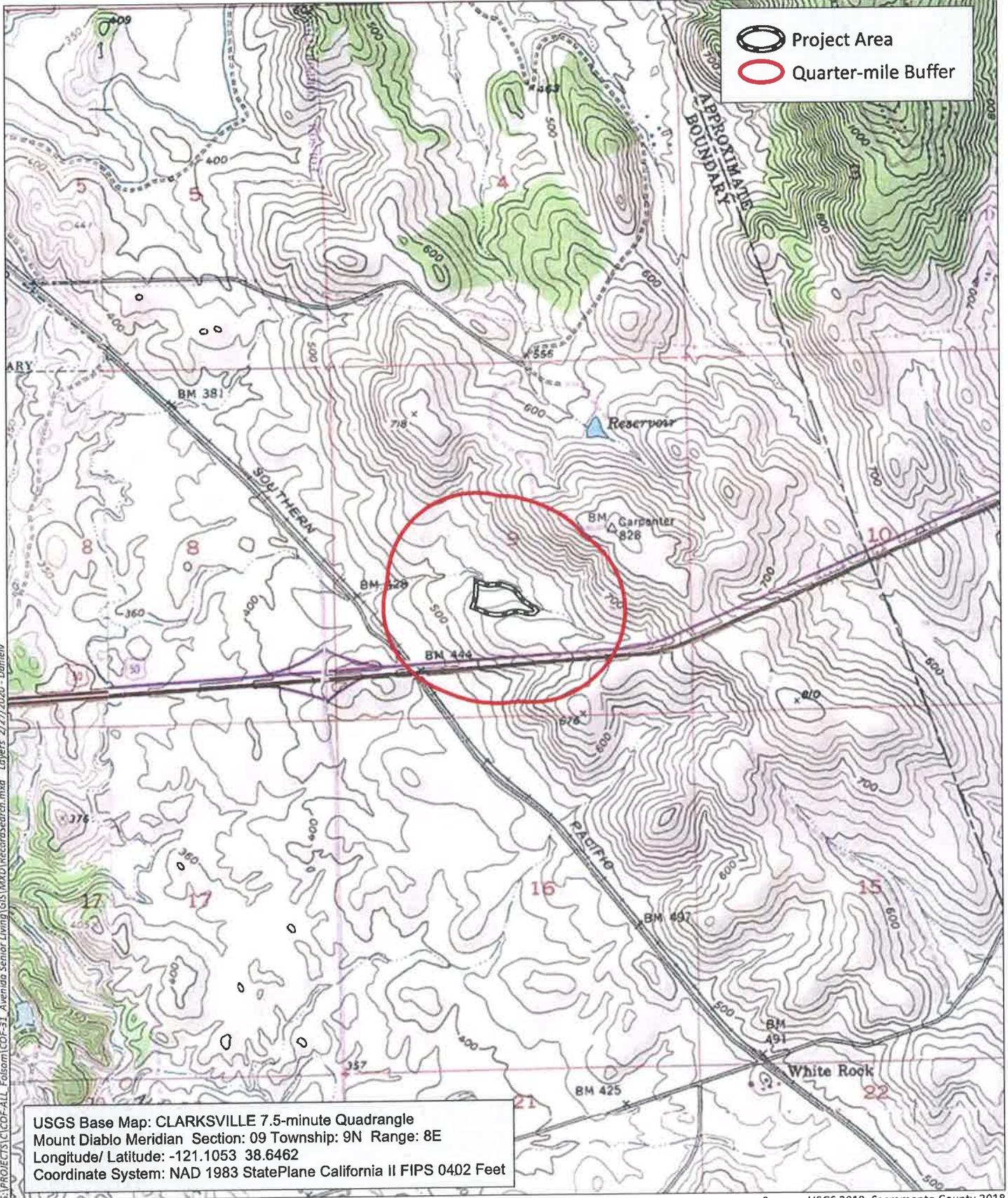
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Sincerely,

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Clarus J. Backes Jr., M.A., RPA  
Cultural Resources Group Manager  
HELIX Environmental Planning, Inc.

[Enclosure: as stated]



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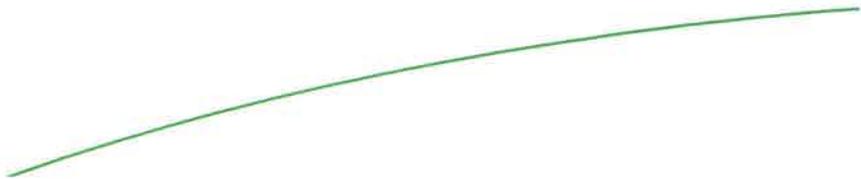
Source: USGS 2018, Sacramento County 2018





Appendix D

Representative Site Photos





Photograph 1. Overview of project site, looking southeast.



Photograph 2. Overview of project site from parking area, looking northwest.



Photograph 3. Overview of berm and southeast edge of project site, looking southeast.



Photograph 4. Construction-related metal debris.

**AB 52 Tribal Consultation Meeting Roster  
City of Folsom and Wilton Rancheria**

**Project:** Avenida Senior Living Project

**Meeting Date:** April 17, 2020

**Meeting Time:** 9:00am

**Facilitator:** Steve Banks, City of Folsom

**Location:** Conference Call: 712-770-5505, access code 967-306

Name	Representing	Email Address
Steven Banks	City of Folsom	Sbanks@Folsom.ca.us
Lisa Westwood	ECORP Consulting	Lwestwood@Ecorpconsulting.com
Shannon Joy	ECORP Consulting	Sjoy@Ecorpconsulting.com
Thea Fuerstenberg	ECORP Consulting	Tfuerstenberg@Ecorpconsulting.com



## FreeConferenceCall.com Detail Report

FreeConferenceCall Services <noreply@freeconferencecall.com>

Fri 4/17/2020 9:10 AM

To: 

 [FreeConferenceCall.com](https://FreeConferenceCall.com)

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# Account Information

**Date:** April 17, 2020 8:52:55 AM  
 Unit  
**Dial-in number:** ed (712) 770-5505  
 States  
**Access code:** 967306  
**Account:** #s5002120

## Audio

Caller	Service Type	Start Time	End Time	Duration
+1 916 316 1456 - Ecorp CONSULTIN Host	 one Icon	 ed States	8:52:55 AM 9:10:33 AM	18m
+1 916 474 9009 - WIRELESS CALLER	 one Icon	 ed States	8:57:16 AM 9:10:32 AM	14m
+1 916 577 5465 - Ecorp CONSULT	 one Icon	 ed States	8:57:29 AM 9:10:35 AM	14m
+1 916 337 2170 - BANKS STEVEN	 one Icon	 ed States	8:59:45 AM 9:10:33 AM	11m

**Number of attendees:** 4  
**Toll minutes:** 57m

Note: All times in Pacific Time

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 Fax: (562) 432-5250

## FW: AB 52 Consultation for the Avenida Senior Living, Folsom

Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>

Wed 4/15/2020 4:47 PM

To: 'RobertE@helixepi.com' <[RobertE@helixepi.com](mailto:RobertE@helixepi.com)>

FYI

---

**From:** Anna Starkey <[astarkey@auburnrancheria.com](mailto:astarkey@auburnrancheria.com)>  
**Sent:** Wednesday, April 15, 2020 3:42 PM  
**To:** Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>  
**Cc:** Rebecca Allen <[rallen@auburnrancheria.com](mailto:rallen@auburnrancheria.com)>  
**Subject:** AB 52 Consultation for the Avenida Senior Living, Folsom

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

Dear Steve Banks,

Thank you for your letter received on 3/20/2020 providing notification for the Avenida Senior Living Project. The UAIC's Tribal Historic Preservation Department determined that there are no known Tribal Cultural Resources (TCRs) in the project but there is the potential for unrecorded or buried TCR to occur.

We would like to receive copies of the drafted environmental technical documents for the project and provide our preferred mitigation measures as they relate to TCRs, including inadvertent discoveries and avoidance. Finally, please contact us if you discover any cultural or archaeological resources in the project area. If it is determined that the resources are TCRs, tribal values must be included in evaluating the significance of these resources and appropriate mitigation measures of TCRs must be developed through tribal consultation.

Thank you again for taking these matters into consideration, and for involving the UAIC in the planning process. We look forward to reviewing the documents requested.

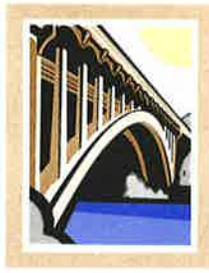
Best,  
Anna Starkey



**Anna M. Starkey, M.A., RPA**  
 Cultural Regulatory Specialist  
 Tribal Historic Preservation Department | UAIC  
 10720 Indian Hill Road  
 Auburn, CA 95603  
 Direct line: (916) 251-1565 | Cell: (530) 863-6503  
[astarkey@auburnrancheria.com](mailto:astarkey@auburnrancheria.com) | [www.auburnrancheria.com](http://www.auburnrancheria.com)

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Nothing in this e-mail is intended to constitute an electronic signature for purposes of the Electronic Signatures in Global and National Commerce Act (E-Sign Act), 15, U.S.C. §§ 7001 to 7006 or the Uniform Electronic Transactions Act of any state or the federal government unless a specific statement to the contrary is included in this e-mail.



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

April 20, 2020

Anna Starkey  
United Auburn Indian Community of the Auburn Rancheria  
10720 Indian Hill Road  
Auburn, California 95603

RE: Conclusion of Consultation under Assembly Bill 52 for the Avenida Senior Living Project, Folsom, California

Dear Ms. Starkey:

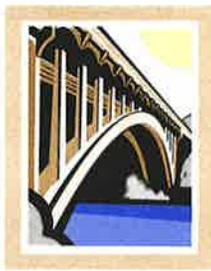
We are in receipt of your email response dated April 15, 2020 regarding our March 18, 2020 offer to you to consult with us under Assembly Bill 52 regarding the Avenida Senior Living project, located at 115 Healthy Way in the City of Folsom. We understand that you are declining consultation, but we appreciate your response and the knowledge that there are no known Tribal Cultural Resources within the project area, that there is potential for unknown or buried resources to occur, and that standard unanticipated discovery measures that include notification to UAIC should apply. If you wish to do so, please provide us with your recommended measures for unanticipated discovery for our consideration. You may review the CEQA document and its proposed mitigation measures upon release on our website, [www.folsom.ca.us](http://www.folsom.ca.us), under Community Development, Planning Services.

Pursuant to Section 21080.3.2(b)(1) and 21082.3(d)(1), we hereby conclude consultation under CEQA and AB 52 for this project and appreciate the opportunity to consult with you. If you have any questions, you may contact me at the City of Folsom, Community Development Department, 50 Natoma Street, Folsom, CA 95630. Should you have any questions, you may reach me by phone at (916) 461-6207 or by email at [sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us).

Respectfully,

A handwritten signature in black ink, appearing to be 'SB', with a long horizontal flourish extending to the right.

Steve Banks  
Principal Planner  
City of Folsom



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

April 20, 2020

Mariah Mayberry  
Wilton Rancheria  
9728 Kent Street  
Elk Grove, California 95624

RE: Conclusion of Consultation under Assembly Bill 52 for the Avenida Senior Living Project, Folsom, California

Dear Ms. Mayberry:

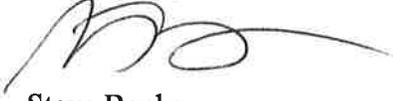
On March 18, 2020, the City of Folsom notified Wilton Rancheria of an opportunity to consult under Assembly Bill 52 regarding the Avenida Senior Living project, located at 115 Healthy Way in the City of Folsom. On April 7, we received your email response with recommended mitigation measures and a request to consult. On April 9, we initiated consultation with you and offered a consultation conference call on April 17 at 9:00am to discuss the project in further detail. To facilitate that consultation meeting, we provided you with a copy of the cultural resources inventory report. Although Wilton Rancheria did not attend the consultation meeting, we trust that the information we provided was sufficient.

As you suggested in your April 7 comment, we will be incorporating mitigation measures to address the unanticipated discovery of Tribal Cultural Resources. These measures will be separate from cultural resources, as required by AB 52 and CEQA. You may review the CEQA document and its proposed mitigation measures upon release on our website, [www.folsom.ca.us](http://www.folsom.ca.us), under Community Development, Planning Services.

Pursuant to Sections 21082.3(d)(2), 21080.3.2(b)(1), and 21082.3(d)(1), we hereby conclude consultation under CEQA and AB 52 for this project and appreciate the opportunity to consult with you. If you have any questions, you may contact me at the City of Folsom, Community

Development Department, 50 Natoma Street, Folsom, CA 95630. You may also reach me by phone at (916) 461-6207 or by email at [sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us).

Respectfully,

A handwritten signature in black ink, appearing to read 'SBANKS', with a long horizontal flourish extending to the right.

Steve Banks  
Principal Planner  
City of Folsom

City of Folsom  
50 Natoma Street  
Folsom, CA 95630

Anna Starkey  
UAIC  
10720 Indian Hill Rd  
Auburn, CA 95603



City of Folsom  
50 Natoma Street  
Folsom, CA 95630

Mariah Mayberry  
Wilton Rancheria  
9728 Kent Street  
Elk Grove, CA 95624

