3 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES, AND MITIGATION MEASURES

3.1 APPROACH TO THE ENVIRONMENTAL ANALYSIS

3.1.1 INTRODUCTION

The California Environmental Quality Act (CEQA) Guidelines (State CEQA Guidelines) require an environmental impact report (EIR) to include an evaluation of potentially significant effects on the physical environment associated with the project and to identify feasible mitigation for those effects. All phases of the project, including planning, acquisition, development, and operation, including all off-site infrastructure and roadway improvements are evaluated in the analysis. California Code of Regulations (CCR) Title 14, Section 15126.2 (14 CCR Section 15126.2) states that:

> An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, and human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.

An EIR must also discuss inconsistencies between the Proposed Project and applicable general plans and regional plans (14 CCR Section 15125[d]).

According to 14 CCR Section 15126.4, an EIR must describe potentially feasible measures that could avoid or minimize significant adverse impacts (CCR Section 15126.4[a][1]) and feasible and practicable measures that are fully enforceable through permit conditions, agreements, or other legally binding process (CCR Section 15126.4[a][2]). Mitigation measures are not required for effects that are found to be less than significant.

The Council on Environmental Quality (CEQ) regulations for implementing the National Environmental Policy Act (NEPA) (the "NEPA regulations") specify that a Federal agency preparing an environmental impact statement (EIS) must consider the effects of the proposed action and alternatives under consideration on the environment; these include effects on ecological, aesthetic, and historical and cultural resources, and economic, social, and health effects (defined below). An EIS must also discuss possible conflicts with the objectives of Federal, state, regional, and local adopted land use plans, policies, or controls for the area concerned; energy requirements and conservation potential; urban quality; the relationship between short-term uses of the environment and long-term productivity; and irreversible or irretrievable commitments of resources. An EIS must identify relevant, reasonable mitigation measures that are not already included in the proposed action or alternatives under consideration that could avoid, minimize, rectify, reduce, eliminate, or compensate for the project's adverse environmental effects (40 Code of Federal Regulations [CFR] 1502.14, 1502.16, 1508.8).

This draft document is known as a draft EIR/EIS (DEIR/DEIS). The following discussion introduces Chapter 3 of this EIR/EIS, which addresses the affected environment, environmental consequences, and mitigation measures for each environmental issue area, and explains the organization and general assumptions used in the analysis.

The reader is referred to the individual technical sections regarding specific assumptions and methodology and significance criteria (thresholds of significance) used in the analysis and determination of significance of impacts.

3.1.2 INTEGRATION OF "LAND" AND "WATER" ALTERNATIVES FOR DEVELOPMENT

Because the project includes both "Land" and "Water" components which have distinct sets of alternatives, the analysis in this chapter is split between "Land" sections (Sections 3A.1 through 3A.17) and "Water" sections (Sections 3B.1 through 3B.18).

Under the No Project Alternative, (1) the SPA would not be annexed to the City of Folsom, (2) the SPA could be developed with up to 44 rural residences as currently zoned under the Sacramento County General Plan AG-80, and (3) no off-site water facilities would be constructed. Therefore, for purposes of this EIR/EIS, "no project" from both a "Land" and "Water" perspective is evaluated as one combined No Project Alternative in the 3A "Land" sections.

Under the No USACE Permit Alternative, there would be no placement of dredged or fill material into waters of the U.S. (including wetlands) from either the "Land" or "Water" portions of the project, thus eliminating the need for a USACE Section 404 CWA permit. In order to achieve "no fill," no development in the SPA would not occur within 50 feet of a water of the United States, the water treatment plant (regardless of whether it is located on- or off-site) would not be constructed within 50 feet of a water of the United States, and the off-site water conveyance pipeline would use horizontal directional drilling (i.e., jack-and-bore) construction methods where the route intersected any water of the United States. Therefore, only the No USACE Permit "Water" Alternative could be implemented if the No USACE Permit "Land" Alternative were selected for development of the SPA.

Any of the other 10 off-site water alternatives described Chapter 2, "Alternatives," could ultimately be implemented for either the Resource Impact Minimization, Centralized Development, or Reduced Hillside Development Alternatives in the SPA. Because the off-site water facilities are different from development of the SPA and would occur in locations that are further removed spatially and temporally from the SPA, the impacts of these off-site water facilities are evaluated in the 3B "Water" sections of this EIR/EIS. However, the City and the USACE wish to make clear to the reader that the "project" as a whole consists of both development of the SPA and off-site facilities necessary to provide water in support of SPA development. Thus, when considering impacts of the "project" as a whole, it is necessary to consider both the 3A and 3B impacts taken together.

Each of the 3A and 3B Sections of this EIR/EIS present a discussion of existing conditions, environmental impacts associated with implementation of the Proposed Project and alternatives under consideration, mitigation measures to avoid or reduce the level of impact, and residual significant impacts (i.e., impacts that would be significant and unavoidable despite the imposition of feasible mitigation measures). Issues evaluated in these sections consist of a full range of environmental topics originally identified for review in the notice of preparation (NOP) prepared under CEQA requirements for the project and identified in scoping comments on the NOP and notice of intent (NOI), as required under NEPA. The NOP and NOI are included within the scoping report prepared for the project (Appendix B). Each of the 3A and 3B Sections include the components described below.

3.1.3 SECTION CONTENTS AND DEFINITION OF TERMS

For ease of reference and to prevent confusion, the environmental setting, impacts, and mitigation measures required by CEQA have been prepared largely using NEPA terminology (e.g., affected environment, environmental consequences, and mitigation measures) but all sections comply with CEQA and NEPA regulations. The terms "Effect" and "Impact" are synonymous as used herein (40 CFR 1508.8). This chapter is organized by issue area, generally corresponding to topics in the CEQA Environmental Checklist (State CEQA Guidelines Appendix G, as amended), with the addition of "Environmental Justice," which is required in the NEPA analysis pursuant to Presidential Executive Order 12898. As described below, each section follows the same format.

AFFECTED ENVIRONMENT

The "Affected Environment" subsection provides an overview of the baseline physical environmental conditions (i.e., the environmental baseline) on the project study sites, and surrounding areas as appropriate, in accordance with NEPA regulations (40 CFR 1502.10) and 14 CCR Section 15125, at the time the NOP was published on September 12, 2008.

This approach is consistent with the State CEQA Guidelines (14 CCR Section 15125. NEPA requires a description of the Affected Environment, which is the environment of the area(s) to be affected or created by the alternatives under consideration. The baseline physical conditions required under CEQA will ensure compliance with the NEPA requirement for Affected Environment. This approach also has the virtue of avoiding the potential confusion that might result from using different baselines for CEQA and NEPA purposes.

REGULATORY FRAMEWORK

The "Regulatory Framework" subsection identifies the plans, policies, laws, regulations, and ordinances that are relevant to each topical section and describes required authorizations, permits, and other approvals necessary to implement the project. As noted above, the EIR/EIS needs to address possible conflicts between the Proposed Project or alternatives under consideration and the objectives of Federal, state, regional, or local formally adopted land use plans, policies, or controls for the area.

Conflicts with any Federal, state, or local formally adopted land use plans, policies, or controls for the area are considered appropriate topics under NEPA and must be addressed in the EIS (40 CFR 1502.16[c]). The City has analyzed the project for consistency with the policies of the adopted City General Plan for the action alternatives, and for consistency with the policies of the adopted Sacramento County General Plan for the No Project Alternative and for the water supply and conveyance alternatives, since the project site would not be annexed into the City of Folsom under this alternative, and the water supply and conveyance alternatives occur in areas that would remain under Sacramento County jurisdiction. Some of the water supply and conveyance alternatives also include project components that would be located within the City of Rancho Cordova. According to State CEQA Guidelines CCR Section 15125(d), an EIR "shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans." Although the EIR/EIS discusses inconsistencies with applicable plans and policies for several jurisdictions, the final authority for interpreting policy statements and determining the project's consistency with adopted policies rests with the governing body of the jurisdiction in question, either the City Council or the County Board of Supervisors.

The project would affect a variety of geographical areas, and several general plans are applicable to different parts of the project, including the Folsom General Plan, the Sacramento County General Plan, and the El Dorado County General Plan. For some issue areas there may not be any applicable policies of a particular jurisdiction's general plan based on the type of improvements or changes proposed within that jurisdiction. Where this is the case, the "Regulatory Framework" section includes a note that there are no applicable policies from this jurisdiction's general plan.

ENVIRONMENTAL CONSEQUENCES AND MITIGATION MEASURES

The "Environmental Consequences and Mitigation Measures" subsection identifies the impacts of the project on the existing human and natural environment, in accordance with the State CEQA Guidelines (CCR Sections 15125 and 15143) and NEPA regulations (40 CFR 1502.16). The following discussions are included in this subsection.

- **Thresholds of Significance** provide criteria established by the lead agencies to define at what level an impact would be considered significant in accordance with CEQA. Thresholds may be quantitative or qualitative; they may be based on examples found in CEQA regulations or the State CEQA Guidelines; scientific and

factual data relative to the lead agency's jurisdiction; legislative or regulatory performance standards of Federal, state, regional, or local agencies relevant to the impact analysis; City goals, objectives, and policies (e.g., City General Plan); views of the public in the affected area; the policy/regulatory environment of affected jurisdictions; or other factors. Generally, however, the thresholds of significance used are derived from Appendix G of the State CEQA Guidelines, as amended; a Federal agency's NEPA regulations, where defined; factual or scientific information and data; and regulatory standards of Federal, state, regional, and local agencies. These thresholds also include the factors taken into account under NEPA to determine the significance of the action in terms of the context and the intensity of its effects.

- **Analysis Methodology** describes the methods, process, procedures, and/or assumptions used to formulate and conduct the impact analysis.

- **Impact Analysis** provides an assessment of the potential impacts of the project (including off-site infrastructure and roadway improvements) and alternatives on the affected environment. This assessment also specifies why impacts are found to be significant and unavoidable, significant or potentially significant, or less than significant, or why there is no environmental impact. Some of the potential impacts that may result from implementation of the Proposed Project and action alternatives may be temporary and short-term effects resulting from construction activities. However, impacts related to most agricultural and open space land conversion; modification and loss of habitats, including fill of waters of the U.S.; and disturbance of cultural resources would be permanent. The program-level impact analysis, which covers the entire 3,510-acre project area, is prepared in accordance with the State CEQA Guidelines (CCR Sections 15152 and 15168) and NEPA regulations (40 CFR 1500.4[i], 1502.4[b], and 1502.20).

- **Project impacts** are organized under "Impacts and Mitigation Measures," and "Cumulative Impacts." In some 3A "Land" topic sections, impacts have been analyzed at an additional level of detail beyond program-level analysis. Where this additional level of impact analysis was conducted, a statement that impacts under the additional detailed analysis would be the same as impacts under the program-level analysis is presented at the beginning of each 3A "Land" topic area. Project impacts are organized into three categories: direct, indirect, and cumulative impacts. Direct impacts are those that would be caused by the action and would occur at the same time and place. Indirect effects are reasonably foreseeable consequences that may occur at a later time, or at a distance that is removed from the project site. Examples of indirect effects include growth-inducing effects and other effects related to changes in land use patterns, population density, or growth rate, and related effects on the physical environment. A cumulative impact is an impact that would result from the incremental impact of the action when compounded with other past, present, and reasonably foreseeable future actions. Cumulative impacts associated with the project are discussed in a separate chapter in the EIS/EIR (Chapter 4, "Other Regulatory Requirements").

  The impacts are listed numerically and sequentially throughout each section. For example, impacts in Section 3A.3 are identified as 3A.3-1, 3A.3-2, and so on and are identified by the alternative that is applicable to the impact. For example, for the "Land" portion of the project, "NP" refers to the No Project Alternative, "NCP" refers to the No USACE Permit Alternative, "PP" refers to the Proposed Project Alternative, "RIM" refers to the Resource Impact Minimization Alternative, "CD" refers to the Centralized Development Alternative, and "RHD" refers to the Reduced Hillside Development Alternative. For the "Water" portion of the project, the alternatives are referred to as the "Proposed Off-Site Water Facility Alternative;" and Off-Site Water Facility Alternatives 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A.

  An impact statement precedes the discussion of each impact and provides a summary of the impact. The discussion that follows the impact statement includes the evidence on which a conclusion is based regarding the level of impact. Impact conclusions are made using the significance criteria described above and include consideration of the "context" of the action and the "intensity" (severity) of its effects in accordance with NEPA guidance (40 CFR 1508.27).

The level of impact of the Proposed Project Alternative and alternatives under consideration is determined by comparing estimated effects with baseline conditions. Under CEQA, the environmental setting as it exists at the time the NOP is published (as defined above and as described in the "Affected Environment" sections of Chapter 3) normally represents baseline physical conditions. Under NEPA, the No Action Alternative (expected future conditions without the project) is the baseline against which the effects of a Proposed Action and action alternatives are compared. Although, in some instances, a NEPA "no action" scenario can involve significant anticipated changes to existing conditions based on actions taken by nonfederal parties, here the NEPA no action scenario is the same as the CEQA no project scenario. This approach, being conservative from an impact assessment standpoint, is permissible under NEPA and avoids any confusion that might be caused if this document used separate CEQA and NEPA baselines. Expected future conditions without the project would be development of up to 44 individual rural residences on 80-acre parcels in the SPA as contemplated under the existing Sacramento County General Plan, and no off-site water facilities would be constructed.

- **Mitigation measures** to avoid, minimize, rectify, reduce, or compensate for significant and potentially significant impacts of the project, in accordance with the State CEQA Guidelines (14 CCR Sections 15370, 15002[a][3], 15021[a][2], and 15091[a][1]) and with NEPA regulations (40 CFR Part 1508, Section 20), where feasible, are recommended for each significant impact. Each mitigation measure is identified numerically to correspond with the number of the impact being reduced by the measure. For example, Impact 3.3-1 would be mitigated by Mitigation Measure 3.3-1. Where no mitigation is required because the impact conclusion is "less than significant," then the statement "no mitigation measures are required" is provided. Where no feasible mitigation is available to reduce impacts to a less-than-significant level, the impacts are identified as remaining "significant and unavoidable" and the statement "no mitigation measures are available" is provided with an explanation. (In some cases, all feasible and available mitigation measures are not sufficient to reduce an impact to a "less-than-significant" level. When this occurs, the impacts are described as remaining "significant and unavoidable.") No mitigation measures are proposed for the No Project Alternative; in this alternative, the project site would not be annexed by the City of Folsom, and the City has no authority or jurisdiction over any actions that would occur on the project site in this alternative. As discussed in Chapter 2, "Alternatives" the No Project Alternative assumes that the historic agricultural activities in the SPA would continue (i.e., livestock grazing) and no off-site water facilities would be constructed; therefore, no wetlands would be filled. Significant and unavoidable impacts are also summarized in Chapter 4, "Other Statutory Requirements," under the subsection "Significant and Unavoidable Adverse Impacts."

- The **Residual Significant Impacts** subsection identifies any significant impacts that would still be significant even after implementation of the mitigation measures.

3.1.4 TERMINOLOGY USED TO DESCRIBE IMPACTS

IMPACT LEVELS

The EIR/EIS for the project uses the following terminology to denote the significance of environmental impacts of the project:

- **No impact** indicates that the construction, operation, and maintenance of the project would not have any direct or indirect effects on the environment. It means no change from existing conditions. This impact level does not need mitigation.

- A **less-than-significant impact** is one that would not result in a substantial or potentially substantial adverse change in the physical environment. This impact level does not require mitigation, even if feasible, under CEQA.

- A **significant impact** is defined by CEQA Section 21068 as one that would cause "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project." Levels of significance can vary by project, based on the change in the existing physical condition. This EIR/EIS uses the CEQA definition of significant impact because it is more stringent than that of NEPA. Under CEQA, mitigation measures or alternatives to the Proposed Project must be provided, where feasible, to reduce the magnitude of significant impacts.

- A **potentially significant impact** is one that, if it were to occur, would be considered a significant impact as described above; however, the occurrence of the impact cannot be immediately determined with certainty. For CEQA purposes, a potentially significant impact is treated as if it were a significant impact.

- A **significant and unavoidable impact** is one that would result in a substantial or potentially substantial adverse effect on the environment, and that could not be reduced to a less-than-significant level even with any feasible mitigation. Under CEQA, a project with significant and unavoidable impacts could proceed, but the lead agency would be required to prepare a "statement of overriding considerations" in accordance with State CEQA Guidelines CCR Section 15093, explaining why the lead agency would proceed with the project in spite of the potential for significant impacts.

- A **beneficial impact** is an impact that is considered to cause a positive change or improvement in the environment and for which no mitigation measures are required.

- An impact may have a level of significance that is too uncertain to be reasonably determined, which would be designated **too speculative for meaningful evaluation**, in accordance with State CEQA Guidelines Section 15145. Where some degree of evidence points to the reasonable potential for a significant effect, the EIR/EIS may explain that a determination of significance is uncertain, but is still assumed to be "potentially significant," as described above. In other circumstances, after thorough investigation, the determination of significance may still be too speculative to be meaningful. This is an effect for which the degree of significance cannot be determined for specific reasons, such as because aspects of the impact itself are either unpredictable or the severity of consequences cannot be known at this time.

IMPACT MECHANISMS

Mechanisms that could cause impacts are discussed for each issue area. General categories of impact mechanisms are construction of the project and activities related to future operations, as described in Chapter 2, "Alternatives."

If the project is approved, site work could begin as early as 2011. The environmental analysis focuses on baseline at the time the NOP was published (2008). The project is expected to be built out over approximately 20 years. Project effects fall into the following three categories:

- A **temporary effect** would occur only during construction or demolition activities. The environmental analysis addresses potentially significant impacts from the direct effects of construction at the project site, including but not limited to: demolition of existing structures and buildings, direct effects associated with site development and required on- and off-site infrastructure and roadway improvements, and indirect construction impacts associated with the proposed construction staging areas, fill activities, and construction traffic.

- A **short-term effect** would last from the time construction ceases to within 3 years following construction.

- A **long-term effect** would last longer than 3 years following completion of construction. In some cases, a long-term effect could be considered a permanent effect.

- A **direct effect** is an effect that would be caused by an action and would occur at the same time and place as the action.

- An **indirect effect** is an effect that would be caused by an action but would occur later in time, or at another location, yet is reasonably foreseeable in the future.

In accordance with California Public Resources Code Section 21081.6(a), the City Council, if it approves the project, will adopt a mitigation monitoring and reporting program (MMRP) at the time that it certifies the EIR. The City Council will also be required to adopt findings identifying each significant effect of the project and the extent to which feasible mitigation measures have been adopted. (California Public Resources Code Section 21081.) USACE will also issue a record of decision (ROD) that will reflect USACE's final decision, the rationale behind the decision, and a commitment to monitoring and mitigation. According to Section 1505.2 of the NEPA regulations adopted by the CEQ, the ROD must do all of the following:

(a) State what the decision was.

(b) Identify all alternatives considered by the agency in reaching its decision, specifying the alternative or alternatives which were considered to be environmentally preferable. An agency may discuss preferences among alternatives based on relevant factors including economic and technical considerations and agency statutory missions. An agency shall identify and discuss all such factors including any essential considerations of national policy which were balanced by the agency in making its decision and state how those considerations entered into its decision.

(c) State whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not, why they were not. A monitoring and enforcement program shall be adopted and summarized where applicable for any mitigation.

The following terms are also used in the impact analysis:

- A **cumulative impact** is a project impact that is cumulatively considerable (and thus significant) when compounded with impacts from other past, present, and reasonably foreseeable future projects. A project's incremental effects are not "cumulatively considerable" solely because other projects would have a significant cumulative impact; rather, the project would also need to contribute considerably to worsening these impacts.

- **Construction** applies to activities associated with ground disturbance, construction of new structures and supporting infrastructure and roadways, and the demolition of existing structures and buildings.

- **No mitigation measures are required** is stated in the discussion of mitigation if the impact is considered minimal or less than significant and does not require mitigation.

- **No feasible mitigation measures are available** is stated in the discussion of mitigation if the impact is considered significant and unavoidable, and there is no feasible mitigation available to reduce the magnitude of the impact to a less-than-significant level.

3.1.5 Topics with Less Than Significant or No Impacts from the Project That are Not Carried Forward for Further Analysis in the EIR/EIS

Land

The "Land" sections of this chapter analyze all of the required topic areas under CEQA. With respect to NEPA analysis, a discussion of Indian Trust Assets is excluded from the "Land" discussions. Indian Trust Assets are legal interests in property or rights held by the United States for Indian Tribes or individuals. Trust status originates from rights imparted by treaties, statutes, or executive orders. Examples of Indian Trust Assets are lands, including reservations and public domain allotments; minerals; water rights, hunting and fishing rights, or other natural resources; and money or claims. Assets can be real property, physical assets, or intangible property

rights. Indian Trust Assets cannot be sold, leased, or otherwise alienated without Federal approval. Indian Trust Assets do not include things in which a tribe or individuals have no legal interest such as off-reservation sacred lands or archaeological sites in which a tribe has no legal property interest. No Indian Trust Assets have been identified within the Folsom sphere of influence or adjacent areas. As a result, the "Land" components of the project would have no adverse effects on Indian Trust Assets.

Tribal lands are lands that have been deeded to tribes or upon which tribes have a historical claim. There are no such lands within the Folsom sphere of influence, therefore, this issue is not addressed further in this EIR/EIS.

WATER

Based on an objective review of the Off-site Water Facility Alternatives, including responses to the NOP, a number of resource areas are not expected to have any significant program-level or cumulative impacts, when compared to existing conditions. This EIR/EIS does not contain any further analysis of the impacts of the "Water" components on the issue areas identified below. For each issue area, a brief explanation is provided for why these issue areas are not carried forward into the environmental analysis of the Off-site Water Facility Alternatives. Because these issue areas are excluded from further analysis, there is no section 3B.13, "Population, Employment, and Housing" and therefore is not analyzed for the "Water" components). The discussion of public services impacts of the "Water" components is grouped with "Utilities and Service Systems" in Section 3B.16, therefore, there is no Section 3B.14.

Mineral Resources

Sacramento County contains a wide variety of mineral resources. Both the U.S. Geological Survey and California Geological Survey have evaluated the potential locations and production capacity of various types of extractive resources throughout Sacramento County. A review of available County mineral resource maps indicates that facilities proposed as part of the "Water" components would not impede access to these delineated mineral resources within the eastern portions of Sacramento County. Although portions of the conveyance pipeline alternatives would travel in close proximity to several areas identified as containing mineral resources classified as Mineral Resource Zone (MRZ)-2; given that these alignments would be confined to the existing road right-of-way, their location would not contribute to any increased losses in the availability of known mineral resources. Based on these circumstances, no impact is expected and no mitigation is required.

Population and Housing

No single- or multi-family residential homes are located on the alternative water treatment plant (WTP) sites or within the Off-site Water Facility Alternative conveyance pipeline alignments. The water facilities would be generally constructed in roadway rights-of-way, and so would not affect planned housing units. As a result, the "Water" portion of the project would not displace existing housing or a substantial number of people necessitating the construction of replacement housing elsewhere. Thus, no impact would occur and no mitigation is required.

Issues related to the "Water" component's potential to facilitate growth-inducing and related secondary impacts are addressed in Chapter 4, "Other Required Analyses."

Public Services

The "Water" components of the project would not directly generate population growth or require new public services. The "Water" components would allow the City to provide water service to new development within the Folsom SPA, consistent with the requirements of Measure W. New development within the SPA will be subject to the requirements of the Folsom Specific Plan, which identifies performance standards and funding mechanisms to support the demand for the kinds of public services that would support new residents within the SPA, such as schools, parks, fire, police, or other public facilities. In this context, the "Water" components would have no adverse impacts on existing public services and no mitigation is required.

Issues related to the provision of emergency access and response is addressed in Section B3.15, "Traffic and Transportation – Water," of this chapter.

Indian Trust Assets

No Indian Trust Assets have been identified in the Offsite Water Facilities Study Area. As a result, the "Water" components of the project would have no adverse effects on Indian Trust Assets. Tribal lands are lands that have been deeded to tribes or upon which tribes have a historical claim. There are no such lands within the Offsite Water Facilities' area of potential effect or Study Area, therefore, this issue is not addressed further in this EIR/EIS.

3.1.6 MITIGATION MEASURES OUTSIDE LEAD AGENCY JURISDICTION

Improvements in the Off-site Water Facilities Study Area described in the "Water" sections of Chapter 3 (and some off-site improvements described in the "Land" sections) are outside the jurisdiction of the City of Folsom. These improvements would fall under the jurisdiction of other agencies, including Sacramento and El Dorado Counties, the City of Rancho Cordova, the City of Sacramento, and the California Department of Transportation (Caltrans). Neither the City of Folsom nor the project applicant(s) could control the timing or implementation of project components or mitigation measures which would take place outside of the City of Folsom's jurisdiction. Although the City would be responsible for implementing mitigation measures associated with the water supply facilities, nearly all of the improvements and mitigation actions necessary to provide water to the project site require improvements that would occur outside of the City of Folsom jurisdictional boundaries. In cases where the City is responsible for implementing mitigation outside of its jurisdiction, the City is also responsible for coordinating with the affected jurisdiction(s) to ensure that the mitigation measures proposed in this EIR/EIS may be implemented as described.

This page intentionally left blank.