Meeting of the Central Valley Flood Protection Board
September 28, 2012

Staff Report

RESOLUTION 2012-43
FOLSOM DAM SAFETY AND FLOOD DAMAGE REDUCTION
CERTIFICATION OF SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT/ ENVIRONMENTAL IMPACT REPORT FOR THE CONSTRUCTION OF THE PRISON STAGING AREA AND STILLING BASIN DRAIN
FOLSOM, CALIFORNIA

Item

Consideration of Resolution 2012-43 to:

- Certify the Folsom Dam Safety and Flood Damage Reduction Joint Federal Project, Supplemental Environmental Assessment/Environmental Impact Report for the construction of the prison staging area and stilling basin drain.
- Adopt the findings.
- Adopt the Mitigation, Monitoring and Reporting Plan.
- Delegate authority to the Executive Officer to execute the Notice of Determination; and
- Approve design refinements to the originally approved Project.

Sponsors

The Folsom Dam Safety and Flood Damage Reduction Project also referred to as the Folsom JFP is a cooperative effort between the U.S. Department of Interior, Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (USACE), the State of California Central Valley Flood Protection Board (CVFPB), and the Sacramento Area Flood Control Agency (SAFCA).

Location

The Folsom Dam and Reservoir are located on the American River within the City of Folsom about 20 miles northeast of the City of Sacramento. The staging area encompasses land within the Folsom State Prison, including the point of entry from Folsom Lake Crossing onto the prison land. The proposed auxiliary spillway and stilling basin are located within Reclamation land. Construction of the auxiliary spillway is on the left abutment of the existing main dam, downstream of the existing left wing dam, southeast of the main dam with the stilling basin downstream of the auxiliary spillway.

History

Folsom Reservoir has a capacity of 977,000 acre-feet with a surface area of 11,450 acres. Folsom Dam was originally authorized in 1944 for flood control, but was reauthorized in 1949 as a multi-purpose facility. The USACE constructed Folsom Dam and transferred it to Reclamation for coordinated operation as an integral part of the Central Valley Project (CVP). Construction of the dam began in October 1948 and was completed in May 1956. Water was first stored in February 1955.

Folsom Dam is a concrete gravity dam 340 feet high and 1,400 feet long. The main section is flanked by two earthen wing dams. The Right Wing Dam is 6,700 feet long and 145 feet high and the Left Wing Dam is 2,100 feet long and 144 feet high. In addition to the main section and wing dams, there is one auxiliary dam and eight smaller earthen dikes. All retention structures have a crest elevation of 480.5 feet above mean sea level. The concrete dam has a solid parapet wall with a top elevation of 484 feet. Folsom Reservoir's normal operating pool is 977,000 acre-feet with a reservoir water surface at elevation 466 feet. The design surcharge pool is 1,084,780 acre-feet at reservoir water surface elevation 475.4 feet, with 5.1 feet of existing freeboard.

The intent of the Folsom JFP is to improve flood damage reduction features, dam safety and security at the Folsom Dam and its associated facilities. Operations of the auxiliary spillway would increase water discharge capabilities of the reservoir and help provide a 200-year level of protection for the dam. Excavation of the chute has been completed by Reclamation and USACE has begun construction of the control structure.

Description

USACE has determined that an additional area is required for staging during concurrent Phase III and Phase IV construction for certain features of the Folsom JFP. USACE proposes to utilize approximately 10 acres of Folsom State Prison land as a staging area with a concrete batch plant. This proposed staging area was previously utilized as a staging area for construction of the Folsom Bridge. The activities associated with using the prison land comprises of: (1) installation of a temporary traffic signal on Folsom Lake Crossing to ensure traffic safety; (2) widening the existing prison access road to allow for larger construction vehicles; and (3) realigning the Folsom State Prison fence around the edge of the staging area. In addition, construction of a drain at the stilling basin is needed to allow for the water collected in the stilling basin to discharge back into the American River.

Prior CEQA/ NEPA Actions and Determinations

Determinations related to flood management, studies, and actions in the American River basin, the major documents are listed below:

- 1991 American River Watershed Investigation and Environmental Impact Statement/Environmental Impact Report (EIS/EIR).
- 1996 Supplemental Information Report and EIS/EIR.
- 1998 SAFCA's Folsom Dam Modification Report.
- 2002 American River Watershed Long-Term Study and EIS/EIR.

- 2004 Folsom Dam Modification Limited Revaluation Report and Environmental Assessment/Initial Study (EA/IS).
- 2007 Folsom Dam and Safety and Flood Damage Reduction: Final Environmental Impact Statement /Environmental Impact Report (FEIS/EIR).
- 2010 Folsom Dam and Safety and Flood Damage Reduction; Control Structure, Chute, and Stilling Basin Work: Supplemental Environmental Assessment/Environmental Impact Report (SEA/EIR).

In March of 2007, the USACE prepared the Post Authorization Change for the American River Watershed Project which revaluated the Folsom Dam Raise Project, along with the Folsom Modifications Project resulting in the recommendation of the Folsom JFP. The FEIS/EIR, prepared by Reclamation with the USACE as a Cooperating Agency, was issued in March 2007.

A Record of Decision was issued in May of 2007 by Reclamation for the Dam Safety and Dam Security authorities. A separate Record of Decision for the Folsom JFP, including authorities for the Auxiliary chute was jointly issued by USACE and Reclamation in June of 2007. The Reclamation Board now the CVFPB adopted Resolution 07-03 in July 2007, which resulted in the certification and approval the Folsom Dam Safety and Flood Risk Reduction Project.

The evaluation in the 2007 FEIS/EIR was based on technical studies and the project design available at the time. Subsequent construction and technical studies have indicated a need for design refinements to the gated auxiliary spillway, which include the construction of the control structure, stilling basin, and concrete lining of the spillway chute. Since this current environmental document is a supplement to the FEIS/EIR and incorporates the FEIS/EIR by reference, which summarizes the existing conditions, this SEA/EIR focuses on design refinements made since the FEIS/EIR was prepared.

This SEA/EIR evaluates the additional staging area and the stilling basin at the downstream end of the auxiliary spillway, with USACE as the lead agency for NEPA compliance, and the CVFPB is the lead agency for CEQA compliance. This SEA/EIR comprises of: (1) description the existing environmental resources in the project area; (2) evaluation of the effects and significance of the action alternative on the resources; and (3) proposed measures to avoid, minimize, or mitigate any adverse effects to a less-than-significant level.

This SEA/EIR is in compliance with the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), and provides full disclosure of the effects of the proposed action.

Staff Comments and Endorsements

- The SEA/EIR has been reviewed by staff, public and resource agencies. Comments have been incorporated in the final SEA/EIR. Staff recommends that the SEA/EIR be certified by the CVFPB as CEQA lead under Resolution 2012-43.

- This SEA/EIR, if not certified by the CVFPB could cause funding interruptions, breaking of agreements, and project delay

- Board staff and board legal counsel have reviewed the SEA/EIR and recommend Board certification of Resolution 2012-43.

Section 8610.5 Considerations

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

   The Board will make its decision based on the evidence in the attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

   In considering this SEA/EIR, the CVFPB has used the best available science relating to the issues presented by all parties. On the key issue of hydraulic impacts, the Folsom Reservoir improvements will result in a better engineered flood control system with no adverse upstream or downstream hydraulic impacts.

3. Effects of the decision on the entire State Plan of Flood Control:

   This project contributes to the State Plan of Flood Control by improving performance of the American River flood facilities. This project also meets the Central Valley Flood Protection Plan's goal of 200-year protection for urban areas.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

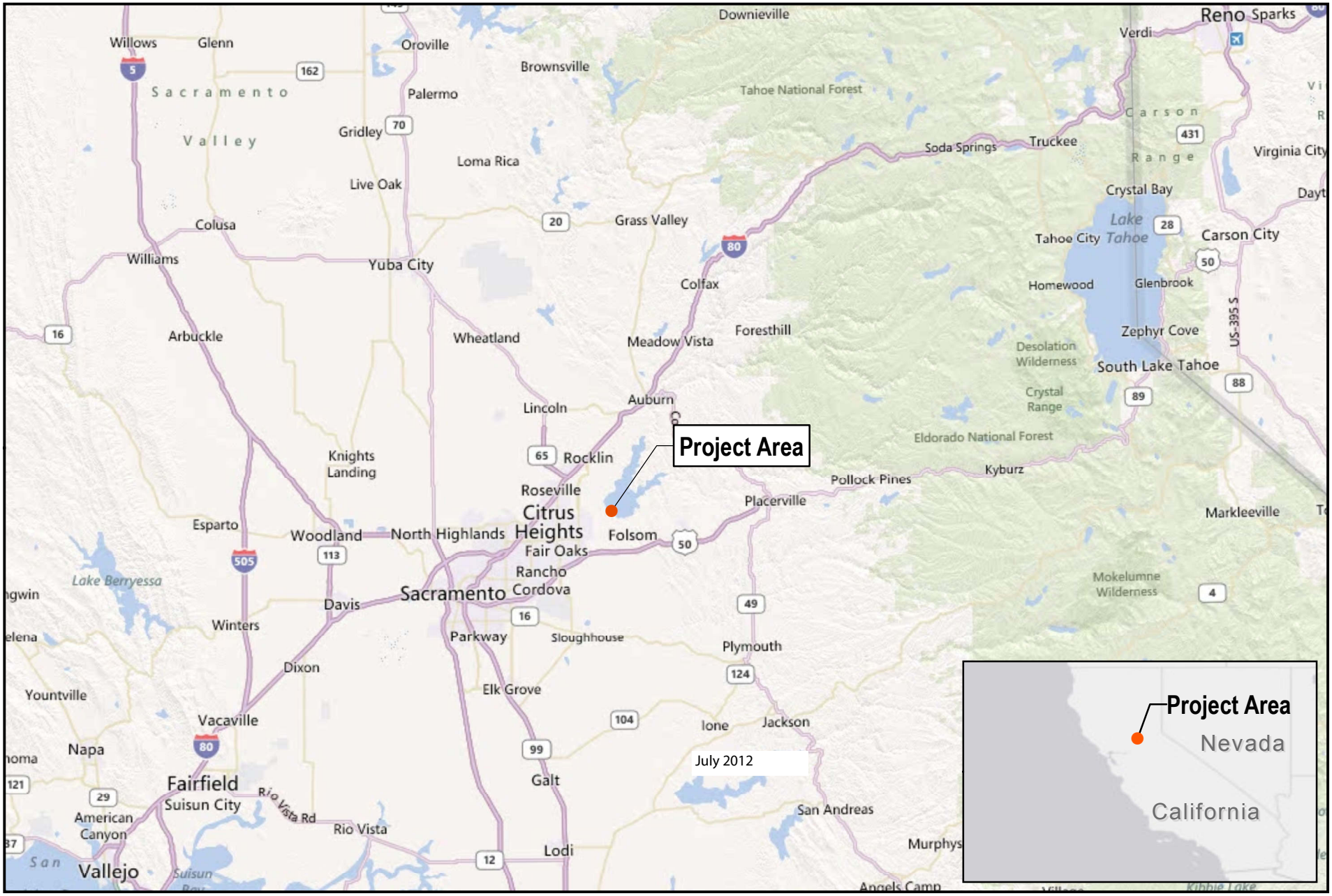
   Impacts of hydrology, climate, and development are addressed in the many environmental documents listed above. Previous and future project designs and environmental documentation have addressed and will continue to address these concerns through public comment periods and agency reviews.

Staff Recommendation

Staff recommends that the CVFPB delegate authority for Board President William Edgar to approve Resolution No. 2012-43 to certify the Final SEA /EIR, adopt the Findings and Mitigation and Monitoring Reporting Plan, and approve the design refinements for the Folsom Dam Safety & Flood Damage Reduction Project - Prison Staging Area and Stilling Basin Drain.

List of Attachments

A. Project Vicinity Map – Plate 1
B. Project Features Map – Plate 2
C. Summary of changes to the Supplemental EA/EIR
D. CEQA Findings
E. Mitigation and Monitoring Plan
F. Resolution 2012-43



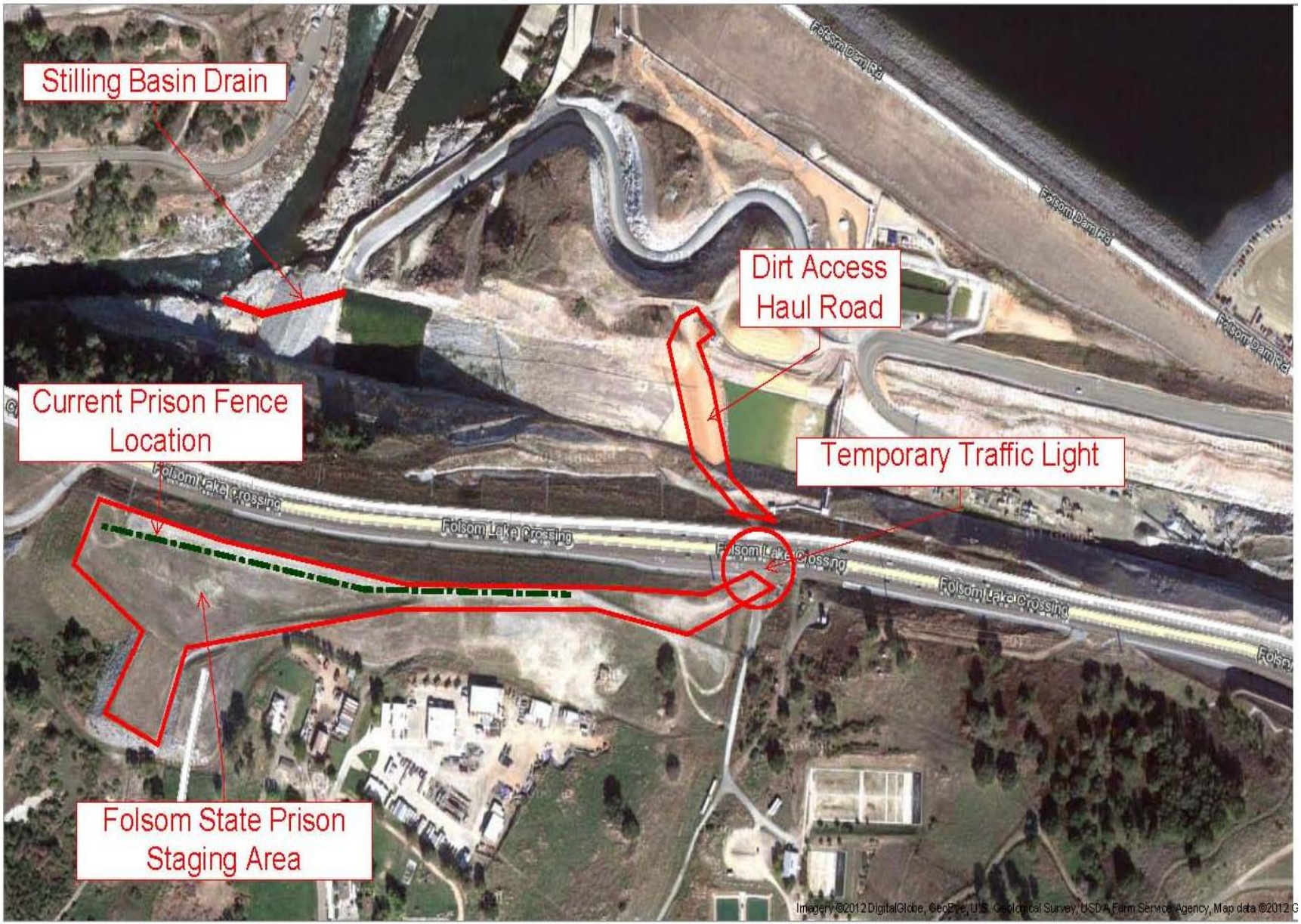
Project Vicinity Map

Folsom Dam Safety and Flood Damage Reduction, Downstream Features

US Army Corps of Engineers
Sacramento District

0 5 10 20 Miles

Plate 1



Project Features

Folsom Dam Safety and Flood Damage Reduction,

Downstream Features

US Army Corps of Engineers
Sacramento District

Plate 2

Comments and Responses
on
Draft Supplemental EA/EIR for Folsom Dam Safety and Flood Damage Reduction
Prison Staging Area and Stilling Basin Drain
September 2012

No.	Agency	Comment	Response
1.	U.S. Bureau of Reclamation	"FONSI, page 4, and generally throughout the document: A portion of the lands used by the Folsom State Prison actually belong to the Bureau of Reclamation and not the prison. Please see the attached map for approximate property lines. The yellow parcels belong to Reclamation."	Discussion on page 1 has been revised to include the following: "Although most of the 10 acres is Folsom State Prison land, a small area portion near the driveway is actually Federal land owned by Reclamation. For this EA/EIR, the entire 10-acre area is referred to as "Folsom State Prison land" since the prison currently has an easement to use Reclamation's land.
2.	U.S. Bureau of Reclamation	"Page 4: Mentions a conveyor belt but I didn't see any discussion of it in the rest of the document. Did the 2010 EA/EIR assume that a conveyor belt would be used to transport material across Folsom Lake Crossing?"	The 2010 EA/EIR assumed that concrete would be transported by truck or a conveyor system across the spillway access road. The effects and BMPs of a conveyor system crossing the spillway access road are assumed to be similar to the proposed conveyor system across Folsom Lake Crossing.
3.	U.S. Bureau of Reclamation	"Page 6: Where will the power come from? Prison land, BOR land? Will a power drop or pole need to be installed?"	Discussion on page 6 has been revised to indicate that the power for the temporary signal would come from the prison via overhead power poles which would be installed as a part of the project.
4.	U.S. Bureau of Reclamation	"Page 13, Visual Resources: Folsom Dam is also a primary aesthetic resource."	Discussion on page 13 has been revised to provide additional details regarding the dam as an aesthetic resource.
5.	U.S. Bureau of Reclamation	"Page 14: Says there won't be impacts to birds in the stilling basin. What about cliff swallows? They nest all over the facility."	While effects on birds in the stilling basin are not anticipated, the basin area would be included in the preconstruction surveys that would be conducted prior to any work scheduled during the nesting season. Discussion on page 14 has been revised to indicate that the migratory cliff swallow would be included in the surveys.
6.	U.S. Bureau of Reclamation	"Page 15, VELB: Request that a pre-construction survey be conducted for VELB. Many of the elderberry bushes that were removed have grown back."	Discussion on pages 17-18 has been revised to include the following: "To ensure that there would be no effect, pre-construction surveys would be conducted by qualified biologists in areas that may contain suitable habitat for special-status plant, invertebrate, or wildlife species. The biologists would identify locations of special status plant, invertebrate, or wildlife species. If the biologists identify any of these

			special status species or suitable habitat, the Corps would contact the USFWS regarding any necessary measures to provide protection."
7.	U.S. Bureau of Reclamation	"Page 32, Table 5: Since a conveyor belt will be in operation for the duration of the project it might be helpful to include the noise emissions for it."	Table 5 has been revised to include a decibel range for a conveyor.
8.	U.S. Bureau of Reclamation	"Page 43: Would the off-street parking be off-project?"	Yes, if the contractor decides that additional parking space is necessary, off-street parking would be outside of the project area.
9.	U.S. Bureau of Reclamation	"Page 44: Will the prison and stilling basin operate under the same stormwater permit as the rest of the site?"	The entire Folsom JFP Phase IV site (chute and stilling basin) would be under the same construction stormwater permit. The concrete batch plant would have a separate industrial stormwater permit. Preparation work on the Folsom State Prison land would be conducted by a pre-Phase IV contractor, who would obtain a construction general permit. Once the Phase IV contractor receives a notice to proceed and has an approved SWPPP, they would submit an application for a new permit application for the entire site (chute, stilling basin, and prison staging area). Once the Phase IV stormwater permit has been obtained, the pre-Phase IV contractor would terminate their stormwater permit.
10.	U.S. Bureau of Reclamation	"Page 46: How will the drain be constructed adjacent to the river? How will it be accessed "	Discussion on page 46 has been revised to include the following: "The stilling basin drain would be accessed via the internal haul road. The stilling basin drain would be constructed landside by excavating the open cut trench while leaving in a plug at the river end. Once the trench is completed, the plug would then be removed."
11.	U.S. Bureau of Reclamation	"Was the city coordinated with on traffic issues?"	Yes, and coordination with the City of Folsom will continue until the Folsom JFP is completed. In addition, the contractor would be required to submit a traffic handling plan to the City for approval prior to initiation of construction.
12.	U.S. Bureau of Reclamation	"Air Quality: How are you justifying not including the emissions from this part of the project with the rest of the work? I wouldn't consider the prison staging and stilling basin to be separate actions. If you leave it that way it would be helpful to include a paragraph that explains the logic of looking at the air quality impacts from different components of the project separately."	Discussion on page 61 includes cumulative effects to air quality. The addition of emissions from the proposed design refinements to the emissions from the other phases of the Folsom JFP would be considered to be a cumulative effect. SMAQMD's approach to thresholds of significance is relevant to whether a project's individual emissions would result in a cumulatively considerable adverse contribution to the Sacramento Valley Air Basin's existing air quality conditions. If a project's emissions would be less than these levels, the project would not be expected to result in a cumulatively considerable

			contribution to the significant cumulative effect. Emissions from the proposed design refinements are well below GCR *de minimus* values for criteria pollutants and therefore would not be considered to have a significant cumulative effect. In addition, the 2010 EA/EIR analyzed emissions from the construction of the control structure, chute, and stilling basin. Modeling showed that with mitigation, construction would not produce emissions that are greater than the GCR *de minimus* values for criteria pollutants.
13.	U.S. Bureau of Reclamation	"Will Folsom Lake Crossing be closed at any point for installation of the traffic light or re-striping of the road?"	Interruption to Folsom Lake Crossing is anticipated to be minimal during installation of the temporary traffic light. The contractor is required to submit a traffic handling plan to the City for approval prior to initiation of construction.
14.	U.S. Fish and Wildlife Service	"The Service recommends the Corps: 1. Avoid impacts to any oak woodlands and riparian areas outside, but in close proximity to, the construction easement and staging areas by fencing their boundaries with orange construction fencing or cyclone fencing just outside of the dripline of the woody vegetation. 2. Avoid impacts to nesting migratory birds by clearing any riparian or seasonal wetland vegetation during the summer months after any nesting birds young-of-the year have fledged. 3. Minimize impacts to fish and wildlife resources and their habitat by confining travel to established roads/paths in the project area and confining parking to established areas (parking lots and staging areas). 4. Minimize impacts to wildlife by seeding all disturbed areas these areas with annual grasses at the completion of construction or when currently disturbed areas are going to remain unused for the growing season."	These recommendations have been incorporated into the project. Discussion on page 14 has been revised to include the recommendations.
15.	CA Dept of Corrections and Rehabilitation	"Although the EIR addresses the prospect of increased traffic, it does not consider the critical need for unobstructed emergency vehicle access to and from the prison grounds via this northern entrance. The proposed access would not be sufficient during times of high volume traffic. Blockage of the intersection and entry is a potential risk of the intended use. The design of the intersection, entry, and traffic light system should be examined and, if necessary, adjusted to ensure that full access, including emergency access, is guaranteed at all times."	The inbound lane would be widened by 12 feet. As currently designed, the contractor would not block the inbound lane into the prison driveway at the stop-bar of the outbound lane at the intersection. Construction traffic would have some effects to the outbound lane since exiting trucks would need to turn right onto Folsom Lake Crossing. However, in the event of an emergency, movement of construction traffic would cease to ensure that emergency vehicles would have unobstructed access.
16.	CA Dept of	"If the proposed COCR project is approved, construction is expected to begin in FY 2014-2015 and, in that event, the site would require access	Coordination between the Corps and CDCR would continue throughout the lease agreement. If the COCR project is approved and

	Corrections and Rehabilitation	for the public, contractors, and material suppliers from Folsom Lake Crossing. …the prison access road would require widening by an additional two lanes for approximately 1,100 linear feet."	when a schedule and design for the COCR project have been established, coordination efforts will ensure minimal traffic effects due to concurrent construction activities. This coordination would also avoid or minimize any adverse effects on the Corps project schedule.
17.	Central Valley Regional WQ Control Board	"Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues."	All required permits related to water quality would be obtained by the contractor prior to initiation of construction. The contractor would also ensure that permit requirements are implemented during construction.
18.	Sac Metro AQ Management District	"Including the Basic Construction Emission Control Practices for the project is appreciated."	Thank you for your comment.
19.	Sac Metro AQ Management District	"The SMAQMD recommends Enhanced Exhaust Control Practices also be included since this construction work is part of the larger Folsom JFP and the mitigation adopted for the Folsom JFP (which is similar to the Enhanced Exhaust Control Practices) should apply to this work. The Enhanced Exhaust Control Practices are attached."	Discussion on page 23 has been revised to include the Enhanced Exhaust Control Practices.
20.	Sac Metro AQ Management District	"The final EA/EIR should include the complete Roadway Construction Emissions Model run to fully disclose the assumptions used to conduct the emission calculations."	Appendix D has been revised to include the complete Roadway Construction Emissions Model spreadsheet.
21.	Sac Metro AQ Management District	"The Methodology section on page 21 describes the use of the Roadway Construction Emissions Model. Additional description should be included in this section on data inputs chosen for the model run."	Discussion on page 21 has been revised to provide additional details regarding the data entered into the model.
22.	Sac Metro AQ Management District	"CARB's interim GHG significance thresholds are discussed on pages 27 and 29 but the actual numeric threshold applied to this project was not included in the discussion."	Discussion on pages 27 and 29 has been revised to include the CARB interim threshold of 7,000 metric tons of CO2e/yr.
23.	Sac Metro AQ Management District	"Including measures to reduce the project's carbon emissions is appreciated, although the wording that the measures could be implemented should be changed to will be implemented."	Discussion on page 28 has been revised to state that the contractor would implement the proposed mitigation measures.
24.	Sac Metro AQ Management District	"SMAQMD rules apply to all projects at the time of construction. A list of the most common rules that apply to construction is attached. A complete list of all SMAQMD rules is available at www.airquality.org or by calling 916-874-4800."	Thank you for providing this information.
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25.	United Auburn Indian Community of the Auburn Rancheria	"In order to ascertain whether or not the project could affect cultural resources that may be of importance to the UAIC, we would like to receive copies of any archaeological reports that have been, or will be, completed for the project."	A MFR documenting a *No potential to cause effects* determination in compliance with 36 CFR § 800.3(a)(1) and Section 106 was prepared for this project and included as an appendix to the EA. An additional copy will be sent to the UAIC.
26.	United Auburn Indian Community of the Auburn Rancheria	"We also request copies of future environmental documents for the proposed project so that we have the opportunity to comment on potential impacts and proposed mitigation measures related to cultural resources."	UAIC will continue to be on the mailing list and will be notified if future environmental documents are prepared.
27.	United Auburn Indian Community of the Auburn Rancheria	"The UAIC would also like the opportunity to have our tribal monitors accompany you during the field survey."	Because all ground disturbing activities for the undertaking are occurring in previous disturbed areas and areas previously used for staging and access no archeological field survey was required for this project.
28.	United Auburn Indian Community of the Auburn Rancheria	"In the future please give us our right to comment on and review an undertaking in the spirit of good faith government to government consultation."	In correspondence for the Corps' JFP Project within the same area the UAIC has previously indicated they do not have archeological concerns. The implementing regulations of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), 36 CFR § 800.3(a)(1), *No potential to cause effects*, allow a federal agency to determine "If the undertaking is the type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present, the agency official has no further obligations under Section 106 of this part." Due to the previous disturbance from construction within the APE, because no activities described for the DFP Project will occur in undisturbed ground, and because the UAIC had previously indicated they did not have archeological concerns in the area, the Corps determined that the DFP Project would not have the potential to cause effects to historic properties.
29.	United Auburn Indian Community of the Auburn Rancheria	"Keep in mind that if any unanticipated or inadvertent discoveries, or change in project activities occur, the Tribe may have additional responsibilities for this undertaking under 36 CFR Part 800."	Discussion on page 56 includes proposed mitigation if unanticipated or inadvertent discoveries occur.

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STATEMENT OF FINDINGS FOR THE FOLSOM DAM SAFETY AND FLOOD DAMAGE REDUCTION JOINT FEDERAL PROJECT FOLSOM, CALIFORNIA

Project Description

These Findings address the potential significant impacts and mitigation measures from the construction of the Folsom Dam Safety and Flood Damage Reduction Project (DS/FDR). This project referred to as the Joint Federal Project (JFP), is a cooperative effort between the U.S. Department of Interior, Bureau of Reclamation (Reclamation), the U.S. Army Corps of Engineers (USACE), the State of California Central Valley Flood Protection Board (CVFPB), and the Sacramento Area Flood Protection Agency (SAFCA). The Final Folsom Dam Safety and Flood Damage Reduction Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) was issued in March 2007 (Reclamation 2007). The JFP implements dam safety and security features along with flood damage reduction features at Folsom Dam and its associated facilities (Folsom Facility).

The flood damage reduction features of the JFP include the construction of a gated auxiliary spillway southeast of the main dam. Initial excavation of the spillway (Phases I & II) was initiated by Reclamation and was completed in 2010. As part of the FEIS/EIR, the evaluation of the auxiliary spillway included the control structure, and the lining of the spillway chute and stilling basin. These features were generally addressed and the potential effects, based on the level of design at the time, were analyzed. However, design refinements indicated that additional analysis and documentation were needed. The design refinements for the lining of the chute, stilling basin, construction of the control structure, installation of the six Tainter gates, and the exploratory geotechnical borings were evaluated in the 2010 Supplemental Environmental Assessment/Environmental Impact Report (SEA/EIR).

USACE has recently determined that additional area is needed for staging during concurrent Phase III and Phase IV construction of some of the features of the Folsom JFP. USACE now proposes to use 10 acres of Folsom State Prison land as a staging area with a concrete batch plant. Although most of the 10 acres is Folsom State Prison land, a small area near the driveway is actually Federal land owned by Reclamation. For this Supplemental (SEA/EIR), the entire 10-acre area is referred to as “Folsom State Prison land” since the prison currently has an easement to use Reclamation’s land. This area was previously used as a staging area during construction of the Folsom Bridge and thus is highly disturbed. Activities associated with using the prison land involve: (1) installing a temporary traffic signal on Folsom Lake Crossing to ensure traffic safety; (2) widening an existing direct access road to allow for larger construction vehicles; and (3) realigning the Folsom State Prison fence around the edge of the staging area. In addition, the design of the stilling basin needs to include a drain to allow collected water in the basin to flow back into the American River.

Prior to implementation, the effects of these new design refinements must be evaluated to determine whether they would have any significant environmental or cultural effects that could not be avoided or mitigated to less than significance. Without a larger staging area, concurrent construction of these Folsom JFP features would not be possible because of the lack of space to park and/or store all the equipment, materials, and supplies needed by the contractor. Even with the 10-acre staging area, the traffic signal and wider access road would be needed to ensure traffic safety and accommodate larger trucks at the Folsom Dam Crossing intersection. Without these design refinements, completion of construction would be delayed beyond 2017 and the dam safety and flood damage reduction improvements to the Sacramento area would not be achieved in a timely manner. As a result, the residents and other downstream developments would continue to be at risk from flooding and flood damages. In addition, without a drain, the collected water in the stilling basin could degrade over time, leading to obnoxious smells or mosquito breeding areas.

Findings

The Central Valley Flood Protection Board (CVFPB) in its capacity as lead agency according to California Environmental Quality Act (CEQA) Guidelines Section 15091 makes the following Findings:

- Changes and alterations have been required and incorporated into the JFP, which avoid or substantially lessen the potentially significant environmental impacts as identified in the final SEA/EIR.

Statement of Facts:

Air Quality

There are no significant impacts to air quality from construction of the proposed project. Implementation of the design refinements would result in short term temporary air emissions of Relative Organic Gases (ROG), Nitrogen Oxide (NO_x), Carbon Monoxide (CO), Carbon Dioxide (CO_2), Particulate Matter (PM10 & PM2.5), and Diesel particulate matter (DPM). Emissions are less than the annual emissions for the Federal General Conformity Rule (GCR) *de minimis* levels and the Sacramento Metropolitan Air Quality Management District (SMAQMD) CEQA daily NO_x emissions. Therefore, emissions from the proposed project are less than significant. However, since Sacramento County is in a nonattainment zone with respect to Ozone (O_3), PM_{10} and $PM_{2.5}$, the SMAQMD has recommended standard Best Management Practices (BMPs) called Basic Construction Emission Control Practices and Enhanced Exhaust Control practices to reduce hydrocarbon emissions (contributors to smog such as DPM). These measures can be found in the final SEA/EIR Section 3.3.1, under mitigation or in the Mitigation, Monitoring and Reporting Plan (MMRP).

Climate Change

There would be no significant effects on climate change from construction activities and no mitigation would be required. Implementation of project design refinements would be short term and temporary and comply will all regional and State plans and policies regarding Greenhouse Gases (GHGs). Emissions are below California Air Resources Board's (CARB) interim threshold and the Federal 25,000 metric tons CO_2 equivalent per year (mt CO_2e/yr), and would reduce the carbon footprint through the use of BMPs recommended by SMAQMD. BMPs can be found in the final SEA/EIR, Section 3.3.2, or in the MMRP.

Noise & Vibration

There would be no significant effects from the construction project on noise or vibration, and therefore no mitigation would be required. Most construction noise impacts are short term, temporary and would occur during the city of Folsom's allowed construction hours which are exempt (7:00 a.m. to 6:00 p.m. during weekdays and 8:00 a.m. to 5:00 p.m. on weekends).

The concrete batch plant may operate during non-exempt hours 6 pm – 7am. Construction activities conducted between 6:00pm and 10:00pm would be required to meet the daytime noise standard of 50 dBA (A-Weighted Decibels) at L_{50} (baseline criterion level). Construction activities conducted between 10:00 pm and 7:00 am would need to meet the nighttime noise standard of 45 dBA at L_{50}. Due to the distance of Folsom Prison from the batch plant, construction activities would not exceed the exterior noise standards during non-exempt construction noise hours.

The most intense generation of ground vibration would be associated with the various trucks that generate levels of 0.076 inches per second (in/sec) Peak Particle Velocity (PPV) and 86 Vibration decibels (VdB) at a distance of 25 ft. Vibration levels from traffic and construction equipment would attenuate (0.027 in/sec PPV and 77VdB at a distance of 50 ft). Actions are short term, temporary, and would not exceed Caltrans or Federal Transit Administration's (FTA) Standards (80 VdB @ 50').

There are no significant effects on noise and vibration and no mitigation is required. However, the contractor will implement the measures in the final SEA/ EIR, Section 3.3.3 and MMRP to further reduce noise levels during construction activities.

Traffic

The installation of the temporary stoplight would provide controlled signalization for traffic entering and exiting Folsom Lake Crossing, the prison access road, and the dirt access road as well as provide a push button stop for the bike trails on both sides of Folsom Lake Crossing. The number of peak hour truck trips is less than Institute of Transportation Engineer's significance threshold of 50 additional peak hour truck trips.

Furthermore, according to the Highway Capacity Manual, the proposed signalized intersection will improve the Level of Service from a C to a B and provide for less of a delay during the pm peak hours and allow safe exiting for slower moving traffic.

Slow moving trucks leaving and entering the staging and construction areas through the intersection could present a hazard to higher speed traffic on Folsom Lake Crossing. Installation of a traffic signal would stop traffic at Folsom Lake Crossing and allow the slower moving truck traffic to enter the intersection without causing a safety hazard. Construction vehicles would not block the inbound lane into the prison driveway but the outbound lane would experience some traffic delays due to trucks exiting right onto Folsom Lake Crossing. If this were to happen, emergency vehicles and prison staff vehicles entering and exiting may experience some delays. However, in an emergency, construction traffic would cease to ensure emergency vehicles have unobstructed access in and out of the northern prison entrance (prison access road).

Since there would be no significant effects on traffic, no mitigation would be required. However, the contractor would implement safety measures to ensure public safety during construction. Public safety measures can be found in the final SEA/EIR, Section 3.3.4 and in the MMRP.

Water Resources & Quality

Construction activities have the potential to temporarily impair water quality if fugitive dust, eroded soil, or by-products of equipment or the concrete batch plant are discharged into the receiving waters or into the ground that carries the material to receiving waters. However, water quality will be maintained and effects avoided due to contractor requirements to obtain water quality permits through the Central Valley Regional Water Quality Control Board (CVRWQCB) for construction activities, the operation of the batch plant, and implementing the required Storm Water Pollution Prevention Plan (SWPPP) and Best Management Practices (BMPs). In addition, the contractor will comply with the Spill Prevention & Response Plan and the Erosion & Sediment Control Plan. A list of standard BMPs and discussion of types of permits can be found in the final SEA/EIR, Section 3.3.5 or in the MMRP.

Fisheries

Construction of the spillway drain could potentially affect fish species inhabiting the outflow channel or Lake Natoma through sediment collecting in the stilling basin and entering the river. The contractor will implement standard BMPs associated with the construction of the Stilling Basin Drain to avoid impacts to fisheries. The potential adverse effects on fisheries in the project area resulting from the design refinements would be indirect, resulting from short-term water quality degradation. As such, all pertinent mitigation measures for fisheries are the same as those listed for water quality and resources in Section 3.3.5 of the final SEA/EIR and MMRP. In summary, compliance with the various water quality permits needed for this project, including

implementation of the SWPPP and its associated BMPs, would reduce potential, indirect effects to less-than-significant.

Recreation

Impacts on recreation would be significant if construction activities would increase use of nearby facilities or substantially reduce access or reduce the availability of existing recreational facilities.

The installation of the temporary traffic signal and widening of an existing dirt access road would restrict recreational access along the bike trail. The access road would be used as a haul route for heavy trucks, resulting in increased traffic at the intersection.

Widening of the existing dirt access road would, for approximately 1 week, require limited access to the bike trail for approximately 70 feet at the north intersection of Folsom Lake Crossing. A temporary path would be constructed to allow recreationalists to safely pass the work zone.

However, effects to recreation are short-term and would not substantially contribute to or substantially reduce access or availability to other recreational facilities. The proposed measures in the final SEA/EIR, Section 3.3.6 and the MMRP would be implemented by the Contractor to reduce impacts to less than significant.

Cultural Resources

Impacts on cultural resources would be significant if any listed resources or resources eligible for listing in the National Registration of Historic Places (NRHP) are directly or indirectly altered so that the integrity of the resource's location, design, setting, materials, workmanship, feeling or association is diminished.

For the proposed action, work will occur on previously disturbed areas, through manmade features created in the last 5 years or through solid rock. Furthermore, it has been determined that eligible or listed facilities are outside the range of the area of potential effects (APE) and there would be no potential to cause effects to cultural resources resulting in no necessary mitigation. However, should any potentially significant cultural resources be discovered during construction activities, the Contractor would take action as required by 36 CFR and may implement measures listed within the final SEA/EIR, Section 3.3.8 or the MMRP to reduce these effects to less than significant.

Cumulative Effects

All projects have the potential to cumulatively affect the environment due to the concurrent construction of past, present, and reasonably foreseeable projects. The

timeframe for cumulative effects evaluated in the final SEA/EIR will take place from fall 2012 when the proposed project is anticipated to begin through the completion of the Folsom JFP in 2017. The potential adverse effects have been compared to the beneficial effects of the proposed alternatives to determine significance and specific site conditions would determine the amount of work that could take place during each construction season. Identified projects described within the final SEA/EIR have had their own effects evaluated and have their own mitigation measures. As such, any individual project effects which cannot be avoided or reduced below thresholds of significance or relevant significance criteria are expected to contribute to cumulative effects in the area.

Air quality

The project would have a cumulative effect on air quality if the emissions from the project result in a cumulatively adverse contribution to the Sacramento Valley Air Basin (SVAB's) existing air quality conditions. The SMAQMD has jurisdiction over the projects in Sacramento County and are responsible for ensuring projects do not contribute to the emissions that would violate the National Ambient Air Quality Standards (AAQS) through the GCR *de minimis* thresholds. Because the SVAB is evaluated cumulatively, any individual project that does not violate the GCR *de minimis* levels is not expected to have a cumulative effect. Furthermore, because the project's emissions are temporary, would not generate any long term pollutants, wouldn't exceed thresholds of significance and wouldn't contribute significantly to the AAQS, the project's cumulative air quality impacts are considered to be less than significant.

Climate change

A single project is unlikely to cause climate change, making climate change an inherently cumulative impact. A project's significance is based on a number of criteria that can help reduce GHGs from a project. These criteria may include using the best available technology, applying BMPs that are pertinent to the project, incorporating design elements to reduce GHGs, and complying with plans, policies and regulations of the federal, state, or local governing agencies. Since the project takes place in Sacramento County, SMAQMD has jurisdiction for ensuring all CO_2 emissions are kept within the interim threshold for CARB of 7,000 metric tons CO_2 equivalent per year. Because the project would not violate any federal, state or local goals, and incorporates BMPs with the best available technology to reduce GHGs, the impacts are expected to be less than significant.

Noise and Vibration

The geographic scope of potential cumulative noise and vibration impacts encompasses the area under the jurisdiction of the city of Folsom and Sacramento County. The proposed action will overlap with ongoing Folsom JFP projects, and could overlap with the California Health Care Facility construction, and roadway improvement projects that are in and around the vicinity of the Folsom Facility. It is expected that

noise effects from these projects would be similar to the proposed action in that effects would result primarily from construction activities. Simultaneous construction of these projects would increase noise levels from onsite construction and transport of materials.

The worst-case assumption indicates that simultaneous construction at the Folsom Facility could potentially increase source noise emissions. If these construction projects are implemented concurrently, the combined cumulative effects could be above significance thresholds, although these effects would be temporary. Coordination of construction activities with the Bureau of Reclamation would occur throughout the project in an effort to keep potential noise effects to below significance thresholds. This coordinated effort would be adjusted based on any feedback that is received from the city of Folsom. These coordination efforts would reduce any potential cumulative noise effects to less than significant.

Traffic and Circulation

The geographic scope of potential cumulative traffic and circulation impacts encompasses the roadways in the project region where traffic generated by multiple projects would interact with the public on a cumulative basis. The proposed action could overlap with ongoing Folsom JFP projects, California Health Care Facility construction, and roadway improvement projects that are in and around the vicinity of the Folsom Facility. It is expected that traffic effects from the other projects would be similar to the proposed action in that effects would be primarily from the hauling of equipment and material to and from the proposed project sites and the daily commutes of the workers on-site.

Continued construction activities and the requisite additional traffic demands due to labor force access and materials deliveries are expected to be ongoing, although minor in nature and not affecting the existing traffic patterns or operation to a significant degree. In addition, with the installation of the traffic signal, the level of service (LOS) of Folsom Lake Crossing is expected to improve the network from a LOS C to a LOS B.

The construction activities associated with the proposed action would be sequenced, and thereby not allow concentrated traffic volumes for any isolated durations. Additionally, the local and state government's general roadway improvements and maintenance are anticipated to provide improvements to the network. Each of the related projects listed above would perform a similar analysis, and would reduce any cumulative effects to less than significant.

Water Resources & Quality

The geographic scope for the potential cumulative water quality impacts encompasses the outflow channel below Folsom Dam (i.e. the Lower American River channel), and Lake Natoma. The proposed action could overlap with ongoing Folsom JFP projects which have the potential to create storm water runoff that could be discharged to outflow channel.

Projects could adversely affect water quality in these waters through clearing, grading, and foundation excavation work that could increase the potential for soil erosion and subsequent turbidity. During the rainy season, stormwater runoff from areas that have been cleared for these projects may contain high levels of suspended sediments. Together, these projects could potentially result in a cumulative effect on water quality.

The analysis results for potential impacts from the proposed action were less than significant; thus, would not contribution to cumulative effects on water quality. Implementation of the appropriate mitigation measures for each these identified projects and appropriate monitoring and testing, along with the mitigation measures for the proposed action, which include implementation of a SWPPP, BMPs, pertinent permits, would ensure that the potential cumulative effects on water quality to a less than significant level.

Fisheries

The geographic scope for potential cumulative fisheries impacts encompasses the outflow channel below Folsom Dam (i.e., the Lower American River channel) and Lake Natoma. The proposed action could overlap with ongoing Folsom JFP projects. Short-term land-based activities of concurrent or cumulative projects would comply with Federal and State water quality mandates to avoid contributions towards aquatic effects that could have an adverse impact on fisheries. Project compliance with Federal and State water quality regulations would ensure that effects are negligible or produce less-than-significant effects on Folsom Reservoir fish. As a result, the project would not significantly contribute to cumulative effects on fisheries.

Recreation

The geographic scope for potential cumulative recreational impacts encompasses the city of Folsom bike trails. The proposed action could overlap with the construction of the Johnny Cash Folsom Prison Blues (Folsom Lake) Trail, which would improve recreational access from the Historic Truss Bridge to Green Valley Road. Access along the bike trails would not be prohibited during the construction of the proposed action, and the city of Folsom would end up with an increase in bike trails. As a result, the project would not contribute to cumulative effects on recreational resources.

Cultural Resources

The project would have no potential to effect cultural resources. As a result, the project would not contribute to cumulative effects on cultural resources.

Growth Inducing Effects

The proposed action would not directly remove obstacles to growth, result in population increases, or encourage and facilitate other activities that could significantly affect the environment. New development must be consistent with existing City and County general plan policies and zoning ordinances regarding land use, open space, conservation, flood protection, and public health and safety. Local population growth and development would be consistent with the most current Land Use Element of the County of Sacramento General Plan.

The project area is zoned specifically for flood control activities, recreation, and Folsom State Prison activities. These land uses would not change due to the construction of the proposed project, or any of the related projects in the area. In addition, construction, operation, and maintenance of the improvements would not result in a substantial increase in the number of permanent workers or employees.

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MITIGATION, MONITORING, AND REPORTING PLAN

FOLSOM DAM SAFETY AND FLOOD DAMAGE REDUCTION PRISON STAGING AREA AND STILLING BASIN DRAIN

SACRAMENTO COUNTY, CALIFORNIA

This mitigation monitoring or reporting plan (MMRP) is designed to fulfill Section 21081.6 (a) of the California Public Resources Code (CEQA). Section 21081.6 (a) requires that public agencies adopt a reporting or monitoring program whenever a project or program is approved that includes mitigation measures identified in an environmental document for which the agency makes a finding pursuant to CEQA Section 21081 (a) (1). The mitigation measures and strategies described below and in the attached table are to be used to avoid, minimize, or reduce any potentially significant environmental impacts.

The MMRP table includes the following:

- Section and Impacts – identifies the issue area section of the Supplemental Environmental Assessment/Environmental Impact Report (SEA/EIR) and corresponding impact.
- Mitigation Measures – lists the adopted mitigation measures from the SEA/EIR.
- Implementation Timing – identifies the timing of implementation of the action described in the mitigation measures.
- Responsible for Implementation – identifies the agency/party responsible for implementing the actions described in the mitigation measures.
- Responsible for Monitoring /Reporting Action– identifies the agency/party responsible for monitoring implementation of the actions described in the mitigation measures. Verification will be carried-out during the project and a MMRP completion report will be submitted to the CVFPB upon completion of the project.

Notes:
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Section and Impacts	Mitigation Measures	Implementation Timing	Responsible for Mitigation	Responsible for Monitoring/ Reporting Action
3.3.1 – Air Quality Construction activities would result in short term air emissions of ROG, NOx, CO, CO2, PM10 & PM2.5 and Diesel particulate matter that are less than the significant thresholds. However, due to the non-attainment zone of Sacramento County with respect to O3, PM10, and PM2.5, Sacramento Metropolitan Air Quality Management District (SMAQMD) has recommended projects within the Sacramento Valley Air Basin implement a set of Basic Construction Emissions Control Practices as BMPs and a set of Enhanced Exhaust Control Practices to reduce hydrocarbon emissions.	The Basic Construction Emission Control Practices that would be implemented by the contractor during the construction project are the following: • Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. • Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered. • Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. • Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). • All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. • Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to five minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of	D, C	Contractor, USACE	SMAQMD, CVFPB Verify Air Quality plan submittal to USACE and SMAQMD. Verify emission reduction measures and BMP's are in place and implemented. Verify SMAQMD has received the Off-road equipment inventory

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	the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site. • Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated. In addition, SMAQMD recommends that the project implement a set of Enhanced Exhaust Control Practices to further reduce hydrocarbon emissions. The Enhanced Exhaust Control Practices that would be implemented by the contractor during construction include the following: • Provide a plan for approval by the lead agency and SMAQMD demonstrating that the heavy-duty (50 horsepower [hp] or more) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, would achieve a project-wide fleet-average 20 percent NOX reduction and 45 percent particulate reduction compared to the most recent California Air Resources Board (ARB) fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The SMAQMD's Construction Mitigation Calculator can be used to identify an equipment fleet that achieves this reduction.			

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	• Submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 hp, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory would include the horsepower rating, engine model year, and projected hours of use for each piece of equipment. The inventory would be updated and submitted monthly throughout the duration of the project, except that an inventory would not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the contractor would provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman. The SMAQMD's Model Equipment List can be used to submit this information. • Ensure that emissions from all off-road diesel-powered equipment used on the project site do not exceed 40 percent opacity for more than 3 minutes in any 1 hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) would be repaired immediately. Non-compliant equipment would be documented and a summary provided to the lead agency and SMAQMD monthly. A visual survey of all in-operation equipment would be made at least weekly, and a monthly summary of the visual survey results would be submitted throughout the duration of			

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	the project, except that the monthly summary would not be required for any 30-day period in which no construction activity occurs. The monthly summary would include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section would supercede other SMAQMD or State rules or regulations. • If at the time of construction, SMAQMD has adopted a regulation applicable to construction emissions, compliance with the regulation may completely or partially replace this mitigation. Consultation with the SMAQMD prior to construction would be necessary to make this determination.			
3.3.2 Climate Change Construction activities would result in a net increase of GHG emissions over a finite period – approximately 4 months for construction and 4 years for the operation of the batch plant. Emissions are expected to be below the reporting levels of the U.S. Environmental Protection Agency of 25,000 metric tons of CO2 equivalents / year and CARBs interim threshold of 7,000 mtCO2e/year. Emissions; • would not conflict with Federal, State, or local goals to reduce GHGs • will be avoided or reduced through	Since there would be no significant effects on climate change, no mitigation would be required. However, the following measures would be implemented by the contractor to reduce any GHG emissions from construction of the design refinements. • Improve fuel efficiency from construction equipment by minimizing idling time either by shutting equipment off when not in use or reducing the time of idling to no more than three minutes (five minute limit is required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]).	D, C	Contractor, USACE	USACE, CVFPB Verify that GHG reduction measures are being implemented.

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implementation of BMPs into the design of the project Mitigation measures will be implemented by the contractor to reduce GHG emissions from the project.	Provide clear signage that posts this requirement for workers at the entrances to the site. • Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. • Use equipment with new technologies (repowered engines, electric drive trains). • Perform on-site material hauling with trucks equipped with on-road engines (if determined to be less emissive than the off-road engines). • Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes. • Produce concrete on-site if determined to be less emissive than transporting ready mix.			
3.3.3 – Noise & Vibration There would be no significant effects from the construction project on noise or vibration, and therefore no mitigation would be required. Most construction noise impacts are short term, temporary and would occur during the City of Folsom's allowed construction hours which are exempt from exterior noise standard limits (7:00 a.m. to 6:00 p.m. during weekdays and 8:00 a.m. to 5:00 p.m. on weekends).	Since there would be no significant effects on noise or vibration, no mitigation would be required. However, the following measures would be implemented by the contractor during construction activities in order to further reduce any potential noise effects: • Appropriate level of sound attenuation would be used during construction to meet local ordinances. Potential sound attenuations measures that could be considered include, but not limited to, temporary sound barriers near the	D, P, C	Contractor, USACE	USACE, CVFPB Verify the contractor has notified all sensitive receptors within the project area Verify that all noise & vibration

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The concrete batch plant may operate outside of the non-exempt hours (6 pm – 7am) but the sources of the noise levels would occur far enough from sensitive receptors that the noise is attenuated below ambient noise levels	noise source or otherwise places between the sources of construction noise and noise-sensitive receptors, as appropriate. • Residents and businesses near the project area would be provided with advance notices of project activities, schedule, anticipated traffic, and potential noise issues. The advance notice would describe the potential noise disruption and the steps that would be taken to minimize the noise. • The construction contractor would monitor noise from construction activity. In the event that construction noise exceeds the City of Folsom's thresholds, corrective actions would be taken to reduce the noise levels or stop the activity. • Heavy truck deliveries would be scheduled during exempt working hours and whenever possible, avoid deliveries during a single hour, especially during non-exempt hours. Haul trucks operating near noise sensitive receptor sites would be spaced apart to avoid noise effects from simultaneous operation. • Engine brake (jake brake) use within city limits would be prohibited. Many noise complaints arise from heavy truck use of engine brakes to slow the truck down. Use of this type of braking can be avoided by proper speed control. • The contractor would properly maintain and tune engines of all equipment and maintain properly			measures are implemented Verify construction activities occur within the designated hours or if outside of exempt hours, verify City of Folsom's noise ordinances are being met.

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	functioning mufflers on all internal combustion engines to minimize noise levels.			
3.3.4 - Traffic • Slow moving trucks leaving and entering the staging and construction areas through the intersection could present a hazard to higher speed traffic on Folsom Lake Crossing. • Construction vehicles would not block the inbound lane into the prison driveway but the outbound lane would experience some traffic delays due to trucks exiting right onto Folsom Lake Crossing.	• Installation of a traffic signal would stop traffic at Folsom Lake Crossing and allow the slower moving truck traffic to enter the intersection without causing a safety hazard • In the event of an emergency, movement of construction traffic would cease to ensure that emergency vehicles would have unobstructed access in and out of the northern prison entrance. Since there would be no significant effects on traffic, no mitigation would be required. Implementation of the following measures by the contractor would help to ensure public safety during construction. • Construction zones along residential roadways would be posted to notify approaching motorists of trucks entering and exiting roadside construction sites and to reduce speeds through the construction zone. • Before and during construction, signs would be placed at construction areas to notify users of ongoing construction and limits of use. • All speed limits, traffic laws, and transportation	D, C	Contractor, USACE	CVFPB, USACE Verify Traffic Control Plan has been approved by the City of Folsom Verify traffic control measures are implemented.

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	regulations would be obeyed during construction. • On-street parking for construction workers would be prohibited. • Off-street parking would be identified and provided to the construction workers and their vehicles and trucks. If possible, parking would be close enough to walk to the site.			
3.3.5 Water Resources and Quality Construction Activities may impact adjacent waterways by: 1) Increasing turbidity through site erosion and sedimentation	In order to maintain existing water quality conditions and beneficial uses, the contractor would be required to obtain NPDES permits, implement the required and standard BMPs and SWPPP, and implement, the measures in the Spill Prevention and Response Plan (SPRP) and the Erosion and Sediment Control Plan (ESCP) • A NPDES Construction Storm Water Permit from the CVRWQCB would be required since the project would disturb more than 1 acre of land. The Construction Storm Water Permit pertains to the prevention of increased turbidity of adjacent waterways from site erosion and sedimentation. The contractor would be required to design and implement a SWPPP prior to initiating construction activities, and to implement standard BMPs. Dust control measures would be implemented to avoid dust and soil from entering	D, C	Contractor, USACE	CVFPB Verify NPDES permit has been obtained. Verify SWPPP and SPRP & ESCP has been obtained and BMP's are implemented.

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2) Discharge of pollution from the Concrete Batch Plant	the river or other drainages as a result of construction activities. Precautions would be followed to avoid erosion and movement of soils into drainage systems. Implementation of BMPs and NPDES permit requirements would reduce water quality impacts from construction to less than significant • The NPDES Industrial Storm Water Permit requires that a SWPPP is designed and implemented specific to the concrete batch plant operation. Debris, oil and fuel, or concrete mix material spills pertaining to the concrete batch plant site could adversely affect water quality. The industrial storm water permit addresses potential pollution inputs due to storm water runoff that are associated with all activities at the concrete batch plant. The contractor would be required to cover and control all material stock piles to prevent suspension of dust or concrete mix material due to wind. The contractor would also be required to coordinate the handling of all wastewaters generated from concrete production with the CVRWQCB. For the concrete batch plant installed at the Folsom State Prison staging area, the implementation of BMPs and NPDES permit requirements would reduce water quality impacts to less than significant.			

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3) Fugitive dust	Frequent watering of haul routes, proper covering and control of material stock piles (e.g., dirt and aggregate) would help to prevent fugitive dust pollution impacts.			
4) Construction of the stilling basin drain	To avoid impacts to water quality, the stilling basin drain would be constructed landside by excavating the open cut trench while leaving in a plug at the river end. Once the trench is completed, the plug would then be removed. Since there would be no significant effects on water resources or quality, no mitigation would be required. However, the following standard BMPs would be implemented to avoid or minimize any effects of construction on surface waters. Standard BMPs include; • Appropriate erosion control measures would be incorporated into the SWPPP in order to prevent sediment from entering waterways. Examples include, but are not limited to: straw bales/wattles, erosion blankets, silt fencing, mulching, re-vegetation, and temporary covers. An appropriately designed and effective sediment capture and stilling basin must be implemented to capture and control sediments carried by site runoff. Sediment and erosion control measures must be maintained during construction at all times. Inspect control measures before, during, and after a rain event. • Implement appropriate measures to prevent any debris, soil, rock, or other materials/products associated with construction activities from			

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	entering waterways. The contractor would use a water truck or other appropriate measures to control fugitive dust on haul roads, construction areas, and stockpiles. • A concrete and fuel spill management plan would be developed for the project. • Provide secondary containment for storage of any fuel, oil or other liquid and properly dispose of such liquid wastes. • Fuel and maintain vehicles in specified staging areas only, which are designed to capture potential spills. These areas cannot be near any ditch, stream, or other body of water or feature that may convey water to a nearby body of water. • Fuels and hazardous materials would not be stored on site. Any spills of hazardous material would be cleaned up immediately. Spills would be reported in construction compliance reports. • Inspect and maintain vehicles and equipment to prevent dripping of oil, lubricants, or any other fluids. • Schedule construction to avoid as much of the wet season as possible. Ground disturbance activities are expected to begin in the summer of 2013. If rains are forecast during the construction period, erosion control measures would be implemented.			

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Section and Impacts	Mitigation Measures	Implementation Timing	Responsible for Mitigation	Responsible for Monitoring/ Reporting Action
	• Train construction personnel in storm water pollution prevention practices. • Re-vegetate and restore areas cleared by construction in a timely manner to control erosion. • Implementation of any additional requirements as mandated by either the construction storm water permit, industrial storm water permit, or the limited threat discharge permit would further reduce any potential adverse affects to adjacent waterways. In addition, the measures in the Spill Prevention and Response Plan and the Erosion and Sediment Control Plan would prevent any significant adverse effects to water quality in the project area. The inclusion of the above mitigation measures and complete compliance with all water quality permits, would reduce any water resources and water quality impacts to a less than significance.			
3.3.6 Fisheries Construction of the spillway drain could potentially affect fish species inhabiting the outflow channel, or Lake Natoma through sediment collecting in the stilling basin and entering the river. The potential adverse effects on fisheries in the project area resulting from the design refinements would be indirect, resulting from short-term water quality degradation.	Mitigation measures for fisheries are the same as those listed for water quality and resources in Section 3.3.5 of the final SEA/EIR. In summary, compliance with the various water quality permits needed for this project, including implementation of the SWPPP and its associated BMPs, would reduce potential, indirect effects to less-than-significant.	D, C,	Contractor, USACE	CVFPB Verify NPDES permit has been obtained. Verify SWPPP and SPRP & ESCP has been obtained and BMP's are implemented.

Notes:
D: To be implemented or included as part of project design. Includes pre-project permitting and agency coordination.
P: To be implemented prior to construction being initiated (pre-construction), but not part of project design or permitting.
C: To be implemented during project construction.
M: To be implemented as ongoing maintenance after construction is complete.
O: To be implemented as an operational practice after construction is complete.

Section and Impacts	Mitigation Measures	Implementation Timing	Responsible for Mitigation	Responsible for Monitoring/ Reporting Action
3.3.7 - Recreation Installation of the temporary traffic signal and widening of an existing dirt access road would restrict recreational access along the bike trail. Widening of the existing dirt access road would, for approximately 1 week, require limited access to the bike trail for approximately 70 feet at the north intersection of Folsom Lake Crossing.	In order to reduce impacts to recreation, detour routes and ADA-compliant temporary ramps would be constructed as needed. To ensure public safety, warning signs and signs restricting access would be posted before and during construction, as necessary. Detour routes would be clearly marked, and fences erected in order to prevent access to the project area. Public outreach would be conducted through mailings, posting signs, coordination with interested groups, and meetings, if necessary, in order to provide information regarding changes to recreational access. A temporary path would be constructed to allow recreationalists to safely pass the work zone.	C	Contractor, USACE	CVFPB Verify with USACE that the contractor has implemented detour routes correctly, implemented public safety measures and public outreach measures
3.3.8 – Cultural Resources Construction activities are not expected to impact cultural resources. However, if any potential significant cultural resources are discovered during construction, then the following mitigation measures will be implemented.	Should any potentially significant cultural resources be discovered during construction, all ground-disturbing activities would cease in the area of the discovery, and take action as required by 36 CFR 800.13(b), "discoveries without prior planning". Data recovery or other mitigation measures could be necessary to mitigate adverse effects to significant properties. Implementation of mitigations measures, which could include avoidance and recordation or evaluation of a previously unidentified historic property by a qualified archeologist, would reduce these effects to less than significance.	C	Contractor, USACE	CVFPB Verify with USACE that activities have been halted if cultural resources are discovered

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M: To be implemented as ongoing maintenance after construction is complete.
O: To be implemented as an operational practice after construction is complete.

By: _____ Date: _____

William Edgar

President

By: _____ Date: _____

Jane Dolan

Secretary

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STATE OF CALIFORNIA
THE CALIFORNIA NATURAL RESOURCES AGENCY
CENTRAL VALLEY FLOOD PROTECTION BOARD

RESOLUTION 2012-43

SEPTEMBER 28, 2012

FOLSOM DAM SAFETY AND FLOOD DAMAGE REDUCTION
CERTIFICATION OF SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT/
ENVIRONMENTAL IMPACT REPORT FOR THE PRISON STAGING AREA AND
STILLING BASIN DRAIN
FOLSOM, CALIFORNIA

WHEREAS, the Folsom Dam Safety and Flood Damage Reduction Project is a Joint Federal Project (JFP) authorized by Congress in the Water Resources Development Act of 1999, and by the California legislature in Water Code Section 12670.14(c); and

WHEREAS, the JFP is a cooperative effort by the US Bureau of Reclamation (Reclamation), US Army Corps of Engineers (USACE), the Central Valley Flood Protection Board (CVFPB), and Sacramento Area Flood Control Agency (SAFCA) to improve dam safety and flood protection for the Sacramento area by making improvements to Folsom Dam and associated structures; and

WHEREAS, the CVFPB certified the Folsom Dam Safety and Flood Damage Reduction Final Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) and approved the JFP in July 2007 (Reclamation/CVFPB 2007), and a Notice of Determination was filed July 27, 2007 with the State Clearinghouse; and

WHEREAS, the JFP consists of multiple actions over many years, with the USACE, the CVFPB and SAFCA responsible for the flood damage reduction portions, including the Control Structure, Chute, and Stilling Basin; and

WHEREAS, the 2007 FEIS/EIR contained a general evaluation of the auxiliary spillway including: the control structure, the lining of the spillway chute, and stilling basin; these features and their potential impacts were analyzed based on the level of design available at that time; and

WHEREAS, project design refinements of the control structure construction, the six Tainter gates installation (a feature of the control structure), the lining of both the spillway chute and stilling basin, and the exploratory geotechnical borings required additional environmental analysis and were evaluated in a Supplemental Environmental Assessment/Environmental Impact Report (SEA/EIR); and

WHEREAS, the CVFPB certified the Folsom Dam Safety and Flood Damage Reduction, Control Structure, Chute, and Stilling Basin Work 2010 Final Supplemental

Environmental Assessment/ Environmental Impact Report (2010 FSEA/EIR) approving the design refinements to the JFP in August 2010 (USACE/CVFPB), adopted findings, adopted the mitigation and monitoring plan for which a Notice of Determination was filed August 31, 2010 with the State Clearinghouse; and

WHEREAS, the 2010 FSEA/EIR also evaluated the air quality, traffic, and noise effects of a concrete batch plant located at either the Folsom Overlook or inside the spillway chute; and

WHEREAS, recent design refinements have determined that an additional area is needed for staging during concurrent construction of some of the features of the Folsom JFP; and

WHEREAS, recent design refinements propose to use 10 acres of California Department of Corrections and Rehabilitation (collectively referred to as “prison land”), for which Folsom State Prison has an easement for use as a staging area; and

WHEREAS, the design refinements associated with using the prison land involve: (1) installing a temporary traffic signal on Folsom Lake Crossing to ensure traffic safety; (2) widening an existing direct access road to allow for larger construction vehicles; (3) realigning the Folsom State Prison fence around the edge of the staging area (4) and designing and constructing a stilling basin drain necessary to allow collected water in the basin to flow back into the American River are evaluated in the 2012 Supplemental Environmental Assessment/Environmental Impact Report (2012 SEA/EIR); and

WHEREAS, this 2012 SEA/EIR (State Clearinghouse No. 2006022091) was circulated for public and agency review from July 12 to August 27, 2012 and responses to the comments received have been incorporated into the 2012 Final Supplemental Environmental Assessment/Environmental Impact Report (2012 FSEA/EIR); and

WHEREAS, the CVFPB is the lead agency under the California Environmental Quality Act (CEQA) for the 2012 FSEA/EIR; and

WHEREAS, a Statement of Findings for each potentially significant impact that would result from the construction of the JFP has been prepared and is attached to this Resolution.

NOW, THEREFORE BE IT RESOLVED that the CVFPB:

1. Has considered the 2012 FSEA/EIR and finds, on the basis of the whole record, including comments and written responses received on the draft document and mitigation measures, that the 2012 FSEA/EIR reflects the independent judgment of the CVFPB; and

2. In compliance with CEQA Guidelines Section 15091, the CVFPB finds that changes and alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects identified in the 2012 FSEA/EIR, in the attached Statement of Findings; and

3. Certifies this 2012 FSEA/EIR has been completed in compliance with CEQA as the CEQA lead agency, adopts findings, adopts the mitigation and monitoring plan, and delegates authority to the Executive Officer to execute the Notice of Determination; and

4. Approves the design refinements for the Folsom Dam Safety and Flood Damage Reduction Joint Federal Project (JFP).

BY: _____ Date: _____
William Edgar
President

BY: _____ Date: _____
Jane Dolan
Secretary

Approved as to Legal Form and Sufficiency

_____
Jeremy Goldberg
Senior Staff Counsel