

BACKGROUND

Save The American River Association (SARA) respectfully urges the City of Folsom to withdraw the Environmental Assessment/Initial Study for the Lake Natoma Waterfront and Trail Access Enhancement Project because the document fails to provide sufficient detail and information to make the determinations regarding impacts to certain resources including land use and planning, scenic, and recreation. The project changes a steep, wooded slope of the American River Parkway on the southern shore of the American River/Lake Natoma below Historic Old Town Folsom from a minimally developed recreation/ nature area to a more urban park experience. The land is owned by the Bureau of Reclamation and managed and operated by California State Parks for the next 25 years under a recently signed management agreement. The Proposed Project is in the Lake Natoma sub-unit of Folsom Lake State Recreation Area and Folsom Powerhouse State Historic Park. In the American River Parkway Plan 2008 this area is described as the Lake Natoma Area. The California State Parks and Bureau of Reclamation's recently updated and adopted General Plan/Resource Management Plan is adopted by reference into the American River Parkway Plan. (*American River Parkway Plan 2008, Chapter 10, Page 204*)

We urge the City to significantly redesign the project to be compatible with and enhance the existing wildlife, aesthetic, and recreational values of the American River Parkway and the American River/Lake Natoma, an important sub-unit of the Folsom Lake State Recreation Area. Unfortunately, the current proposal does the opposite.

Among other things, the project converts 3100 linear feet of native soil trail designed to lead trail runners, mountain bikers, hikers and equestrians along the shore of Lake Natoma to a combination of concrete ramp and sidewalk and a compacted crushed rock pathway creating a pedestrian Promenade. It further introduces a concrete staircase descending 110 feet down the face of a steep slope ending just at the Lake Natoma shoreline, and a concrete ramp to the water.

Instead of adopting a Mitigated Negative Declaration, the City should prepare a full environmental impact report. CEQA enables City leaders and the public to review and consider the potential adverse impacts of the project and a range of alternatives to avoid or mitigate those impacts. While we support increasing all of the public's ability to enjoy the benefits of the Parkway and American River/Lake Natoma, locating facilities in the proper places is critical to avoiding the type of adverse environmental impacts that are subject to the provisions of CEQA, the California Endangered Species Act, the Urban American River Parkway Preservation Act, the American River Parkway Plan 2008 and other laws.

SAVE THE AMERICAN RIVER ASSOCIATION

SARA was founded in 1961 to establish the American River Parkway. Beginning with a band of seven, including Effie Yeaw, the long held vision to preserve the natural landscape and create recreation opportunities along the American River took years to achieve. A Sunset Magazine article written to commemorate the Parkway's dedication in the summer of 1964, described a county official as saying "Thus far, everybody but the United Nations has had a hand in the parkway." (Sunset, October, 1964) The American River Parkway is the gift far thinking, civic minded community members and leaders gave to us, the residents of a rapidly expanding urban area who increasingly understand the value of the places that give us relief from our fast paced and over built world. SARA continues today, as we have for

the past 51 years, to be the lead voice and advocate protecting the natural and recreation values of the American River and Parkway.

In 2009, Save The American River Association was approached by a long time member, retired Sacramento County and California State Ranger, Folsom resident and most importantly, a 10-year steward of the area within the Proposed Project site, Mr. Dan Winkleman. He shared his concerns with us about the Proposed Project, and we agreed. At the time we tried to influence the project by sending letters of concern regarding the Proposition 50 California Rivers Parkway Grant awarded to the City of Folsom, to appropriate decision makers, and by participating in the public outreach meetings convened to solicit input on the project. We were very disappointed that the project described in the Environmental Assessment/Initial Study failed to seize the opportunity to re-think the project in light of its natural, aesthetic and recreation impacts.

AMERICAN RIVER PARKWAY

The American River Parkway is a vital environmental, recreation, aesthetic and economic resource for the Sacramento region. The Parkway spans 31 miles from the confluence of the American and Sacramento Rivers to Folsom Dam, providing a critical wildlife corridor important to numerous wildlife species and scenic lands. It boasts more than 8 million visits per year – even more than Yosemite.

Highlighting its importance is the recent honor awarded the American River Parkway by the California Parks and Recreation Society, District 2, naming the Parkway to its Hall of Honor 2012 as a Regional Treasure.

The American River Parkway is protected under federal and state law through designation as a National and State Wild and Scenic River; through state law including the Urban American River Parkway Preservation Act (Public Resources Code Section 5840, et al); and, other applicable laws. The Parkway uses are governed by the American River Parkway Plan, which was adopted by the County of Sacramento in 2008. The Parkway Plan recognizes that “In fact, the American River Parkway is often referred to as “the jewel” of the Sacramento Region.” (*American River Parkway Plan 2008, Page 9*).

Furthermore, the State of California’s Urban American River Parkway Preservation Act provides for the following:

- “The Legislature hereby adopts the American River Parkway Plan so as to provide coordination with local agencies in the protection and management of the diverse and valuable natural land, water, native wildlife, and vegetation of the American River Parkway.
- “Actions of state and local agencies with regard to land use decisions shall be consistent with the American River Parkway Plan...”
(*Public Resources Code Section 5842*)

The American River Parkway Plan 2008 is an important state law land use and policy document. The Concept Policies state:

***1.1. BALANCED MANAGEMENT**

The American River Parkway is a unique regional asset that shall be managed to balance the goals of controlling flooding; preserving and enhancing native vegetation, native fish species, the naturalistic open space and environmental quality within the urban environment; maintaining and improving water flow and quality; providing adequate habitat connectivity and travel corridors to support migratory and resident wildlife; providing recreational opportunities; and ensuring public safety.

***1.2 RECREATION**

The Parkway shall be oriented to passive, unstructured water-enhanced recreation activities which are appropriate in a natural environment, and which are not normally provided by other County recreational facilities. To this end, development in the Parkway shall be minimal, and facilities which are primarily visitor attractions should be placed in less sensitive areas within the County Park system.

***1.3 RESOURCE PROTECTION**

Limitation on the use of the Parkway through design and management tools to prevent overuse of the Parkway and preserve the environmental quality, thereby ensuring the integrity of the Parkway for future users.

***1.4 LAND USE**

No existing publicly owned Parkway lands shall be disposed of through sale, lease, or de facto uses adverse to the goals and policies of this Plan, in order to insure the long-term protection and integrity of the present boundaries of the Parkway.

***1.5 COOPERATION**

Coordination and cooperation in the Parkway planning and management is essential, especially in recognizing the many important roles of jurisdictions and agencies with regulatory responsibilities within the Parkway.

(American River Parkway Plan 2008, Pages 15, 16)

COMMENTS ON THE ENVIRONMENTAL ASSESSMENT/INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

CONSTRUCTION

At 15% of design, the Proposed Project did not identify the Construction Staging Area. Without knowing where the staging area is the EA/IS cannot conclude that there will be no impacts or less than significant impacts to Air Quality, Traffic, Water Quality, Natural Resources, residents and businesses, etc. Without knowing where the Construction Staging Area is, it is absurd and inappropriate for the EA/IS to ask the public, interested parties and agencies to accept the following conclusions:

“Construction worker and material delivery trips during the construction phase would account for approximately 16 round trips per day, which would be less than one percent of the existing traffic on Folsom Boulevard. This includes trips to import fill from existing stockpiles located at City corporation

yards, worker trips, and delivery of construction materials. These delivery trips would not substantially increase the existing traffic load and capacity or cause an exceedance of the existing LOS during the construction phase of the Proposed Project. A negligible impact would occur to the existing roadways and intersection in the vicinity of the Proposed Project.” (EA/IS, Page 43)

Furthermore, at 15% of design, the Proposed Project cannot offer any support for the statement that “Construction worker and material delivery trips during the construction phase would account for approximately 16 round trips per day.” There are no specific numbers of workers and no specific numbers of equipment. There are no details regarding the amounts of cement, crushed rock, base materials, fill, rip rap and boulders. There are no details regarding the tree and vegetation replacement numbers and the irrigation materials. What about the amount of decomposed granite needed for the 1200 feet, four-foot wide shoulder adjacent to the bike trail? And this is only material delivery. What about the trips generated from the construction site preparation phase? Where are estimations on trips necessary to haul excavation material away? Trips necessary to remove trees, vegetation, old pavement, etc.? Where are the access roads?

The EA/IS cannot conclude that there is no impact or less than significant impact from Construction.

The EA/IS failed to describe the complete Proposed Project.

NATIVE SOIL TRAIL

The native soil trail, as it appears on a map at the May 23, 2012 public meeting, is significantly re-designed from the trail pictured in the EA/IS, (*Figure 4c, Figure 4d*). The alignment is changed and it now appears to include a retaining wall.

At 15% of design the Proposed Project is too unstable for the public, interested parties and agencies to determine potentially significant impacts from the Proposed Project.

AESTHETICS

“ . . . To the casual user of the Parkway, there is little difference between the Natoma State Recreation Area and the County-operated American River Parkway, largely because of the similar natural amenities in the two areas, and because the State of California and the County of Sacramento have similar policies for protecting these amenities . . . ” (*American River Parkway Plan 2008, Page 212*)

“Lake Natoma . . .The 500-acre Lake is the primary attraction in the Lake Natoma sub-unit. Lake Natoma is a long, narrow and highly scenic waterway . . . ” (*American River Parkway Plan 2008, Page 205*)

“b. Lake Natoma

As the afterbay to Folsom Dam, Lake Natoma is essentially a wide spot in the American River characterized by sheltered waters and a highly scenic setting (refer to Figure II-3). As on Folsom Lake, the primary visitor areas on Lake Natoma accommodate multiple recreation uses and are separated by undeveloped shoreline.” (*FLSRA Final General Plan and Resource Management Plan, Page II-5*).

“The SRA’s most significant scenic resources are the dramatic and high quality panoramic views that are available. These panoramas include views across the lake, views from the lake, as well as views out over the surrounding non-SRA landscape...”

“The most distinctive landscape features in the SRA include: . . . the Lake Natoma Bluffs rising 150 feet above the western shoreline of Lake Natoma between Negro Bar and Mississippi (Bar); and the heavily vegetated shoreline of Lake Natoma that provides visual relief from the surrounding urban development.”

(FLSRA Final General Plan/Resource Management Plan, Page II-31)

“The project area is located within the FLSRA, which is considered a visual and scenic resource, as many of the FLSRA’s shoreline coupled with its hilly topography provide significant variety in both viewpoint orientation and available viewsheds to create a wealth of viewing conditions and opportunities (U.S. Bureau of Reclamation, 2007).” *(EA/IS, Page 23)*

“At Lake Natoma, aquatic activities account for about half of all recreation visits. The sheltered waters-combined with the 5 mph speed limit for motorized watercraft-provide the perfect setting for paddling, rowing, and fishing. In fact, Lake Natoma is considered one of the best rowing locations in the world . . .” *(FLSRA Final General Plan/Resource Management Plan, Page II-32)*

“During the General Plan/Resource Management Update process, Community Workshop #1: “Issues and Opportunities”, held in November of 2002, stakeholder feedback identified the following as a Key issue:

Re-designing Lake Natoma as a separate State Park unit from Folsom Lake State Recreation Area as a way to protect and enhance its peaceful and picturesque character; . . .” *(FLSRA Final General Plan/Resource Management Plan, Page II-64)*

“12. Upper Lake Natoma (AQ)

Statement of Management Intent

This aquatic management zone represents the upper two thirds of the Lake Natoma from Willow Creek north to Rainbow Bridge. As with the lower zone, this zone offers a sheltered and scenic location for paddling, rowing and fishing . . . The management intent for this zone is to maintain and enhance the area as a paddling and rowing destination while increasing non-motorized watercraft access in a serene and scenic setting.” *(FLSRA Final General Plan/Resource Management Plan, Page III-161)*

Upper Lake Natoma Management Zone (AQ)

Land Use Designation Low Intensity Recreation/Conservation

Primary Goal . . . “Provide for recreation activities in a largely undeveloped setting on waters suitable for low-intensity use and fair access.

(Final General Plan/Resource Management Plan, Page III-161)

Key resource management strategies include:

- Prevent habitat fragmentation by visitor use.
- Prevent possible additional disturbance to resources through education, management guidelines, regulation enforcement, limited access, and sustainable design.
- Natural processes take precedence over visitor use.

(FLSRA Final General Plan/Resource Management Plan, Appendix A, Page A-4)

The environmental document fails to describe potentially significant impacts from the Proposed Project by not providing any support for the conclusion that the Proposed Project will have a less than significant impact on the scenic vista and visual quality of the American River/Lake Natoma, from the lake as well as from across the lake to the shoreline and from the bluffs. No conceptual drawings with sight lines were provided to help the public, interested parties and agencies determine the potentially significant visual impacts from a 1500 foot concrete ramp averaging 5 feet in width, 600 feet of concrete sidewalk averaging 5 feet in width, unspecified numbers and profiles of concrete retaining walls, a concrete staircase descending 110 feet down the face of a steep slope to the lake's shoreline, railings attached to the ramp/sidewalks and staircase, benches, rip rap and boulder retaining walls, paved overlooks at the staircase and the shoreline, and the removal and reconstruction and/or realignment of 4 bridges.

The project at 15% of design does not describe the extent of grading, excavation and fill required, potentially causing a significant alteration to the "hilly topography" which "provide significant variety in both viewpoint orientation and available viewsheds, creating a wealth of viewing conditions and opportunities . . ." (*FLSRA Final General Plan/Resource Management Plan, Page II-31*)

The proposed action neglects the visual and aesthetic impacts of the excavated and constructed rip rap and boulder retaining wall on views from the lake and from across the lake both at the shore and on the bluffs at the canoe/ kayak ramp. It forgets to mention at all the rip rap and boulder retaining wall at the western most overlook of the Proposed Project, which also faces the lake.

EROSION CONTROL PROGRAM

" . . . Each project must consider the nature of the erosion threat and the most effective method for controlling erosion with the least damage to riparian vegetation, wildlife, and the aesthetics of the final product . . ." (*American River Parkway Plan 2008, Chapter 4, Page 88*)

Revetments

Revetments involve the use of engineered rock to armor eroding banks and levee slopes . . . When applied to berms and banks, the impacts of this measure may be substantial, generating relatively high costs for on-site and off-site mitigation . . .

(*American River Parkway Plan 2008, Chapter 4, Page 88*)

"...erosion control projects, which may include efforts to anchor berms and banks with rock revetment, shall be designed to minimize damage to riparian vegetation and wildlife habitat, and should include a revegetation program that screens the project from public view, provides for a naturalistic appearance to the site, and restores affected habitat values." (*American River Parkway Plan 2008, Chapter 4, Policy 4.16, Page 85*)

The project, at 15% of design determines that the public, interested parties and agencies cannot rely on the assertion in the EA/IS that the project "will not be visible due to vegetation" because no tree removal/replacement plan or vegetation removal/replacement plan is offered in the document. No work plan for continued vegetation removal was provided for maintaining overlook views at the American River/Lake Natoma shoreline and the concrete staircase.

The project description failed to note a Valley Oak and a Cottonwood tree along the shoreline featuring outstanding form and age. Both trees appear to be within the area of disturbance for pathway and bridgework.

“Construction and grading activities would occur along the eastern portion of the project site which will be partly visible to several sensitive receptors to the south, southeast and across Lake Natoma. With the exception of a segment near the eastern boundary of the project site, the trail will be screened from view by vegetation and down-sloping terrain. However, development of the Proposed Project that would not alter the scenic vista and visual quality of the area and would not adversely effect, damage or degrade the current visual characteristics of the project area through the addition of handrails, retaining walls, or paved pathways.” (EA/IS, Page 24)

The document admits that there will be a segment near the eastern boundary of the project site that will not be screened. This steeply sloped area faces the lake, with views from the lake and from across the lake. This unscreened view has potentially significant impacts as this is the area where the concrete ramp, averaging 5 feet in width with railings and retaining walls will be constructed. From a tour of the site with Folsom City Parks and Recreation staff, SARA learned that a portion of the down slope retaining wall facing the lake will achieve 8 feet in height. The proposed action relating to Aesthetics neglects to mention at all the potentially significant visual impacts viewed both from the lake as well as from across the lake – both at the shore and from the bluffs – of a 110-foot concrete staircase with poured in place cheek walls, railings and an overlook, descending down the face of a steep slope.

The project at 15% design lacks critical details necessary to determine the potentially significant visual and aesthetic impacts of the Proposed Project. Both during and after the public meeting on May 23, 2012 SARA requested and never received the answers to the following:

- Amount of concrete being poured and total square feet. Amount of base material required.
- Amount of compacted crushed rock. Amount of base material required.
- Tons of rip rap and boulders for bank armor.
- Conceptual map portraying contour grading/slope alteration. Details of the area to be re-graded to match slope elevations at the staircase site. Details of the steep, very narrow, exposed and vegetated slope to be re-graded to build the concrete ramp.
- Cross sections anywhere a retaining wall is more than one foot on either side.
- Description of the retaining walls being used in each component of the Proposed Project as applicable. Length. Height. Thickness. Colored and textured concrete or other material? Description of retaining walls as viewed from on the lake, and across the lake on the shoreline and from the bluffs, and within the project site.
- Number, width and depth of the steps in the staircase.
- Size of the overlook off the staircase. At finished grade and/or elevated? Supported by retaining walls? Benches at 18 inches high?
- Disturbance widths needed around construction of retaining walls, staircase, concrete ramp and sidewalks, compacted crushed rock pathway, overlooks, bridges, and concrete canoe/kayak ramp to the water.
- Height, material and color of handrails.
- Concept rendering with sight lines from the lake and from across the lake both on the shoreline and from the bluffs.

The environmental document cannot conclude that there would be no significant environmental impacts on the scenic and visual quality of the Proposed Project area because it failed to offer any supported analysis, either visual or written, that there would be no significant visual and scenic impacts from the perspective of visitors and residents from the lake, and from across the lake at the shoreline and/or on the bluffs.

The environmental document cannot conclude that there will be no significant environmental impacts on the scenic and visual quality of the Proposed Project because it failed to discuss at all the potentially significant impacts to users' aesthetic experiences from the re-designed project. Instead of hiking on native soil trails enjoying the feel of land beneath their feet, along trails and shore strewn with river cobbles artfully placed by Mother Nature, users will walk on a concrete ramp/sidewalk and eventually a ½" compacted crushed rock pathway. A 2100 linear foot cement ramp/sidewalk averaging 5 feet wide, cement retaining walls at one point reaching 8 feet high, a concrete staircase dominating the slope where a discreet wooden staircase with dirt risers and no railings is tucked in the hillside now, and a concrete ramp to the water will take precedence over the experience of escaping to a time when one could still trudge a trail and expect to find nature's surprises and treasures around each corner.

There is no analysis of the change in the visual quality of the views from inside the project area. What are the views from different vantage points when you replace native soil trails and a wooden staircase with dirt risers and no railings, with a concrete staircase descending 110 feet down the face of a steep slope, 2100 linear feet of concrete ramp/sidewalk, retaining walls with railings, and a concrete ramp to the water?

The environmental document cannot conclude that there would be no significant environmental impacts on the scenic and visual quality of the Proposed Project area because it failed to adequately describe and analyze the Proposed Project.

WATER QUALITY

The EA/IS cannot conclude that "the existing drainage pattern of the site or area would remain the same . . ." There are no engineering reports or even concept level plans describing the grading/slope alteration required to build the Proposed Project. No details regarding excavation/cut, quantity/composition of fill or quantity/composition of export/import material. No details regarding the retaining walls: heights and lengths. We are assuming all of the retaining walls are concrete. There are not enough details regarding the concrete staircase.

The reader has no idea what is meant by "a minimal increase in impermeable surfaces." The project is adding a concrete ramp and sidewalk, averaging 5 feet in width, for a total of 2100 linear feet of impermeable surface. The remaining 1,025 linear feet of ½ inch compacted crushed rock trail is not described for either permeability or impermeability. Both of these facilities are being built over sometimes more narrow native soil trails or in the case of the concrete sidewalk, in part over ground where no trail previously existed. There is a new 110 foot concrete staircase descending down the face of the slope. There is a new 3-foot wide native soil trail, running uphill for 450 feet for mountain bikes, equestrians and hikers.

The EA/IS cannot conclude that the Proposed Project will not impede or redirect flood flows. There are no engineering reports describing the grading/slope alterations, the rip rap and boulder bank revetments, the retaining walls, the staircase, and the in-stream construction that may be necessary from reconstructing and/or realigning the bridges.

The environmental document cannot make a determination regarding potential impacts associated with water quality, drainage and flooding because it did not adequately describe the Proposed Project.

LAND USE

“Land use designations provide the fundamental framework to regulate the types of use, location, level of facility development, or degree of natural resource protection throughout the Parkway. Land use designations create the broader vision of what activities may be permitted and locations where protection of the aesthetic, cultural, historical and natural resources of the Parkway are of the utmost importance.” (*American River Parkway Plan 2008, Chapter 7, Page 109*)

“Facilities and improvements shall not be installed within the Parkway unless consistent with an adopted Parkway area plan.” (*American River Parkway Plan 2008, Chapter 7, Policy 7.1, Page 109*)

The Proposed Project is in the Lake Natoma Area of the American River Parkway. (*American River Parkway, Chapter 10, Page 204*).

The Proposed Project is in the Upper Lake Natoma (AQ) Aquatic Management Zone

The Upper Lake Natoma (AQ) land use designation is Low Intensity Recreation/Conservation (Refer to this document’s AESTHETICS for details discussing the EA/IS failure to conclude that the Proposed Project is not consistent with this land use designation.)

The Proposed Project is in the Lake Natoma Management Zone.

The Proposed Project is managed under the land use designation Low Intensity/Conservation.

Low Intensity Recreation/Conservation: “Areas whose natural and cultural resource values will be protected and restored while accommodating lower intensity recreation and interpretation that is compatible with and dependant on the resource values. Recreation use and facilities occur in these areas, however the level of use is generally lower intensity than Recreation areas. While some developed facilities are located in these areas, there tend to be fewer and less developed facilities than in Recreation areas and direct vehicle access may not always exist. Recreation use and facilities while present, do not dominate these areas. These areas offer opportunities for more challenging recreational activities in a natural setting. Resource management in Low Intensity Recreation/Conservation areas emphasizes protecting and restoring natural processes with only minor modification of non-sensitive resources permitted to accommodate additional visitor use as appropriate”. (*FLSRA Final General Plan/Resource Management Plan, Page III-9, Figure III-2*)

The Proposed Project is in the Natoma Shore North Management Zone

Statement of Management Intent

“The Natoma Shore North management zone stretches along the eastern shore of Lake Natoma from the Powerhouse south to Willow Creek. The Lake Natoma paved bike path and dirt multi-use trail, and the trailhead accessing them at Parkshore, are the only existing facilities in the zone. The shoreline area

of this zone includes heavy riparian vegetation while the upland areas consist largely of interior live oak woodland. The management intent for this zone is to maintain its role as a natural and scenic link for trail users between the northern and southern ends of Lake Natoma.” (FLSRA Final General Plan/Resource Management Plan, Page III-148)

The Proposed Project is not consistent with existing Land Use Plans and Policies adopted for the purpose of avoiding or mitigating the environmental effects of development and uses within the Lake Natoma Area of the American River Parkway.

The EA/IS failed to determine the potentially significant impacts of the Proposed Project from the management intent of the FLSRA Final General Plan/Resource Management Plan regarding land use in a Low Intensity Recreation/Conservation area:

- Slight modification and management of non-sensitive natural and cultural resources as necessary to support moderate to low-intensity visitor use with natural features retained as necessary to reflect mostly- natural setting.
- Protect, enhance, and restore sensitive natural resources as necessary.
- Minimize/prevent habitat fragmentation by visitor use.
- Prevent possible additional disturbance to resources through . . . regulation enforcement, limited access, and sustainable design.
- Natural processes take precedence over visitor use.

(FLSRA Final General Plan/Resource Management Plan, Appendix A, Page A-3)

The EA/IS failed to prove that the Proposed Project constitutes a “slight modification” of the natural resources by issuing an environmental document at only 15% of design. The public, interested parties and agencies can make no determination as to the potentially significant effects of the project because there are no engineering reports describing the extent of the grading/excavation activities on the slope, no tree removal/replacement/irrigation plans, no vegetation removal/replacement/irrigation plans, no ongoing maintenance plans for vegetation management to retain lakeside views from the overlooks, no details regarding the number and profiles of the retaining walls required – especially for the concrete ramp and staircase – and no details regarding the extent of the work needed to build the two rip rap and boulder retaining walls, etc.

The EA/IS failed to determine the potentially significant impacts of the Proposed Project from the management intent of the Final General Plan/Resource Management Plan regarding land use in the Natoma Shore North management zone:

NATSHORE/N-3: Improve access to Lake Natoma from the City of Folsom Historic District where appropriate and feasible. Evaluate the feasibility and suitability of providing...landing of small boats at this location...

NATSHORE/N-4: When there is a change in land use of the City-owned Corporation Yard property adjacent to the SRA, coordinate with the City of Folsom, interested members of the community and others planning and creating appropriate public access and trail connections from the Corporation yard property to the SRA.

At 15% of design the EA/IS failed to determine that the Proposed Project's "improved access to Lake Natoma" is appropriate or feasible. Refer to all of the comments in this response.

The EA/IS did not evaluate the feasibility and suitability of providing . . . landing of small boats at this location.

" . . . a kayak rack area may be provided." (EA/IS, Page 16)

The EA/IS has provided no support for the conclusion that the cement canoe/kayak ramp will be utilized as envisioned. It does not appear that the paddlers on the lake, and existing State Park concessionaires who operate trips on the Lake, the Aquatic Center and others were surveyed regarding whether or not lake users would land at the ramp, leave their craft unattended and walk to the City's historic district or have a meal in paddling garb. People can get a bit wet paddling a canoe or kayak. Often paddling garb is not suited for walking City streets or visiting a restaurant. The vision of public use at this location may not be consistent with the actual activities of the majority of State Parks' aquatic users.

The Proposed Project does not identify where people would leave their canoes or kayaks. No location for a kayak rack was identified. The area does not appear to have sufficient room to accommodate kayaks, canoes, pedestrians walking the sidewalk and pathway and visitors descending the staircase which terminates adjacent to the cement ramp to the water. Paddlers would likely be reluctant to leave a plastic or composite canoe or kayak – with a value anywhere from \$300.00 to \$3,000.00 – out of their sight and unattended while they walk around the Old City area. This is especially true if the area is being used as an attraction for many people wishing to access the Lake Natoma shore.

CITY OWNED CORPORATION YARD

The City of Folsom is proposing public access and trail connections before there is a change in land use at the City-owned Corporation yard property adjacent to the Proposed Project site. Without knowing what kind of project will eventually be built at the Corporation Yard, the Proposed Project could preclude planning of appropriate and feasible public access and trail connections creating potentially significant impacts on any future development at the Corporation Yard site. Future development at the Corporation Yard may create potentially significant impacts on the Proposed Project.

Resource Management

NATSHORE/N-5: Eliminate off-trail access to shoreline areas, as appropriate, for the purposes of natural Resource protection and visitor safety . . . Methods of eliminating off-trail access to shoreline areas include:

- Blocking and rehabilitating existing commonly-used points of access along trails;
- Closing areas to public use that are particularly sensitive to environmental damage and/or impact and signing these areas as closed. This could include seasonal closures during the nesting season;
- Increased patrols and enforcement of regulations prohibiting rope swings and jumping/diving from rocks; . . .

(FLSRA Final General Plan/Resource Management Plan, Page III-150)

The EA/IS provided no plan for blocking and rehabilitating at least two “rogue” trails that descend the steep slope in the area of the proposed cement ramp/sidewalk.

The EA/IS provided no plan for closing areas to the public when necessary to protect the natural resources. What is the plan? Who is responsible for financing and implementing the plan? Who will enforce the plan?

The EA/IS did not identify a plan for increasing the patrols and enforcement of regulations prohibiting dangerous activities such as rope swings and jumping/diving from rock. Who is responsible for financing and implementing the plan? Who will enforce the plan?

While the Proposed Project may be consistent with the City of Folsom General Plan Policy 1.6 which promotes the enhancement and maintenance of the Historic District, it nevertheless remains a fact that the Proposed Project site is first and foremost in the American River Parkway, a County-wide regional park and California State Park asset maintained and operated for its 8 million user visits per year.

The County and State manage and operate the Parkway under a shared vision to coordinate uses and facilities to better serve and protect the people, plants, animals, lands and waters of the American River Parkway.

The Plan states that “The American River Parkway is a regional open space greenbelt which crosses jurisdictional boundaries. The Parkway Plan addresses the entire length of the Parkway which includes areas in the unincorporated County, the City of Sacramento, the City of Rancho Cordova and the Lake Natoma portion of the Folsom Lake State Recreational Area.” (*American River Parkway Plan Update 2008, Chapter 1, Page 9*)

Implementation Policies

- 11.1** All planning activities and projects in the Parkway shall be consistent with the goals and policies of this Plan.
- 11.2** All uses and facilities in the Parkway shall be compatible with the goals and policies of this Plan.
- 11.3** Implementation of any physical development proposal which is not consistent with the existing approved Area Plan shall not proceed to the contract drawing stage until the project proposal has been approved in accordance with the planning and development processes described in Section 3.0 and elsewhere in the Plan.
- 11.5** New facilities and programs shall not be developed unless the financial resources to operate and maintain them are identifiable and available.
- 11.6** Adoption or modification of an Area Plan or any of its components shall be approved by the Board of Supervisors in accordance with the planning and development process described in this Plan.
- 11.7** Modification to the land use designations on the General Land Use Map, Parkway-wide policies or their associated text shall be approved in accordance with the local adoption process as described in Section 3.0 and elsewhere in this Plan.

11.9 The various agencies with jurisdictions in the Parkway shall coordinate planning and its implementation for the Parkway.

(American River Parkway Plan 2008, Chapter 11, Page 213)

The American River Parkway Plan 2008 and the Final General Plan/Resource Management Plan both state that “In order to facilitate coordination in the planning and management of the American River Parkway, it should be the responsibility of the respective State and County agencies to inform each other of any large scale public or private improvement proposals, requests for entitlement of use, plans for large scale events, or proposed policy changes which would affect the Parkway. *(American River Parkway Plan 2008, Chapter 10, Page 212) (FLSRA Final General Plan/Resource Management Plan, II-53)*

The City of Folsom’s own General Plan has policies that relate to “Working cooperatively with the County Department of Parks and Recreation, State Parks, Department of Corrections, and Department of Fish and Game in coordinating facility development and program offerings.” *(FLSRA Final General Plan/Resource Management Plan, Page II)*

The Proposed Project was not developed in cooperation with the Sacramento County Department of Parks and Recreation. In fact, it appears that Sacramento County, having incorporated the American River Parkway Plan as an element in its General Plan, was not even informed of the Proposed Project which envisions a significant change to the area plan and land uses and a request for an entitlement of use from the Bureau of Reclamation, in this case the issuance of a Land Use Authorization license to the City to develop the Proposed Project.

Furthermore, the Bureau of Reclamation is requiring an associated operation and management agreement between Reclamation, the City, and the California Department of Parks and Recreation (State Parks). The EA/IS fails to provide even a rudimentary outline of an operation and management agreement between State Parks who is the Bureau’s managing partner and the City of Folsom. The operation and management agreement is necessary for the public, interested parties and agencies to assess the potentially significant impacts, specifically but not limited to, the financial and human resources of State Parks. SARA, better than most, is fully aware of the severe financial and human resources’ constraints limiting Sacramento County Department of Parks and Recreation and the California Department of Parks and Recreation’s abilities to keep the American River Parkway’s facilities well maintained and improved, the natural resources protected, and the public safe. Severe budget cuts to both Parks Departments have left the Parkway vulnerable to deteriorating conditions growing worse by the day. SARA receives calls on a regular basis from people recreating in the Lake Natoma area of the American River Parkway reporting poor to dangerous conditions on the bike trail, and graffiti, just to name two. The lack of adequate Ranger presence in the County managed and operated portion of the American River Parkway is creating increased public safety and resource protection issues. We believe that State Parks faces the same Ranger deficits. The operation and management agreement is needed before the Proposed Project increases State Parks responsibilities, creating potentially significant impacts to public safety, resource protection and fiscal bottom line.

CUMULATIVE IMPACTS

The EA/IS failed to analyze the potentially significant cumulative impacts from the development and activities led by the Folsom Economic Development Corporation, the Folsom Historic District Association, and the Historic Revitalization Program. All of these groups and programs consider access to the Lake Natoma shoreline important, and the Chamber of Commerce markets the shoreline to tourists as part of their campaign to attract people to Folsom to enjoy the trails. They call the campaign “Stay and Play in Folsom.” “The Folsom District Historic Society is very excited about the pedestrian promenade and are already talking about integrating the new trail system into the historic walking tours to connect the Folsom Powerhouse site with the Folsom History Museum.” (*City of Folsom’s 2007 California River Parkway Grant Program Application, Pages 7,8,9*)

This conversion of the American River/Lake Natoma shoreline below Folsom Historic District to a pedestrian promenade is not consistent with the land use designation nor the area plan for the Lake Natoma Management Zone, The Natoma Shore North Management Zone, and the Upper Lake Natoma (AQ) Aquatic Management Zone. It changes the intent of an undeveloped shoreline, serene, highly scenic and picturesque, to a more urban park experience by introducing a 1500 linear feet concrete ramp, 600 linear feet concrete sidewalk, a concrete ramp to the water, a 110 feet concrete sidewalk descending down a steep slope to the shoreline, etc. The cement ramp/sidewalk and compacted crushed rock pathway also change the use of the current native soil trails by trail runners, mountain bikers, equestrians, and hikers to a sidewalk and pathway restricted to large numbers of pedestrians attracted to the restaurants, shops, museums, and events in the Folsom Historic District, from residents and businesses in the historical railroad block, and future residents and/or businesses at the Corporation Yard. It assumes that no impacts to current users result from this diversion away from the shoreline and onto a new native soil trail bypassing the shoreline altogether.

The EA/IS failed to analyze the potentially significant cumulative impacts from the redevelopment of the Folsom historical railroad block. The Proposed Project’s shoreline improvements coincide with the redevelopment of the Folsom historical railroad block, which includes a mixed use development with new retail, restaurants, resident and office space. The development will include 46,000 square feet of new retail; 58,000 square feet of residential and 60 new housing units. (*City of Folsom’s 2007 California River Parkway Grant Program Application, Pages 8,9*)

The EA/IS failed to consider the potentially significant cumulative impacts from the future development of the Folsom City’s Corporation Yard.

For all of the above the EA/IS cannot conclude that the Proposed Project is consistent with applicable land use plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect.

It cannot conclude that No Impact would occur.

LAND RESOURCES

“The topography of the surrounding area consists of steep slopes that lead to the American River/Lake Natoma . . . ”
(EA/IS, Page 3)

“The topography of the project site is defined by the sloping eastern shore of Lake Natoma . . . ”
(EA/IS, Page 34)

“The project area is located within the FLSRA, which is considered a visual and scenic resource, as many of the FLSRA’s shoreline coupled with its hilly topography provide significant variety in both viewpoint orientation and available viewsheds to create a wealth of viewing conditions and opportunities (U.S. Bureau of Reclamation, 2007).” (EA/IS, Page 23)

“The topography in the area is very challenging and the options are very limited . . . ”
(Folsom City’s Application for Transportation and Utility Systems and Facilities on Federal Lands)

Policies relevant to land resources contained within the Final General Plan/Resources Management Plan for the Folsom State Recreation Area:

GEO-5 Site facilities to avoid geological hazards. Where existing facilities are already located in hazardous areas, examine the feasibility of relocating the facility or mitigating any risks to human life or property.

SOILS-1 Minimize soil excavation, erosion and soil migration in the construction and operation of facilities. Minimize human-induced erosion by reducing concentrated run-off, avoiding over-watering with irrigation systems and limiting disturbance to fragile soils.
(EA/IS, Page 34)

The Proposed Project deliberately sites a 1500 linear feet concrete ramp, a 110 linear feet concrete staircase, and retaining walls on a steep slope requiring grading/slope alteration, excavation and fill, all of which have not been described. The EA/IS has provided no geotechnical reports rating the project site soils for soil expansiveness or susceptibility to sheet and rill erosion. The EA/IS Proposed Action cannot determine that “Although parts of the project site have some susceptibility for landslides, incorporation of the retaining walls in the project design would reduce the potential for landslides to a minimal level” because the project description has provided no details describing the retaining walls that would make a difference as to whether they can reduce the potential for landslides: Exact location of each retaining wall with its attendant height, length and construction standard at the minimum.

According to the Grant Application submitted by Folsom City for a Proposition 50 California River Parkways Grant, the Proposed Project will restore three acres of habitat. The EA/IS does not describe the irrigation system and a plan for monitoring its operation and maintenance to prevent over-watering. According to the EA/IS Proposed Project description in the area of the concrete staircase “invasive species would be removed, and the hillside would be re-vegetated with native species.” (EA/IS, Page 15) According to the Grant the project proposes to “establish three defined terraces: Oak Woodland Riparian Terrace, Cottonwood Riparian Terrace and Floodplain Riparian Terrace . . . ” (City of Folsom Proposition 50 California River Parkways Grant, Page 10) This habitat restoration will require an extensive irrigation system that needs to be fully described in order to assess the potentially significant impacts that can occur from leaks, run-off, and an inadequate operations and management plan that

can result in de-stabilized slopes and bank failures. The irrigation system management plan at the end of the tree/vegetation establishment period also needs to be addressed.

There is no support for the EA/IS conclusion that there will be no changes in the existing drainage patterns – refer to discussion on Water Quality – and therefore no conclusions can be drawn as to the potentially significant impacts on soil erosion.

The EA/IS did not provide a tree removal/replacement plan and vegetation removal/replacement plan and therefore no conclusions can be drawn as to the potentially significant impacts on soil erosion.

The EA/IS cannot conclude that there will be no impacts or less than significant impacts with mitigations on Land Resources because it failed to describe and analyze the complete Proposed Project. It failed to provide support for its conclusions.

TRAFFIC AND TRANSPORTATION

As previously noted under Construction, pages 3 and 4 of this response, the EA/IS failed to identify the Construction Staging Area. The public, interested parties and agencies cannot determine the extent of impacts on Air Quality, Traffic, Natural Resources, Residential Neighborhoods and Businesses and LOS on roads adjacent to the Construction Staging Area.

The EA/IS does not identify the location of access roads.

The Proposed Project is creating new internal circulation patterns. The project creates/reconfigures four new intersections – where potentially dangerous user conflicts can occur. Bikes, pedestrians and/or mountain bikers and equestrians will cross paths at the newly created intersection at Gold River Drive and the terminus of the paved bike trail, an intersection where the 110 linear feet concrete staircase is interrupted by the paved bike trail, at the native soil trail and paved bike trail and at the intersection of the compacted crushed rock pathway and paved bike trail. The EA/IS fails to discuss these new traffic patterns.

The EA/IS failed to describe a traffic enforcement plan for an internal circulation pattern that restricts the concrete ramp/sidewalk to pedestrians, re-routing other users such as trail runners, mountain bikers, and equestrians to the new native soil trail. This is a significant change from the existing user circulation pattern. Conditions today provide a native soil trail that loops from the paved bike trail, along the Lake Natoma shore and back up. The existing trail is used today by trail runners, hikers, mountain bikers and equestrians.

Cumulative Impacts

The EA/IS failed to provide any support analysis to conclude that there are minimal cumulative impacts on traffic and transportation from the concurrent construction of the Proposed Project and the Public Plaza at the Historic Folsom Station.

The EA/IS cannot conclude there will be less than significant impacts on Traffic and Transportation because it failed to fully describe the Proposed Project.

PUBLIC SERVICES

Parks

“The project site is located within the American River Parkway and the FLSRA. The City General Plan designates this area as open space.” (EA/IS, Page 46)

Under the California Public Resources Code, State Recreation Areas are “. . . selected and developed to provide multiple recreational opportunities to meet other than purely local needs...The Public Resources Code also states that each unit in the State Parks System must have its own Declaration of Purpose that describes the purpose of the unit, as determined by its prime resource values and opportunities, and the significance it represents to California and the State Park System (PRC & 5002.2 (b)).

The project site is in the Lake Natoma Area of the American River Parkway. The Lake Natoma Area is a sub-unit of the Folsom Lake State Recreation Area.

(American River Parkway Plan 2008, Chapter 10, Page 204)

VISIT-3: Ensure that new and existing visitor facilities and associated services reflect the intent of the SRA land use designations with respect to resource protection, permitted uses, intensity of uses and access.

VISIT-4: Ensure that new and existing visitor facilities are designed to minimize dependence on regular, on-going maintenance operations and avoids activities that would be environmentally damaging to keep them operational.

VISIT-53: Expand opportunities in the trail system for people with disabilities by providing ADA compatible facilities wherever feasible.

(EA/IS, Page 44)

Please refer to the previously cited American River Parkway Plan 2008’s Concept Policies, the discussion under Land Use regarding the Proposed Project site’s land use designations, including aquatic, and the Parkway Plan Land Use Policy 7.1 to conclude that the Proposed Project is not consistent with adopted management zones.

The Proposed Project’s concrete ramp/sidewalk, concrete ramp to the water, and four reconstructed bridges are not consistent with the Folsom Lake State Recreation Transition Area Plan Work List May 2012. These proposed project facilities were not studied or planned as part of this Transition Area Plan Work List May 2012.

The EA/IS did not provide any support for the conclusion that the Proposed Project would enhance the existing recreation facilities through the creation of a new pedestrian promenade. It ignored studying potentially significant impacts to current users from the newly created circulation pattern, and the major changes to the aesthetic, visual and scenic quality of the nature area from a concrete ramp/sidewalk, retaining walls, concrete staircase, concrete ramp to the water, compacted crushed rock pathways and four re-constructed bridges.

As previously stated the Bureau of Reclamation’s required operations and management agreement between Folsom City and State Parks has not been executed. The Proposed Project is constructing a concrete ramp/sidewalk, a concrete ramp to the water, a compacted crushed rock pathway, retaining

walls, installing overlooks, laying asphalt, restoring decomposed granite paved bike trail shoulders, installing interpretive signage and kiosks, traffic signs, 4 reconstructed bridges, a new 450 feet native soil trail, new native plant landscapes, an extensive irrigation system, and anticipating ongoing maintenance to keep the shoreline overlooks free of screening trees/vegetation and the newly installed native plant landscapes protected, weeded, watered and inspected for replacement of dead or failure to thrive trees/vegetation. According to the Folsom City Proposition 50 Grant Application it is the intent of the City to market the new pedestrian promenade far and wide, encouraging many people to access the Lake Natoma Shore. The Proposed Project introduces a very different user circulation pattern that will require regulation. In the absence of this agreement the EA/IS cannot conclude that the project will not have potentially significant impacts on regular on-going maintenance operations, the environment to keep them going, Rangers and law enforcement.

The EA/IS cannot conclude that there will be no impacts or less than significant impacts on Public Services because the Proposed Project did not describe the complete project and there is no operations and management agreement.

RECREATION

The Proposed Project includes recreational facilities and requires construction and expansion of recreational facilities that will have potentially significant effects on the environment. SARA believes that all of the discussion in this Response supports that statement and denies the EA/IS assertion that there are less than significant impacts.

The EA/IS cannot conclude that the Proposed Project will have a less than significant impact on the environment because it did not describe a stable and complete project at 15% design.

BIOLOGICAL RESOURCES

At 15% design there is no support for the statement that the Proposed Project will remove <1 acre of riparian habitat. The EA/IS did not describe areas of disturbance, tree and vegetation removal/replacement plans, or excavation and construction of the rip rap/boulder retaining walls.

The EA/IS did not describe special mitigations for protecting a heritage status oak and sycamore tree that appear to be in the construction zone of the pathway and a bridge at the shoreline.

The EA/IS cannot conclude that wildlife movement and migratory corridors will not be potentially significantly impacted by the Proposed Project. The project at 15% design did not show the details of grading/slope alteration and heights, widths and lengths of the retaining walls. There is no support for the conclusion that the concrete ramp/sidewalk and 110 feet concrete staircase will not impede wildlife movement and disrupt migratory corridors. No biological surveys were conducted at night to determine the presence of nocturnal animals. Black-tailed deer, raccoons, skunks, opossums, gray foxes and coyotes are often seen in the park. Mountain lions and bobcats may occasionally be seen.

Frankly, given the extreme topography of this 5.1 acre site, and to the extent that we know the construction planned, SARA seriously doubts and raises a real question regarding the feasibility of the

mitigations to protect the riverine and terrestrial habitats and wildlife movement and migratory corridors.

CONCLUSIONS

The City of Folsom should withdraw the EA/IS because:

- At 15% design the EA/IS does not provide a stable and complete project description, allowing the public, interested parties and agencies to truly know the potentially significant environmental impacts from the Proposed Project.
- It does not comply with the Urban American River Parkway Preservation Act (*Public Resources Code Section 5842*)
- It is inconsistent with the goals, policies and text of the American River Parkway Plan 2008 and FLSRA Final General Plan/Resource Management Plan, the land use plans governing the planning for the site proposed for development.
- The Proposed Project was not studied and planned as part of Folsom Lake State Recreation Area Transition Plan Work List May 2012.

The Bureau of Reclamation should not consider an EA/IS sufficient to determine if the City of Folsom's Proposed Project, on land it is charged to conserve and manage for the People of the United States, is consistent with the Bureau's Resource Management Plan for the Folsom Lake State Recreation Area, in particular the Lake Natoma sub-unit, and compatible with the public interests. The Bureau, we believe, does not have sufficient information in regards to the project design and its potentially significant impacts on the environment, recreation and administration to even consider a Land Use Authorization license with the City of Folsom at this time.

END