

# Folsom City Council Staff Report

<b>MEETING DATE:</b>	4/26/2022
<b>AGENDA SECTION:</b>	Public Hearing
<b>SUBJECT:</b>	Appeal by Igor Semenyuk of a Decision by the Historic District Commission Denying a Conditional Use Permit for the Lakeside Memorial Lawn Crematorium project (PN 19-182) located at 1201 Forrest Street
<b>FROM:</b>	Community Development Department

## **RECOMMENDATION/CITY COUNCIL ACTION**

Move to deny the appeal by Igor Semenyuk of a Decision by the Historic District Commission Denying a Conditional Use Permit for the Lakeside Memorial Lawn Crematorium project (PN 19-182) located at 1201 Forrest Street.

## **BACKGROUND**

The Lakeside Memorial Lawn located at 1201 Forrest Street has been in operation since the 19<sup>th</sup> century and represents a combination of several old Folsom cemeteries, including the Masonic, Odd Fellows, Jewish, Citizen’s, and Cook’s cemeteries. It is adjacent to the Chung Wah cemetery to the south, dredge mining tailings to the east, the Folsom Lake State Recreation Area and American River to the west and the Preserve/Lake Natoma Shores subdivision to the north.

The Lakeside Cemetery (including the Odd Fellows and Mason’s Cemeteries) and the adjacent Chung Wah Cemetery and mining tailings all appear on the City of Folsom’s Cultural Resources Inventory list and the Lakeside Memorial Lawn and Chung Wah cemeteries were both designated as “historic” by the Sacramento County Board of Supervisors and Cemetery Advisory Commission. The Chung Wah Cemetery is also listed on the National Register of Historic Places.

The Planning Commission approved a Use Permit and Variance for Mausoleums at Lakeside Memorial Lawn in 1991 (PC91-042). An amendment to the approval was granted in 1995 (PC95-033). That approval allowed for the construction of twelve mausoleums. To date, two mausoleums have been built.

In 2002, Lorin Claney applied for a Conditional Use Permit (CUP) for a crematorium at the Lakeside Memorial Lawn (PN 02-258). Staff prepared a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the project and routed it for public review. Staff received several comments from the public and from the Sacramento County Cemetery Advisory Commission recommending denial of the project.

While no formal air quality or cultural resources studies were done as part of the 2002 IS/MND, staff prepared a staff report for the Historic District Commission recommending denial of the project in 2003 on the grounds that the letter from the Cemetery Advisory Commission stated that the crematorium would have a negative impact on the historical character of the existing cemetery and historical use of the area. The staff report stated that, based on the Cemetery Advisory Commission letter, the conglomeration of historic cemeteries, combined with the tailings, create a rare combination of unique cultural resources that will be impacted by the proposal, that a crematorium is not a use consistent with a historic cemetery, and that approval of a CUP for a contemporary use such as a crematorium would jeopardize the eligibility status of the site as an historic cemetery by the County. Because the staff report recommended denial, the CEQA analysis was not included in the staff report since CEQA does not apply to projects which a public agency rejects or disapproves.

Prior to the scheduled public hearing, the applicant withdrew the application based on costs associated with preparing additional environmental analysis for air quality and cultural resources studies. The Historic District Commission did not review or consider the project proposed in 2003, including the CUP application or the associated IS/MND.

An existing maintenance building, approximately 1,071 square feet in area (where the crematorium is proposed), is located along the south border of the cemetery. The design review application for a second 1,600-square-foot maintenance shed was approved by the Historic District Commission in 2020 (PN 20-160) and the shed was subsequently constructed.

On May 16, 2019, the applicant (Igor Semenyuk) submitted a development application for approval of a Conditional Use Permit for operation of a crematorium inside the Miller Funeral Home located at 507 Scott Street. In coordinating with the Sacramento Metropolitan Air Quality Management District (SMAQMD), the applicant determined that a crematorium at this location would not be feasible. The applicant then proposed to perform alkaline hydrolysis (liquid cremations) at this location that would not employ any burning or produce emissions but instead would produce a liquid effluent that would be flushed down sewage pipes. While this method of cremation was approved in California in 2017, City Environmental and Water

Resources staff, in coordination with the Sacramento Regional County Sanitation District, did not have enough local examples of the impacts of these effluents to support this proposal. The applicant subsequently proposed to locate the crematorium in the Lakeside Memorial Lawn in the same metal structure in which it was proposed in 2003.

The proposed project includes the installation of one HCT Apex-250 crematory (manufactured by Hartwick Combustion) within an existing metal structure. The roof of the structure would be cut open to accommodate this device, but the structure's footprint would not be expanded. In addition, a 10-foot-wide by 15-foot-wide walk-in cooler would be installed inside the structure to provide temporary, short-term storage of human remains prior to cremation. Two 250-gallon propane tanks would be installed on a concrete pad along the northern side of the structure to provide power for the crematorium, as no gas lines currently exist on the property. The concrete pad covers approximately 38.3 square feet of ground. An exhaust stack would be installed on the roof of the metal structure approximately 19.5 feet from finished grade. The applicant proposes up to four cremations per day and expects that the total will not exceed 500 cremations per year. Average cremation time is approximately 90 minutes. One to two employees would be present to operate the crematorium during the cremation process. Existing parking spaces would be utilized to accommodate employees and visitors.

If the CUP is approved, the project is also required to obtain an authority to construct permit to operate (A/C, PTO) from SMAQMD before the crematory can be installed and operated. As part of that process, the applicant would be required to provide analysis to ensure the crematory will meet all air district rules/regulations and significance thresholds during the air district's A/C, PTO application and review process. In the event the air district's refined health risk assessment analysis shows that cancer risk or hazard index numbers exceed the significance thresholds noted, further restrictions to the crematorium would be required by SMAQMD before they would issue the A/C, PTO. All crematoriums in Sacramento County are also subject to regular inspections by SMAQMD, which investigates all public complaints about the facilities and fines all facilities for any violations.

Based on the potential for the project to impact nearby residences and cultural resources, staff had an environmental study, called an Initial Study (IS), prepared. Staff retained HELIX Environmental Planning, Inc. to prepare the study, including a full Air Quality and Greenhouse Gas Emissions Assessment. HELIX also hired ECORP Consulting to prepare a Cultural Resources Inventory Report that informed the environmental conclusions regarding cultural and tribal resources. As a result of the Initial Study, a Mitigated Negative Declaration (MND) was prepared by HELIX and that environmental document found that all environmental impacts related to the project would be less than significant with mitigation. The IS/MND is included as an appendix within Attachment 2 of this staff report.

After the IS/MND had been made public, staff prepared a staff report recommending approval of the proposed CUP and IS/MND to the Historic District Commission (provided in Attachment 2). In the staff report, staff noted that with the rigorous analysis of air quality and

cultural resources provided in the new IS/MND, staff determined that the project would not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city, as the proposed project would not have negative impacts to nearby commercial or residential uses that have not been mitigated. Notice of the IS/MND publication and the public hearing in front of the Historic District Commission were placed in the Sacramento Bee and mailed to property owners within 300 feet of the subject property.

During the life of the project application, staff received directly or was forwarded over 120 unique public comments regarding the project and/or the environmental document, the vast majority of which expressed concerns about the project and the environmental document. Also submitted to staff were an online petition with over 160 signatures, a hand-signed petition with almost 500 signatures, and over 300 signed form letters all expressing opposition to the proposed project. Staff included these letters and petitions as part of the staff report and made them available to the public, the Historic District Commissioners, and the applicant. Staff also summarized each of the unique points made in the public comments in the staff report and HELIX provided a response letter to the general points that were made in several of the letters regarding environmental issues addressed in the IS/MND. All of the comment letters were provided to the Historic District Commission for their consideration (included as part of Attachment 2 to this staff report) at the February 16, 2022 meeting. Comments received after the publication of the staff report are included in Attachment 3 of this staff report.

The individuals who were opposed to the proposed project voiced concerns regarding a number of topics including the following:

- Concerns regarding air quality emissions and the data used in the Air Quality and Greenhouse Gas Emissions Assessment;
- Concerns regarding traffic, circulation and parking;
- Concerns regarding wildfire and life safety in case of fire caused by the crematorium;
- Cultural and archaeological concerns regarding the impact of the crematory machine on nearby cultural resources and burial sites
- Concerns regarding the appropriateness of the land use (a crematorium) in the Historic District;
- Aesthetic concerns regarding the height and design of the stack and impacts to views from nearby cultural resources and residences;
- Whether members of the public could be present at cremations;
- Differences in the conclusions of the 2003 and 2022 staff reports for the crematorium;
- Concerns regarding the potential decrease in property values of nearby residences due to the presence of the crematorium; and
- Psychological effects of nearby residences being located near a crematorium.

After publication of the staff report, staff received six additional public comment letters that were added to the record. Included in those comments were two letters from individuals belonging to the Sacramento County Cemetery Advisory Commission. The Chair of the Cemetery Advisory Commission reiterated the points that were made by the group in 2003, stating that construction of a crematorium would be inappropriate near the surrounding cultural resources of historic importance. The Chair also provided evidence that the Lakeside Cemetery and Chung Wah Cemetery were listed for historical designation by the County. Another member of the Cemetery Advisory Commission wrote a letter stating that the proposed crematorium could threaten the nomination of the Young Wo Cemetery and that construction of the crematorium could adversely affect the historic features and burials of those buried nearby. HELIX provided a topical response to these comments prior to the hearing. This memorandum has been included in Attachment 4 of this staff report.

The Historic District Commission reviewed the Lakeside Memorial Lawn Crematorium project at its February 16, 2022 meeting. At this meeting, 36 individuals (mostly residents of the Preserve/Lake Natoma Shores subdivision and the surrounding neighborhoods of the Historic District, as well as a representative from the Sacramento County Funeral Commission) voiced concerns about and asked for denial of the proposed project, citing many of the same reasons expressed in the previously submitted letters. Following extensive public comment, the Historic District Commission engaged in a lengthy discussion regarding the proposed project on primary topics related to air quality, fire hazards, aesthetics, cultural resources, property values and required CUP findings.

With respect to air quality, the Historic District Commission discussed the preliminary Health Risk Assessment performed for the IS/MND and spoke with a representative from SMAQMD about the air district's permitting and enforcement process. It was reiterated that Best Available Control Technologies (BACTs) would be required for the cremation machine which would limit air pollution. Regarding complaints, the SMAQMD explained that they typically respond within 24 hours and visit both the complainant and the potential sources of the complaint. Notices of violation and fines may be levied under the air district's authority to enforce public nuisance provisions and facilities with persistent violations or nuisances are subject to permit revocation. SMAQMD Staff also noted that persistent complaints that result in such actions may result in revocation of the CUP.

With regards to an increase in potential cancer rates due to the crematorium, HELIX staff began the discussion by noting that there is a risk of potentially developing cancer inherent in breathing the air around us. In the state of California, that baseline risk is approximately 800 cases per 1 million people. When analyzing whether a proposed project has the potential to increase that baseline risk due to the project's impact on air quality, an increase in 10 cancer cases per million people would be considered significant. Based on modeling and its analysis, HELIX determined that this project has the potential to increase the baseline risk of potentially

developing cancer by 0.5 cases per million people. This analysis assumes that someone would remain at the maximum point of exposure consecutively for 30 years. HELIX staff also explained that this analysis does not mean that anyone will necessarily develop cancer; the focus is on the potential risk that it will happen. For CEQA purposes, a potential increase of 0.5 cases per million people is not considered significant.

Ultimately, a majority of the Historic District Commissioners expressed confidence in the air quality analysis in the IS/MND and SMAQMD process.

With respect to fire hazards, one or more Historic District Commissioners asked about the potential fire hazards of the proposed propane tanks. Folsom Fire Chief Ken Cusano clarified that the commercial-grade tanks require an operation permit from the Fire Department and are designed to vent. Chief Cusano was also asked about public concern regarding the adequacy of existing evacuation routes in case of fire. Chief Cusano stated that since the crematorium posed no significant fire danger to the area as conditioned, there would be no significant impact to evacuation routes. Chief Cusano also stated that the Fire Department can open the opposite end of Forrest Street if needed and that potential issues with Light Rail gates being in the down position on the evacuation route during an emergency event can be worked out by contacting Light Rail during an emergency to stop trains from coming to the area. During deliberation, individual Historic District Commissioners expressed confidence with regards to staff's analysis of fire hazard impacts.

With respect to aesthetics, individual Historic District Commissioners asked for clarification on the ultimate height of the stack and what kind of control SMAQMD has over the height. Commissioners also questioned whether design review would be warranted for the proposed stack or whether they could provide design parameters as part of the CUP so that a separate design review would not be necessary. HELIX commented that the analysis done for the IS/MND assumed a height of 19.5 feet from finished grade based on specifications provided to them by the applicant. The SMAQMD representative noted that the Air District does not advocate for a specific height unless the height proposed by the applicant does not meet the district's air quality standards for nearby sensitive receptors.

With respect to cultural resources, individual Historic District Commissioners expressed concern that the project was not consistent with Historic District Design and Development Guidelines (DDGs) Policy 2.2, which states that "the City shall encourage National Register nomination of historic buildings as well as other historical designations by state or local agencies" given the Sacramento County Cemetery Advisory Commission's letters. Individual Commissioners also expressed concern that the proposed crematorium is not an historic use. ECORP staff, who prepared the Cultural Resources Inventory Report, stated that many different cultures' funerary practices have occurred at Lakeside Memorial Lawn and that introducing a new practice (cremation) would not be the first time that a new funerary practice has been introduced on the project site. They also stated that while cremation is not a typical

part of Chinese funerary practices, burning of possessions was common in such practices, and occurred in the Chung Wah cemetery until the 1960's.

ECORP stated that whether a crematory is an appropriate use on the project site is not an archeological question but if a crematory were to be located on the project site, the proposed location would be the most appropriate place for it since it is in a modern, previously disturbed maintenance area of the cemetery. Historic District Commissioners agreed that the appropriateness of the use is for the HDC to decide, but several commissioners stated that their cultural resources concerns had not been adequately addressed, especially since the Sacramento County Cemetery Advisory Commission stated that the crematorium would have a negative impact on the historical significance of the cemetery. Individual Historic District Commissioners stated that they wished that the Cemetery Advisory Commission would have provided more information regarding how specifically the crematory would have a negative impact but stated that the Cemetery Advisory Commission would have time to provide a greater level of detail before a City Council meeting, as it was assumed that their decision would be appealed by either the public or the applicant based on the level of project controversy. Staff has since reached out to the Cemetery Advisory Commission directly after the hearing for more information. The Cemetery Advisory Commission communicated to staff that they were able to meet regarding the proposed crematory prior to publication of the City Council staff report and that the comments they made in 2002 still stand.

With respect to property values, individual Historic District Commissioners asked whether property owners would be required to provide disclosures that they live near a crematorium. The Assistant City Attorney stated that they did not see anything specifically in their research of real estate laws that would necessarily require that the presence of a crematory would have to be disclosed but recommended that anyone with concerns about real estate disclosures should consult a realtor or a real estate attorney. However, multiple Historic District Commissioners stated that they believe that the presence of a crematory would be detrimental to nearby residential property values and that realtors would take that into account when determining home listing prices.

Finally, with respect to the required CUP findings, individual Historic District Commissioners asked for clarification as to why the findings in the 2003 staff report differed from those in the 2022 staff report. One commissioner referenced that the 2003 staff report showed that the originally proposed crematorium was not consistent with the DDGs and questioned how the newly proposed project is different. Multiple commissioners brought up the high volume of public comments received from members of the surrounding community and wondered if the finding that the project would not be detrimental to the peace, morals, comfort and general welfare of persons residing or working in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city could be met given the amount of opposition from the neighborhood and chances of property values going down due to the presence of a crematorium in the area. Staff clarified that the 2003 staff

report relied on an internally produced IS/MND with no technical studies performed by cultural resources experts, and without further information beyond the letter from the Cemetery Advisory Commission, denial was recommended. Staff recommended approval in the 2022 staff report in part because of the conclusions of the Ecorp Cultural Resources Inventory Report.

At the conclusion of the Historic District Commission meeting on February 16, 2022, a motion was made to approve the proposed CUP and IS/MND with additional conditions added to install a weather station on the structure on which the crematory would be located to collect wind data for potential smoke and odor complaints and for the stack to be subject to design review by the Historic District Commission subsequent to obtaining a permit from the SMAQMD. That motion was seconded but failed by a vote of 1-6. A second motion was then made to deny the CUP using the same finding that was made in the 2003 staff report that stated that the use is detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood, and detrimental or injurious to property and improvements in the neighborhood and the general welfare of the city because introduction of this use will impact the historical character of the existing cemetery and historical use of the area. This motion was seconded and passed with a vote of 6-1.

Since the Historic District Commission hearing, and in response to the timely appeal, staff received additional comments from the public and the Cemetery Advisory Commission for consideration during the appeal. All such comments oppose the project and recommend denial of the appeal. These letters are included in Attachment 6 of this staff report.

### **POLICY / RULE**

As set forth in Section 17.52.700 of the Folsom Municipal Code, actions of the Historic District Commission may be appealed to the City Council. The appeal shall be in writing, shall state the specific reason for the appeal and grounds asserted for relief, and shall be filed no later than 10 calendar days after the date of the action being appealed.

### **APPEAL/ANALYSIS**

On February 22, 2022, project applicant Igor Semenyuk submitted a timely appeal of the decision of the Historic District Commission denying the proposed project (Attachment 1). The applicant/appellant later submitted a supplemental letter providing additional reasoning for the appeal, also included in Attachment 1.

In his appeal and supplemental letter, Mr. Semenyuk makes the following claims:

1. The findings for denial were that the project was detrimental to health and safety/general welfare of the neighborhood, and to property values in the neighborhood



and city and that there would be impacts to the historical character of the cemetery and area. However, no data was provided by the Commission to support their findings for denial. Their denial was based on the residents' concerns rather than the data from the staff report and IS/MND.

2. Staff recommended approval of the crematorium and an IS/MND was prepared by multiple parties, including experts who were present at the hearing to defend their findings. The IS/MND showed that the project was well below CEQA thresholds of significance.
3. The crematorium would not impact the historical character of the cemetery since it is being placed inside a modern metal shed within a modern area of the cemetery.
4. There are existing regional cemeteries included on historical resources lists in which modern crematoriums currently operate.
5. The crematorium would not significantly impact property values of the neighborhood as property values are dictated by current market values in real estate.
6. There are no industrially zoned areas in Folsom that have a neighborhood more than 500 feet from the property, so alternative industrially-zoned locations would not result in fewer impacts to residences.

### **City Staff Response**

#### **Reasoning Behind Commission Findings for Denial**

In the finding for denial, the Historic District Commission stated that the introduction of the crematory use will impact the historical character of the existing cemetery and historical use of the area and would therefore be detrimental or injurious to property and improvements in the neighborhood and the general welfare of the city. In their deliberations, the Commission cited the letters received from the Cemetery Advisory Commission which stated that the crematorium would be inappropriate near the surrounding cultural resources of historic importance and could threaten the nomination of the Young Wo Cemetery and adversely affect the historic features and burials of those buried nearby. While the Historic District Commission discussed factors related to air quality, property values, and fire hazards, the finding they made was related specifically to the historical character of the cemetery and area, including the historical nature of the Young Wo Cemetery and the people who are buried there.

#### **Staff's Recommendation for HDC Approval**

As explained in the February 2022 HDC staff report, the analysis in the IS/MND did result in a staff recommendation for HDC approval of the project. To approve the project, the Historic District Commission had to find that the project WOULD NOT be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the

neighborhood or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city. However, after considering the staff report, IS/MND, public comments and comments from the Cemetery Advisory Commission, the Historic District Commission determined that the project WOULD (as noted in the analysis above), be detrimental or injurious to property and improvements in the neighborhood and the general welfare of the city due to the introduction of the crematory use impacting the historical character of the existing cemetery and historical use of the area.

### **Impacts to the Historical Character of the Cemetery**

During the Historic District Commission's questions to staff and consultants, Lisa Westwood with Ecorp Consulting stated that if a crematorium were to be placed on the cemetery grounds, the existing metal building within the modern maintenance area would be the best location for a crematorium on the project site. Furthermore, the Cultural and Tribal Resources section of the IS/MND found that there would be a less than significant impact with standard mitigation related to the unanticipated discovery of archeological or paleontological resources during construction based on the analysis provided in Ecorp's Cultural Resources Inventory Report. However, the letters sent by the Cemetery Advisory Commission stated that the crematorium would be inappropriate near the surrounding cultural resources of historic importance and could threaten the nomination of the Young Wo Cemetery and adversely affect the historic features and burials of those buried nearby. Ultimately, the Historic District Commission voted to deny the Conditional Use Permit because the Commission found that introduction of a crematorium would impact the historical character of the existing cemetery and historical use of the area.

### **Other Historic Cemeteries with Crematoriums**

Staff coordinated with SMAQMD to identify all crematoriums operating in Sacramento County. While there are five cemeteries in Sacramento County with operational crematoriums, staff did not identify any of these cemeteries as being on a cultural or historical resources list.

### **Impacts to Property Values**

Several members of the Preserve/Lake Natoma Shores community expressed concern that the crematorium would negatively impact the property values of their homes. While the Historic District Commission discussed potential impacts to property values, the finding for denial was based the introduction of the crematory use negatively impacting the historical character of the existing cemetery and historical use of the area.

### **Industrial Properties Adjacent to Residential Uses**

Staff researched industrial properties located within the city in relation to their proximity to residential uses. Staff found that, of the properties within the city zoned M-1 and M-2, four areas (Lake Forest Technical Center, Kikkoman property, 250 Outcropping Way, and 600 Coolidge Drive) have either buildings or vacant property located over 600 feet from residential

uses, though none of the properties currently on the real estate market consist of a building in scale with the small shed in which the applicant is proposing to operate the crematorium.

### **FINDING FOR DENIAL**

Based on the foregoing, staff recommends that the appeal be denied based on the following finding:

#### **CONDITIONAL USE PERMIT FINDING**

- A. THE USE APPLIED FOR IS DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, COMFORT, MORALS, OR GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, AND DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD AND THE GENERAL WELFARE OF THE CITY BECAUSE INTRODUCTION OF THIS USE WILL IMPACT THE HISTORICAL CHARACTER OF THE EXISTING CEMETERY AND HISTORICAL USE OF THE AREA.

### **CONCLUSION**

Based on the information contained in this report and the Historic District Commission's denial of the Conditional Use Permit for the Lakeside Memorial Lawn Crematorium project (PN 19-182) located at 1201 Forrest Street, staff recommends denial of the appeal by Igor Semenyuk to overturn the Historic District Commission decision.

### **ATTACHMENTS**

1. Letter of Appeal from Igor Semenyuk, dated February 22, 2022, and Supplemental Appeal Reasoning, received March 11, 2022
2. Historic District Commission Staff Report, dated February 16, 2022
3. Public Comment Letters received after the February 16, 2022 Historic District Commission Meeting
4. HELIX Topical Responses to IS/MND Comments
5. Draft Minutes from February 16, 2022 Historic District Commission Meeting
6. Public Comment Letters Regarding the Applicant's Appeal

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

PAM JOHNS  
Community Development Director

## Attachment 1

Letter of Appeal from Igor Semenyuk, dated  
February 22, 2022, and Supplemental Appeal Reasoning,  
received March 11, 2022

CITY OF FOLSOM

FOLSOM CITY CLERK'S DEPT  
22 FEB '22 AM 11:10

APPEAL FORM

NAME OF APPELLANT: Igor Semenyuk

MAILING ADDRESS: 507 SCOTT ST  
Folsom CA 95670

Interest in Matter: Lakeside Memorial Lawn Crematorium

Daytime Phone: 916-548-6808

Action Being Appealed: Motion was not passed.

Date of Decision or Date Project was Heard: 2/16/2022

Reason for Appeal: Project denied for not having met a  
standard. Standard was not provided when asked.  
Environmental report declared a negative declaration,  
all data and science showed it to be  
way below threshold of CA regulations. Resident near  
area very bio. ~~and~~ ~~PLS~~

[Signature]  
Appellant's Signature

2/22/2022  
Date

STAFF USE ONLY:

Date Received: February 22, 2022

Fee Paid: \$479

Planning Comm. or Historic District Comm.  
Decision Appeal

Admin. (staff decision) Appeal

Type of Project/fee:  
Owner Occupied/Single Family Dwelling \$238  
All Others \$479

Type of Project/fee:  
Owner Occupied \$233  
Other \$468

Tentative Hearing Date: \_\_\_\_\_

Time Limit Waived: \_\_\_\_\_

Copies to: Community Development Director   
City Manager   
City Attorney   
City Clerk

Received by: [Signature]

Appeal fees set by City Council Resolution No. 10297 approved June 11, 2019.

To: Folsom City Council

**Reason for Appeal of Historic District Commissioners Meeting held 2/16/2022**

In the interest of the project called Lakeside Memorial Lawn Crematorium the motion of the commissioners was denial, all but one- Commissioner Justin Raithel.

The Findings claimed for denial was as follows:

- Detrimental to health and safety/ general welfare of neighborhood.
- Detrimental to property value in neighborhood and city.
- Impacts historical character of cemetery and area.

The recommendation of the planning committee was approval of the crematorium. A full scope Environmental Report was done with multiple experts. Experts were present in the meeting to defend their findings. The findings and data showed that the project was well below any thresholds of CA standards for health and safety. The crematorium would not impact any historical character of the cemetery as the project was being placed inside the modern metal shed, in the modern area of the cemetery. It does not significantly impact the property values of the neighborhood. That is dictated by current market values in real estate.

In the meeting, a presentation was shown with funeral homes and cemeteries that are listed as historical cemeteries having and operating modern crematoriums in their facilities. All of the crematoriums shown are closer to residents, business and restaurants than the proposed crematorium at Lakeside Cemetery.

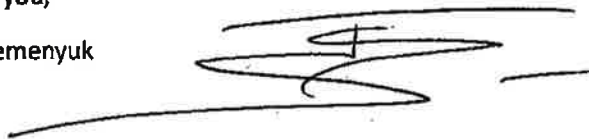
The data was not considered at all. Everything was drowned out by residents who just don't want it near their neighborhood. They want cremation services; they just want it done in other cities. There is no area in Folsom that is zoned industrial that does not have a neighborhood within 500 feet of it. Folsom is growing. Cremation demand is growing. A crematory is essential to the growing demand. If you can't place a crematory in a cemetery, then where can you?

The denial was based on findings, yet when asked what those were, none could be provided. No data was provided to prove that it is detrimental to the health and safety, that it is detrimental to the property values and that it impacts any historical character. No matter what the experts data was, it was just dismissed with prejudice.

We implore you to reconsider the historic commission decision on the crematory. A city is larger than just one neighborhood.

Thank you,

Igor Semenyuk



## Attachment 2

Historic District Commission Staff Report  
Dated February 16, 2022





CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 1**  
**Type: Public Hearing**  
**Date: February 16, 2022**

## **Historic District Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

**Project:** Lakeside Memorial Lawn Crematorium Conditional Use Permit  
**File #:** PN-19-182  
**Request:** Conditional Use Permit  
**Location:** 1201 Forrest Street  
**Parcel(s):** 070-0260-001-0000  
**Staff Contact:** Josh Kinkade, Associate Planner, 916-461-6209  
jkinkade@folsom.ca.us

### **Property Owner**

Name: Lakeside Memorial Lawn  
Address: 1201 Forrest Street  
Folsom CA 95630

### **Applicant**

Name: Igor Semenyuk  
Address: 507 Scott Street  
Folsom, CA 95630

**Recommendation:** Conduct a public hearing and upon conclusion recommend approval of a Conditional Use Permit to allow for a crematory to operate in an existing metal structure situated within the Lakeside Memorial Lawn cemetery located at 1201 Forrest Street (PN 19-182) subject to the findings included in this report (Findings A-K) and attached conditions of approval (Conditions 1-30).

**Project Summary:** The proposed project includes operation of a crematorium in an existing 1,071-square foot metal structure within the Lakeside Memorial Lawn cemetery located at 1201 Forrest Street.

### **Table of Contents:**

1. Description/Analysis
2. Background
3. Proposed Conditions of Approval
4. Vicinity Map
5. Overall Site Plan, Detailed Site Plan and Floor Plan Dated 2-19-20
6. Hartwick Combustion Technologies Floor Plan, Outer Dimensions and Specs
7. Updated Site Plan with Current Layout of Maintenance Area
8. Applicant's Rendering of Proposed Crematorium Stack
9. Applicant's Narrative
10. Photographs of the Project Site
11. Draft Initial Study/Mitigated Negative Declaration, Dated January 2022



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 1**  
**Type: Public Hearing**  
**Date: February 16, 2022**

12. Images of Crematoriums Adjacent to Residential Uses in the Region
13. Public Comments Received Prior to Staff Report Publication

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

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PAM JOHNS  
Community Development Director

## ATTACHMENT 1 DESCRIPTION/ANALYSIS

### APPLICANT'S PROPOSAL

The applicant, Igor Semenyuk, is requesting approval of a Conditional Use Permit (PN 19-182) to operate a crematorium in an existing 1,071-square foot metal structure within the Lakeside Memorial Lawn cemetery located at 1201 Forrest Street. The proposed project includes the installation of one HCT Apex-250 crematory (manufactured by Hartwick Combustion) within an existing metal structure. The roof of the structure would be cut open to accommodate this device, but the structure's footprint would not be expanded. In addition, a 10-foot-wide by 15-foot-wide walk-in cooler would be installed inside the structure to provide temporary, short-term storage of human remains prior to cremation. Two 250-gallon propane tanks will be installed on a proposed concrete pad along the northern side of the structure to provide power for the crematorium, as no gas lines currently exist on the property. The concrete pad will cover approximately 38.3 square feet of ground. An exhaust stack will be installed on the roof of the metal structure (as shown in Attachment 6). The applicant proposes up to four cremations per day and expects that the total will not exceed 500 cremations per year. Average cremation time is approximately 90 minutes. One to two employees would be present to operate the crematorium during the cremation process. Existing parking spaces would be utilized to accommodate employees and visitors. The Applicant's project description, which includes additional information related to the cremation process and other project-related details, is included as Attachment 9. Please refer to Attachment 5 for the proposed site plans and floor plan and Attachment 6 for the Hartwick Combustion Technologies Floor Plan, Outer Dimensions and Specifications.

### POLICY/RULE

Section 17.52.550 of the Folsom Municipal Code (FMC) states that cemeteries are permitted in the Open Space/Public Primary Area of the Historic District with a conditional use permit ("CUP"). The Folsom Municipal Code does not address crematoriums as a land use.

Section 17.52.360 of the FMC states that the Historic District Commission (HDC) shall have final authority relating to the issuance of Conditional Use Permits for any of the uses or purposes for which such permits are required or permitted by the terms of this title, within the boundaries of the Historic District.

Use Permits are governed by Chapter 17.60 of the FMC. Section 17.60.040 states that the findings of the Commission shall be that the establishment, maintenance or operation of the use applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of

the city.

## **ANALYSIS**

### **General Plan and Zoning Consistency**

The General Plan land use designation for the project site is OS (Open Space) and the zoning designation for the project site is OS/P (Open Space/Public Primary Area of the Historic District) with an underlying zoning of OSC (Open Space Conservation District). The zoning designation is consistent with the General Plan designation.

Cemeteries are a permitted use within the OS/P Primary Area upon approval of a Conditional Use Permit (CUP) per Section 17.52.550 of the FMC. The subject cemetery has been in operation since the 1800's and pre-dates the requirement for a CUP. The cemetery did receive a CUP for operation of a mausoleum in 1995. The proposed crematory would be operating as an accessory use to the existing cemetery, not as a stand-alone business.

Crematories are not specifically addressed in the Folsom Municipal Code. The Commission would then determine whether to approve the request for a CUP and impose appropriate conditions. If not, then the proposed crematory would not be considered a permitted use, even with a CUP.

A primary or principal use is the main use to which premises are devoted and the primary purpose for which the premises exist. Primary uses may be permitted by right or may be conditional uses subject to a CUP. Accessory uses are structures or activities that are subordinate in area, extent, and purpose to the primary use; contribute to the comfort, convenience, or necessity of the principal use; and are located on the same lot and the same zoning district as the principal use. Home occupations are a typical example of an accessory use. By definition, an accessory use must be associated with a principal use and cannot be established on a property without a principal use. (Adam U. Lindgren & Steven T. Mattas, California Land Use Practice (2021) § 4.46, Primary and Accessory Uses.)

In this case, the cemetery is the primary or principal use. The applicant proposes a crematorium as an accessory use to the existing cemetery. As proposed, the crematorium would be subordinate in area, extent, and purpose to that of the existing cemetery. It would provide a service related to and supportive of the service already provided by the cemetery and mausoleum. It would be located on the same lot and in the same zoning district as the principal use. It would be owned and operated by the same people who own and operate the existing cemetery and mausoleum.

As a part of the work to analyze whether a crematory is appropriate as an accessory use

to an existing cemetery, staff researched data available from the Sacramento Air Quality Management District regarding the locations of existing crematoriums within the county. As described in more detail in the Land Use Compatibility/Site Considerations section of the report, staff found that 16 crematoriums are currently operating within Sacramento County, five of which are located within cemeteries (East Lawn Memorial Park, Sacramento Memorial Lawn, St. Mary Cemetery and Funeral Center, and Sunset Lawn Chapel of the Chimes in Sacramento, and Mount Vernon Memorial Park & Mortuary in Fair Oaks).

Public comment letters have stated that a crematory is not appropriate as an accessory use in this case for a variety of reasons. Upon review, staff reads the majority of those comments to raise concerns about the impacts of the proposed use. Many, if not most, of the impacts discussed in the public comment letters can be mitigated by imposing appropriate conditions on the project. For that reason, as well as the fact that the crematory is not proposed as a stand-alone business but as an accessory use to the existing cemetery, staff analyzed those comments through the lens of the CUP.

Based on the analysis described above, staff concluded that the crematorium, as proposed, is an appropriate accessory use to the existing cemetery.

### **Conditional Use Permit**

In order to approve a request for a Conditional Use Permit, the Commission must find that the "establishment, maintenance, or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City" (FMC section 17.60.040).

In evaluating the Conditional Use Permit, staff considered the proposed use and its compatibility with existing land uses in the area, as well as air quality impacts, cultural resources impacts, fire/life safety impacts, traffic/access/circulation/parking impacts, noise impacts, and visual impacts. Each of these subject matters are discussed in detail below and are further discussed in the Lakeside Memorial Lawn Crematorium Initial Study/Mitigated Negative Declaration (IS/MND) provided in Attachment 11.

Should the Commission grant the proposed Lakeside Memorial Lawn Crematorium Conditional Use Permit, the CUP would be subject to ongoing review by the Community Development Department to ensure that it does not result in any adverse impacts to the community. Pursuant to FMC Section 17.60.050, in any case where the conditions to the granting of a use permit have not been, or are not, complied with, the Historic District Commission may revoke the permit after a public hearing on the matter. In addition, if the Community Development Director finds evidence that conditions of approval for the

Lakeside Memorial Lawn Crematory business have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services or the general welfare of the City, the Director will refer the use permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit following a hearing on the matter. Condition No. 4 is included to reflect this requirement.

### **Air Quality**

As part of the CEQA documentation for the proposed project, an Air Quality and Greenhouse Gas Assessment was prepared by HELIX Environmental Planning, Inc., and is included in Attachment 11. Two daily cremations were analyzed under the original environmental document, an Initial Study/Mitigated Negative Declaration (IS/MND) and the applicant later asked that the analysis show impacts for four cremations per day. As a result, HELIX also prepared an Addendum to the Folsom Lakeside Crematorium Project Air Quality and Greenhouse Gas Emissions Assessment, included in Appendix B of the IS/MND, that provides additional analysis regarding the air quality and greenhouse gas emissions assessment based on additional daily cremations. This analysis was incorporated into the IS/MND as well.

As a part of its environmental review, HELIX analyzed whether the proposed project will have or will potentially have a significant adverse impact on the environment, either individually or cumulatively with other projects. With respect to air quality, HELIX used the standard Environmental Initial Study Checklist to consider four main questions:

- a. Would the project conflict with or obstruct implementation of the applicable air quality plan?
- b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- c. Would the project expose sensitive receptors to substantial pollutant concentrations?
- d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Ultimately, Helix determined that the proposed project would have no impact with respect to question b and would have a less than significant impact with respect to questions a, c, and d. The following sections provide an overview of the analysis related to sensitive receptors, criteria pollutants, toxic air contaminants and odors as they relate to both construction and operation of the proposed project.

### Sensitive Receptors

In general, some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptors. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers.

The California Air Resources Board (CARB) and the Office of Environmental Health Hazard Assessment (OEHHA) have identified the following groups of individuals as the most likely to be affected by air pollution: people over 65 years old, children under 14 years old, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis.

Residential areas are considered sensitive receptors to air pollution because residents (including children and people over 65) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Children and infants are considered more susceptible to health effects of air pollution due to their immature immune systems, developing organs, and higher breathing rates. As such, schools are also considered sensitive receptors, as children are present for extended durations and engage in regular outdoor activities.

The closest existing sensitive receptors to the project site are multiple single-family residences adjacent to the cemetery to the north, between 450 and 750 feet from the proposed crematory location, and mobile homes across Folsom Boulevard to the east, approximately 700 feet from the proposed crematory location. The closest schools to the project site are the Folsom Montessori School approximately 3,200 feet (0.6 miles) to the northeast and the Golden Valley Charter River School. That school is located across Lake Natoma from the project site and, though it is approximately 2.7 miles away by car, its physical location is about 3,000 feet (just over one-half mile) northwest of the project site. The nearest daycare is located 1,800 feet (0.3 miles) from the project site and the nearest hospital is located over 9,000 feet (1.8 miles) from the project site.

### Criteria Pollutants

Ambient air quality is described in terms of compliance with state and national standards, and the levels of air pollutant concentrations considered safe, to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. The U.S. Environmental Protection Agency (USEPA), the federal agency that administrates the Federal Clean Air Act of 1970, as amended in 1990, has established national ambient air quality standards (NAAQS) for several air pollution constituents known as criteria pollutants, including: ozone (O<sub>3</sub>); carbon monoxide (CO); coarse particulate matter (PM<sub>10</sub>; particles 10 microns or less) and fine particulate matter (PM<sub>2.5</sub>; particles 2.5 microns or less); sulfur dioxide (SO<sub>2</sub>); and lead (Pb).

As permitted by the Clean Air Act, California has adopted the more stringent California ambient air quality standards (CAAQS) and expanded the number of regulated air constituents. Ground-level ozone is not emitted directly into the environment but is generated from complex chemical and photochemical reactions between precursor pollutants, primarily reactive organic gases (ROGs; also known as volatile organic compounds [VOC]), and oxides of nitrogen (NO<sub>x</sub>). PM<sub>10</sub> and PM<sub>2.5</sub> are generated from a variety of sources, including road dust, diesel exhaust, fuel combustion, tire and brake wear, construction operations and windblown dust. In addition, PM<sub>10</sub> and PM<sub>2.5</sub> can also be formed through chemical and photochemical reactions of precursor pollutants in the atmosphere.

CARB is required to designate areas of the state as attainment, nonattainment, or unclassified for the ambient air quality standards. An "attainment" designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A "nonattainment" designation indicates that a pollutant concentration violated the standard at least once. An "unclassified" designation indicates that insufficient data was available to determine the status. Sacramento County is designated as being in nonattainment for the state and federal ozone standards, the state PM<sub>10</sub> standards, and the federal PM<sub>2.5</sub> standards.

The Sacramento Metropolitan Air Quality Management District (SMAQMD) is responsible for implementing emissions standards and other requirements of federal and state laws in Sacramento County. Attainment plans for meeting the federal air quality standards are incorporated into the State Implementation Plan (SIP), which is subsequently submitted to the USEPA.

The current air quality plan applicable to the project, the *Sacramento Regional 2008 NAAQS 8-Hour Ozone Attainment and Reasonable Further Progress Plan* (Regional Ozone Plan), was developed by the SMAQMD and adjacent air districts to describe how the air districts in and near the Sacramento metropolitan area will continue the progress toward attaining state and national ozone air quality standards

With respect to criteria pollutants, HELIX looked at whether the proposed project would conflict with or obstruct implementation of the Regional Ozone Plan or the SIP, either during construction or operation of the proposed project. HELIX also analyzed whether the proposed project would result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under applicable California Ambient Air Quality Standards. Highlights from that analysis are included in the following paragraphs. The full analysis is contained in Attachment 11. Furthermore, Condition No. 16, requires compliance with the Regional Ozone Plan.

#### Construction (Short-Term) Emissions

Construction of the project would involve the use of a crane for several hours to unload the chiller and crematory from the truck, and the use of a mini excavator or skid steer loader for one day and one truck load of concrete to install a small pad for the two propane



tanks.

Typically, projects that are 35 acres or less in size will not exceed the SMAQMD's construction NOx or PM thresholds of significance. Even so, all construction projects are required to implement the SMAQMD's Basic Construction Emission Control Practices (also known as Best Management Practices [BMPs]). The BMPs satisfy the requirements of SMAQMD's Rule 403, *Fugitive Dust*, which requires every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates.

Reactive Organic Gas (ROG) emissions during construction are generally associated with the application of architectural coatings. The project does not propose any new structures, would not require substantial amounts of painting, and would not result in significant emissions of ROGs.

If approved, the proposed project will be required to implement SMAQMD's BMPs and it will not result in significant emissions of ROGs. Therefore, construction of the project would not result in a cumulatively considerable net increase of any criteria pollutant and the proposed project's impact on implementation of the Regional Ozone Plan would be less than significant with implementation of Condition No. 16, which requires implementation of the SMAQMD's BMPs.

#### Operation (Long-Term) Emissions

The project would result in long-term operational emissions from two sources: (1) vehicles that drive to and from the project and (2) from operation of the crematory.

With respect to emissions from vehicles, because there are no crematories currently operating in Folsom, demand for cremation services is filled by transporting the deceased to facilities outside of the City. Therefore, operations of the project would not result in new vehicle trips (nor the associated emissions in the region). Instead, the project would replace existing regional vehicle trips with shorter trips (and reduced associated emissions).

Operation of a propane-fired crematory would be considered a new stationary source of emissions. The project is subject to SMAQMD's Rule 201, *General Permit Requirements*, and Rule 202, *New Source Review*. Pursuant to these Rules, the project would be required to implement best available control technology (BACT) for the minimization of emissions.

BACT for crematories is incorporated into the product design in the form of controls which ensure maintenance of the correct temperatures and cycle times, and a secondary combustion chamber which ensures oxygenation and complete combustions of all fuels.

As shown in Table 4 of the IS/MND included in Attachment 11 and Table 1 of the Air Quality Addendum memo included in Appendix B of the IS/MND, the project's operational

emissions of criteria pollutants and precursors would not exceed the SMAQMD daily or annual thresholds. Therefore, the project's operational emissions would not result in a cumulatively considerable net increase of any criteria pollutant and impacts from operation of the crematory on implementation of the Regional Ozone Plan would be less than significant.

#### Toxic Air Contaminants

Toxic air contaminants (TACs) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or in serious illness or that may pose a present or potential hazard to human health. TACs can cause long-term chronic health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute effects such as eye watering, respiratory irritation (a cough), runny nose, throat pain, and headaches. TACs are considered either carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For carcinogenic TACs, there is no level of exposure that is considered safe and impacts are evaluated in terms of overall relative risk expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

Crematories are a potential source of TACs as a result of trace metals and organic compounds that accumulate in the body throughout a person's life and are released during combustion of human remains, and as a result of trace organic compounds that are formed in the combustion process. These TACs include: metals and inorganics (i.e., arsenic, beryllium, cadmium, chromium, copper, hydrogen fluoride, lead, mercury, nickel, selenium, zinc); VOCs (i.e., benzene, toluene, xylenes, vinyl chloride); aldehydes (i.e., acetaldehyde, formaldehyde); polyaromatic hydrocarbons (PAHs); polychlorinated dibenzodioxins (dioxins; PCDD); and polychlorinated dibenzofurans (furans; PCD). Prolonged exposure to significant concentrations of these TACS can result in a variety of adverse health effects including cancers, chronic conditions, and/or acute conditions, depending on the substance and level of exposure. Based on the results of the Health Risk Assessment (HRA) included in Attachment 11, hexavalent chromium and mercury are the primary drivers of the health risks from crematory emissions because the health risks from crematory emissions of these substances are one or more orders of magnitude greater than the health risks from other TACs in crematory emissions.

Health risks associated with cancer from development projects are estimated using the incremental excess cancer risk expressed as cancer cases per one million exposed individuals. The incremental excess cancer risk is an estimate of the chance a person exposed to specific sources of a TACs may have of developing cancer from that exposure beyond the individual's risk of developing cancer from existing background levels of pollutants in the ambient air. For context, the average cancer risk from TACs in the ambient air for an individual living in an urban area of California is 830 in 1 million. Cancer risk estimates do not mean, and should not be interpreted to mean, that a person will develop cancer from estimated exposures to toxic air pollutants.

The maximum estimated community incremental excess cancer, chronic and acute health risks due to exposure to the project TAC emissions from long term operation of the proposed crematory are presented in Table 5 of the attached IS/MND. These estimates are conservative (health protective) and assume that the resident or worker is outdoors for the entire exposure period. This table shows that the maximum incremental increased cancer risks and maximum non-cancer chronic and acute hazard index due to exposure to TACs from long-term operation of the proposed crematory would not exceed the SMAQMD thresholds. Therefore, operation of the project would not result in the exposure of sensitive receptors to substantial TAC concentrations and the impact would be less than significant.

The Addendum to the IS/MND clarifies that regardless of whether the applicant performs two or four cremations daily, the Health Risk Assessment remains accurate, as it was based on the maximum hourly emissions rate and the average annual emissions generated by project operations, not the number of cremations performed daily. The hourly cremation rate would not change because there is only one cremation machine proposed as a part of this project. The annual emissions generated by the project also would not change with an increase from two to four cremations per day because the applicant has not requested modification to their request for up to 500 cremations per year. To ensure that the numbers in the HRA remain accurate, staff has added Condition No. 13 stating that no more than four cremations may be performed each and that no more than 500 cremations may be performed each year.

In addition, the proposed crematory is considered a combustion source requiring an authority to construct permit to operate (A/C, PTO) from SMAQMD before it can be installed and operated. Staff has provided Condition No. 16, which states that a building permit will not be issued until an A/C, PTO has been obtained from SMAQMD. SMAQMD has stated that the applicant will be required to provide analysis to ensure the crematory will meet all air district rules/regulations and significance thresholds during the air district's A/C, PTO application and review process. In the event the air district's refined health risk assessment analysis shows that cancer risk or hazard index numbers exceed the significance thresholds noted, further restrictions to the crematorium would be required by SMAQMD before they would issue the A/C, PTO. As noted above, Condition No. 16 requires the proposed project to obtain an A/C, PTO from the air district before the City will issue a building permit, so neither construction nor operation of the proposed project can occur without the A/C, PTO.

#### Odors

The IS/MND prepared for the proposed project found that diesel equipment could generate diesel exhaust odors during construction activities. The generation of odors during the construction period would be temporary, intermittent, and dispersed within a short distance from the active work area. Once operational, potential odors from human remains prior to cremation would be minimized either by immediately processing remains

or by temporarily storing remains in the proposed refrigeration chiller. Operation of the crematory would not be a significant source odors or other emissions due to the BACT features of the crematory, including process temperature and cycle time controls, as well as secondary combustion chambers which ensure the complete combustion of all solids, liquids, and gaseous fuels. Therefore, the project would not result in other emissions (such as those leading to odors).

### **Cultural, Archaeological, Paleontological and Historical/Tribal Resources**

Lakeside Memorial Lawn cemetery is Folsom's only active historic cemetery, It represents a combination of several old Folsom cemeteries, including the Masonic, Odd Fellows, Jewish, Citizen's, and Cook's cemeteries,

The existing metal structure was built in the 1990s and is located in a previously disturbed maintenance area. The project area itself is surrounded on the west and south by dredge mining tailings and the parcel is situated along a perennial waterway. All mining operations in the immediate vicinity of the project site had ceased by 1962. Based on a Cultural Resources Investigation performed by PAR Environmental for the mausoleum project for Lakeside Memorial Lawn in 1995, these tailings were determined not eligible for inclusion in the National Register of Historic Places by the Office of Historic Preservation. The report also states that the tailings do not meet California Environmental Quality Act guidelines as an important resource and do not qualify for inclusion in the California Register of Historic Places.

ECORP Consulting prepared a Cultural Resources Inventory Report of the proposed project that included a record search, Native American tribal consultation and a pedestrian survey. The results of the ECORP record search for cultural resources and Native American Heritage Commission Sacred Lands File Coordination search failed to reveal the presence of Native American cultural resources in the project area.

ECORP's pedestrian survey revealed no precontact or historic resources. The project site itself is not in an area otherwise suspected to contain unknown archaeological resources. The site survey and surveys of written records, historical maps and photographs, and outreach to groups with knowledge of the area's history all suggest that no known or previously unknown archaeological resources would be encountered or disturbed during construction. Ground disturbing activity would be limited to shallow ground clearing and site prep for the installation of a concrete pad to support two propane tanks. Still, the potential exists for inadvertent discovery of archaeological resources during project construction. The implementation of standard archaeological resource construction conditions (Condition 18-21) would ensure that potential impacts would be less than significant.

Though the project site is located on the property of the Lakeside Memorial Lawn Cemetery, no human remains are known to exist in the immediate vicinity of the project site. No evidence of potential human remains outside of marked graves was found in the project area during the cultural resources site survey by ECORP's archaeologist. Ground

disturbing activity would be limited to shallow ground clearing and site prep for the installation of a concrete pad to support two propane tanks. However, there is always the possibility that subsurface construction activities associated with the proposed project, specifically the preparation of the site for the small concrete pad, could potentially damage or destroy previously undiscovered human remains. However, if human remains were discovered, implementation of Condition No. 20 would reduce this potential impact to a less than significant level.

The ethnographic information reviewed for the project, including ethnographic maps, does not identify any villages, occupational areas, or resource procurement locations in or around the current project area. In addition, the Sacred Lands File failed to identify any sacred lands or tribal resources in or near the project area. The cultural resources survey did not reveal any Native American archaeological sites within or adjacent to the proposed project area. As stated in the attached IS/MND document, the City performed AB-52 consultation with three local Native American tribes that have previously submitted general request letters: Wilton Rancheria, the Lone Board of Miwok Indians and the United Auburn Indian Community. The purpose of consultation is to identify Tribal Cultural Resources (TCR) that may be significantly impacted by the proposed project and to allow the City to avoid or mitigate significant impacts prior to project approval and implementation. No specific TCRs were identified on the project site as a result of this consultation. In case of unanticipated discovery of tribal cultural resources, staff has incorporated Condition No. 21 (as described above). Implementation of this condition would ensure that there would not be a significant impact on tribal cultural resources.

### **Fire/Life Safety**

The proposed project proposes to locate two 250-gallon propane tanks immediately adjacent to the existing metal structure in which the crematorium is proposed. Propane is considered a hazardous material in that it is extremely flammable and may cause burns, irritations, and/or asphyxiation if humans come into direct contact with significant quantities of it. Federal and state laws include provisions for the safe handling of hazardous substances. The federal Occupational Safety and Health Administration (OSHA) administers requirements to ensure worker safety. Construction activity must also be in compliance with California OSHA regulations. Further, significant damage to the tanks, failure of safety mechanisms, and/or the presence of an ignition source may make the tanks an explosion hazard. However, the tanks would be secured in place on a concrete pad, marked conspicuously, and placed in an area at low risk of impact from any vehicle or piece of equipment. They would not be located in an area of the cemetery frequented by the public. All installation, maintenance, and operations would be done by trained individuals in accordance with the manufacturer's recommendations and state regulations. The tanks would be regularly inspected to ensure soundness and proper function. Delivery of propane and filling of the tanks would be done only by licensed professionals following all applicable regulations and best practices. Furthermore, the Folsom Fire Department has reviewed the proposed site plan and has provided Condition No. 26 which requires the propane tanks to be a minimum of 10 feet from the metal structure in which the cremations would occur.

Fire Station 35 is the nearest station to the project site and is located approximately 1.5 miles east of the project site. The project site is easily accessible to fire service personnel. Consistent with the City's Multi-Hazard Emergency Management Plan, the City of Folsom maintains pre-designated emergency evacuation routes along major streets and thoroughfares. The proposed project would not modify any pre-designated emergency evacuation route or preclude their continued use as an emergency evacuation route. Emergency vehicle access would be maintained throughout the project site to meet the Fire Department standards for fire engine maneuvering, location of fire engine to fight a fire, rescue access to the units, and fire hose access to all sides of the building.

The project is not located in or near a State Responsibility Area or in a Very High Fire Hazard Severity Zone. Vegetation on the property is irrigated and includes maintained lawns and well-spaced trees with a generally open canopy and limbs pruned near ground level. The project site is located in an urbanized area in the City of Folsom and is provided urban levels of fire protection by the City. Landscaping on the property is well-irrigated, well-spaced, trimmed, pruned, and generally maintained. To the north of the site is a residential neighborhood, to the east is gravel/rock cover and Folsom Boulevard, and to the south and west is a greenbelt that runs parallel to Lake Natoma on a north/south axis. The natural spaces are small, with a relatively open and discontinuous canopy. The project is not likely to cause any ignition, given that the crematory will not emit sparks, and any ignition caused by other factors could be quickly controlled by the City of Folsom Fire Department and would not spread great distances given the land use and vegetation surrounding and occupying the site.

As an existing facility, Lakeside Memorial Lawn maintains adequate fire response infrastructure for both current operations and the proposed project. The City of Folsom Fire Department reviewed the project application and did not raise any concerns regarding the adequacy of water supply or site access. The Fire Department also provided Condition No. 24, which requires a fire alarm/detection system if sprinklers are not provided, Condition No. 25, which requires on-site fire hydrants and mains capable of supplying the water flow for fires and Condition No. 26, which requires that combustible materials, trash, weeds and brush are not stored or located within 10 feet of the propane tanks. Furthermore, Condition No. 27 states that a trained operator must be present at all times that the crematorium machine is in operation. Therefore, with these conditions, the proposed project would not expose people or structures to a significant risk of loss due to wildland fires.

### **Traffic, Access, Circulation and Parking**

The project site can be accessed from either northbound or southbound on Folsom Boulevard or from westbound Natoma Street approaching this intersection with Folsom Boulevard. The site would be accessed by proceeding a very short distance west on Forrest Street to reach the entry gate to the cemetery and turning left onto Mormon Street.

Diagonal parking spaces can be found along both sides of Mormon Street. At the terminus

of Mormon Street, members of the public may continue straight onto a main cemetery access road to find an additional parking lot. All existing parking spaces would be maintained. Access to the project site directly would continue to be provided by a smaller existing access road located at the southwestern terminus of Mormon Street. Both the smaller access road and the main access road can be reached at the terminus of Mormon Street, but the two roads do not form a continuous loop because of a fence line separating them. No new parking spaces or parking facilities would be constructed.

As the crematorium would not be located in or near a funeral home and would be separate from any funeral services or public gatherings provided by the project applicant, access would only need to accommodate a small number of people at the site. There are a total of 92 parking spaces in the cemetery with room for 23 additional parking spaces during large events. The applicant has seen an average of 12 to 15 visitors to the cemetery on an average day. The maximum number of visitors under the proposed project conditions would be during large funeral services at the site. However, the 921 parking spaces and overflow parking available on-site are designed accommodate such services.

The City of Folsom identifies most major streets in the City as emergency evacuation routes. The proposed project would not modify any major street and/or preclude their continued use as an emergency evacuation route. The project does not propose any alterations to any access roads, rights-of-way or other routes, and would not increase traffic to a point that additional risk on existing routes would be incurred. Emergency vehicle access would be maintained throughout the project site to meet the Fire Department standards for fire engine maneuvering, location of fire engine to fight a fire, rescue access, and fire hose access to all sides of the building.

### **Noise**

Development of the crematory facility will temporarily increase noise levels in the project vicinity during the construction period. Construction activities, including site work and construction, would be considered an intermittent noise impact throughout the construction period of the project. The City's Noise Ordinance excludes construction activities from meeting the General Plan Noise Element standards, provided that all phases of construction are limited to the hours between 7:00 a.m. and 6:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on Saturdays. To ensure compliance with the City's Noise Control Ordinance and General Plan Noise Element, staff recommends that hours of construction operation be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays with no construction permitted on Sundays or holidays. Condition No. 12 is included to reflect these requirements.

### **Visual Impacts**

The project site is currently a small cemetery, with associated landscaping, outbuildings, and access roads. Lands to the south and west contain woodland habitat typical of riparian communities in the Sierra Nevada foothills. Soils at the project site are comprised of dredge tailings and other fill material. Tailing piles between the site and Folsom Boulevard prevent the site from being visible from that street. To the west is also the

Jedidiah Smith Memorial Trail that runs along the eastern shore of Lake Natoma. To the north is a small residential neighborhood with single family dwellings (The Preserve/Lake Natoma Shores). Folsom Boulevard runs in a north/south line just east of the property. East of Folsom Boulevard is a large, developed area containing single family homes, apartment complexes, a mobile home park, and some small businesses. The more regional setting is primarily characterized by residential development with a commercial shopping center to the east.

The project would be located in an existing metal structure on the grounds of the Lakeside Memorial Lawn Cemetery. The structure would be modified with an exhaust stack added to the roof to accommodate the crematorium, but its footprint would not be expanded. The height of the stack is determined during the SMAQMD permitting process in order to meet their air quality standards. Based on initial consultation with SMAQMD, the stack would most likely be located approximately 19.5 feet above grade and would project up to 10 feet above the existing roof of the structure. The crematory would be placed in the northwest corner of the structure. Two 250-gallon propane tanks would be installed on a proposed concrete pad along the northern side of the structure to provide power for the crematorium, as no gas lines currently exist. An existing wooden fence would shield these tanks from view from the publicly used areas of the cemetery.

Existing landscaping at the cemetery and around the metal structure consists of mature broad-leaved, coniferous, and palm trees. These trees also provide shade for much of the cemetery and many of the parking spaces. An irrigated lawn surrounds the existing cemetery plots and a smaller lawn surrounds the rear of the structure (i.e., the non-service entrance side). Native oak/gray pine woodland habitat exists surrounding the cemetery. No new landscaping installation or modification is proposed. Native habitat in the vicinity of the project would not be disturbed.

An existing brick and wrought iron fence marks the edge of the cemetery from the Forrest Street side, but does not extend the length of Mormon Street. A wooden fence currently separates the front side of the metal structure (facing the access road) from the back side and extends both north and south of the structure. The fencing south of the structure further extends to block the access road and restrict access between the lawn to the west of the structure and the access road to the east of the structure. No changes to fencing are proposed as part of this action. The access side of the structure that would be used for crematory operations is shielded from view from the rest of the cemetery by wooden fencing. A gravel berm shields views of the structure from the east, including from Folsom Boulevard.

Neither the project site nor the surrounding areas are scenic vistas due to the presence of existing nearby commercial and residential developments. Further, neither the project site, nor views to or from the project site, have been designated as important scenic resources by the City of Folsom or any other public agency. Additionally, the site of proposed modifications is already largely shielded from public view and would remain so. Images of the metal structure taken from the edge of the cemetery adjacent to the Lake



Natoma Shores/Preserve subdivision are provided in Attachment 10. All human remains are transported to or from the crematorium fully shielding the deceased from public view with fully shielded gurneys. The vehicles back up inside the structures' doors to unload the gurney, similar to what is done at the applicant's Miller Funeral Home on the corner of Scott Street and Natoma Street. Given that external modifications would be very minor and that the building is already mostly shielded from view, staff does not anticipate a significant visual impact.

#### **Land Use Compatibility/Site Considerations**

The project site consists of a small cemetery, with associated landscaping, outbuildings, and access roads. Lands to the south and west contain woodland habitat. Tailing piles between the site and Folsom Boulevard prevent the site from being visible from that street. To the west is also the Jedidiah Smith Memorial Trail, which is part of the American River Parkway. To the north of the project site is a residential neighborhood with single-family dwellings (Lake Natoma Shores/The Preserve). Folsom Boulevard runs in a north/south line just east of the property. East of Folsom Boulevard is a large, developed area containing single-family homes, apartment complexes, a mobile home park, and some small businesses. The more regional setting is primarily characterized by residential development with a commercial shopping center to the east.

Staff researched data available from the Sacramento Air Quality Management District regarding the locations of existing crematoriums within the county, their proximity to residential uses, complaints received by SMAQMD for these facilities, and actions taken against these facilities by SMAQMD. Staff found that 16 crematoriums are currently operating within Sacramento County, of which five were located within cemeteries (East Lawn Memorial Park, Sacramento Memorial Lawn, St. Mary Cemetery and Funeral Center, and Sunset Lawn Chapel of the Chimes in Sacramento and Mount Vernon Memorial Park & Mortuary in Fair Oaks). Nine of the crematoriums were within 1,100 feet of residential uses, as shown in the table on the following page. Images of these facilities are provided in Attachment 12. Note that the closest residence to the proposed crematorium is 450 feet from the building.

**TABLE 1: CREMATORIIUMS IN SACRAMENTO COUNTY LOCATED WITHIN 1,100 FEET OF RESIDENTIAL LAND USES**

<b>Name of Facility</b>	<b>Address</b>	<b>Distance to Residential Uses</b>
East Lawn Memorial Park	4300 Folsom Blvd. Sacramento	525 ft.
Sacramento Memorial Lawn	6100 Stockton Blvd. Sacramento	1,100 ft.
St. Mary Cemetery and Funeral Center	6509 Fruitridge Rd. Sacramento	275 ft.
Sunset Lawn Chapel of the Chimes	4701 Marysville Rd. Sacramento	600 ft.
Mount Vernon Memorial Park & Mortuary	8201 Greenback Ln. Fair Oaks	175 ft.
Evergreen Memorial	3030 Fruitridge Rd. Sacramento	90 ft.
North Sacramento Funeral Home	725 El Camino Ave. Sacramento	100 ft.
Pet Loss Services of North America	4601 Pell Dr. Sacramento	650 ft.
Sierra View Funeral Chapel & Crematory	6201 Fair Oaks Blvd. Carmichael	150 ft.

All crematoriums in Sacramento County are subject to additional permitting and regular inspections by SMAQMD, who investigates all public complaints about the facilities and fines all facilities for any violations. Three of the facilities listed in the above table have been issued violations from SMAQMD, for a total of 17 violations. Of these violations, four were discharge related. The last discharge-related violation issued by SMAQMD at one of these facilities was in 2010. Five of the facilities listed above have been the subject of public complaints. SMAQMD has received a total of 26 public complaints regarding five of these facilities since 1992. Of these complaints, eight have been received since 2010, predominantly regarding odor and smoke. SMAQMD requires recordkeeping and reporting of all cremations and has the right to inspect cremation facilities at any time.

The applicant has also stated that they currently operate two crematoriums in the region, the Lakeside Colonial Chapel in Marysville and the Chapel of the Twin Cities in Yuba City, both directly adjacent to residential uses. Given that the proposed project is located 450 to 750 feet away from the nearest sensitive receptors (residences), this is consistent with the location of other crematoriums located in residential areas of Sacramento County as well as the regional crematoriums operated by the applicant.

Based on the analysis presented in the attached staff report and attached IS/MND, staff concluded that there would be a less than significant impact to surrounding land uses with regards to air quality, fire/life safety, traffic, noise and aesthetics. As conditioned, the

crematorium would be subject to stringent air quality permitting and monitoring from SMAQMD. The crematorium is also subject to an annual unannounced inspection from the California Cemetery and Funeral Board. Furthermore, staff has provided Condition No. 10 which states that any intensification or expansion of the crematorium will require a subsequent Conditional Use Permit by the Historic District Commission and Condition No. 13 which states that no expansion in number of cremations per day or per year beyond what has been conditioned shall be permitted without prior approval being obtained from the Historic District Commission through a Conditional Use Permit. Any increase in air quality or noise impacts beyond what is described in this report is subject to either permit revocation or modification by the commission.

With these conditions in place, staff has concluded that the establishment, maintenance, and operation of the proposed use will be compatible with surrounding land uses and will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or be detrimental or injurious to property or improvements in the neighborhood, or to the general welfare of the city.

#### **Public Outreach, Noticing and Comments**

Staff routed the initial development application to relevant local and state agencies. Based on comments received, staff has coordinated with SMAQMD to appropriately condition the project and ensure that the applicant goes through the required SMAQMD permitting process. No other public agencies provided comments. The application was also routed to the Sacramento County Cemetery Advisory Commission, the California Cemetery and Funeral Bureau and the Cremation Association of Northern California. Staff received no comments from these organizations.

A public notice was placed in the Folsom Telegraph on January 6, 2022, and notices were mailed to all property owners located within 300 feet of the project site and also to residents who filed written requests for notices, consistent with Government Code sections 65905, 65091, and 65094, as well as CEQA Guidelines sections 15072 and 15105. A public notice was also placed on the project site 30 days prior to the public hearing.

Staff received numerous public comments regarding the project in general and also the IS/MND prior to publication of this staff report. Most comments received were from residents of the Historic District (especially residents of the Lake Natoma Shores/Preserve subdivision) and the Chinese Historical Society of America in opposition to the project, with one letter from a resident expressing support for the project. Written comments received prior to publication of the staff report are included in Attachment 13. Furthermore, the applicant held a phone meeting for nearby residents to listen to their concerns about the proposed project. Issues brought up in these comment letters and during the applicant meeting include:

### **Air Quality Concerns**

- Proximity to residential uses, places where children recreate and impacts to those with compromised lungs and other at-risk populations
- Air quality concerns related to particulate matter, CO<sub>2</sub>, TACs, NO<sub>x</sub>, and cremated bodies containing mercury from fillings, pacemakers, chemotherapy chemicals and radiation and SMAQMD/Sacramento County's oversight of these pollutants
- Lack of analysis regarding cumulative air quality effects of the crematory with car fumes on Folsom Blvd.
- Whether the crematory would be allowed to operate on days with poor air quality
- Whether wind would blow smoke into the adjacent neighborhoods
- Consistency with General Plan air quality goals, especially given that the property is in an existing non-attainment area
- Accuracy of meteorological weather data used
- Lack of methodology and citations used to justify statements in odor analysis
- Lack of analysis regarding the Schultz Eddy Phenomenon which causes air to be trapped in the Preserve neighborhood
- Need for additional air quality modelling due to varying air pollution patterns
- Optimal operation of crematory facilities vs. reality
- How filters inside smokestack are cleaned
- Lack of clarity regarding which agencies regulate and inspect crematories for air quality effects and how those agencies regulate emissions on days they are not testing them
- Potential odors during cremation activities, especially on evenings when Code Enforcement staff cannot be present
- Lack of maintenance cleanup procedures with regards to runoff, residue and dust
- Conclusions of the air quality analysis being related to an average healthy human rather than sensitive receptors such as children and the elderly
- Whether a rain cover is proposed on the exhaust stack

### **Traffic, Circulation, Parking, Wildfire and Life Safety Concerns**

- Additional traffic in a busy neighborhood due to additional trips for witnessed cremations, propane delivery, and morgue delivery, both in the neighborhood and in the larger Historic District
- Amount of people allowed to attend a witnessed cremation
- Emergency access to the structure in which the cremations are proposed and propane tanks in case of fire
- Increased air quality concerns when cremating bodies with excess weight
- Evacuation of residents in case of fire on narrow streets accessing many existing uses and frequent light rail crossing
- Parking concerns during on-site funeral and witnessed cremation services
- Lack of analysis regarding cumulative traffic, circulation, and wildfire effects
- Whether a trained operator would always be on-site in case of malfunction
- Chances of a propane explosion near historic cemeteries, State parks, and residences
- Whether there is room in the metal structure in which the crematorium is proposed for both maintenance equipment and crematory equipment
- Insufficient fencing and security measures at the site
- Absence of design measures to create defensible space
- Consistency with the Folsom Community Wildfire Protection Plan
- Whether the recently constructed storage shed was taken into account in the emergency access analysis
- Greater evidence that the crematory machine will not produce particles that could ignite a fire
- Documented feedback on the project from the Fire Department and California State Parks

### **Quality of Life Concerns**

- Whether property values would go down as a result of having to disclose that there is a crematory nearby
- Psychological effects of knowing that cremations are occurring close to residences
- Concerns over how much cremation noise would be discernable from the nearest residences and to visitors of the cemetery
- Whether the smoke stack would be visible from nearby streets and residential yards (and lack of clarity on the height of the stack)
- Whether bodies to be cremated would be transferred to the crematory facility in public view
- Impacts to those using nearby trails and recreational areas
- Whether there would be noise impacts when the crematory machine is running

### **Cultural, Archaeological, Paleontological and Historical/Tribal Resources Concerns**

- Potential presence of archeological and paleontological resources on-site
- Potential smoke impacts to nearby Chinese cemetery, Veteran's Hall, Murer House, and State Recreation Area
- Consideration of the Chung Wah Cemetery being placed on the National Register and California Registry of Historic Places and Young Wo Chinese Cemetery being placed on the California Registry of Historic Points of Interest and both cemeteries being placed on the Sacramento County Cemetery Commission's Registry of Pioneer Cemeteries
- Cremation not being consistent with Chinese funerary customs and practice and not an integral part of Gold Rush pioneer cemetery customs
- The presence of the crematorium changing the character and historic significance of a pioneer cemetery
- Historical accuracy of a crematory chimney

### **Land Use Concerns**

- How a crematory could be allowed in an Open Space zone
- Compatibility with the Open Space element of the General Plan
- The use being more appropriate for an industrial or commercial zone
- The M-2 zone being the only zone that calls out specific uses close to the crematory being allowed, such as pottery kilns and ceramic works
- Lack of compatibility with an historic use in the historic district
- Impact of people who own cemetery plots and niches in Lakeside Memorial Lawn near the proposed crematory

### **General and Miscellaneous Concerns**

- Public noticing and agency noticing irregularities
- Whether the City Council should be hearing the project rather than the HDC
- Whether a design review application is warranted
- Public outreach from the applicant
- City delays in publishing documentation based on when application was submitted
- Legal standing of the IS/MND
- The Commission's standards of guidance to issue a CUP
- Number of cremations per day being proposed and allowed
- Issues with accuracy of applicant's provided scope of work
- Conflicting information about whether the crematorium will be accessible to members of the public or just employees
- Whether sewer or bathroom facilities are available at the cremation site

- The previous proposal for a crematory on this site being rejected/withdrawn
- Historical easements to the Chung Wah cemetery
- Location of property lines
- Lack of discussion of recommendations in the 2003 Crematory CUP
- Time limits and conditions on the 2003 Crematory CUP
- Operation of the crematorium changing people's perception of spiritual worship in the Chung Wah and Young Wo cemeteries due to ash and smoke
- Necessity of the project given other crematories within the general vicinity
- Applicant starting fencing work and flatwork prior to a decision being made on the CUP
- Future growth of the Corporation Yard land
- Whether there is a need for witnessed cremations
- Impacts related to potential increases in neighborhood resources
- If heat from the exhaust stack would impact special status bird and bat species nesting nearby
- The consideration of performing aquamation (liquid cremation) instead of standard cremations

Staff notes that the air quality, odor, traffic/circulation, parking, wildfire safety, cultural/archaeological, paleontological and historical/tribal resources, noise and land use concerns have been addressed in the analysis sections of this staff report and the attached IS/MND. Noticing has been completed pursuant to Government Code sections 65905, 65091, and 65094 as well as CEQA Guidelines sections 15072 and 15105, and the applicant has held a public outreach meeting as described above.

With regards to the previous proposal for a crematorium in 2003 that recommended denial, staff notes that the technology for crematorium machines has improved significantly since 2003 and based on the air quality assessment performed for the



project, staff concluded that the air quality impacts of the newly proposed crematory would not result in the same impacts as the crematorium proposed in 2003. Furthermore, the Sacramento County Cemetery Commission that expressed concern over the 2003 project did not comment on the current project as proposed.

Finally, staff has concluded that concerns regarding consistency with the General Plan Air Quality and Open Space Goals and Policies and the Historic District Design and Development Guidelines, concerns regarding Chinese and Gold Rush customs, and concerns over a drop in property values will be adequately alleviated by the filtering and burning technology of the proposed crematory machinery as well as the required SMAQMD permitting and monitoring, the shielding of the facility from public view, and the conditions imposed on the proposed project as a part of the Conditional Use Permit, as described in this staff report. Particularly significant to staff's analysis, as detailed above, are the following facts: (1) the crematorium would be subject to stringent air quality permitting and monitoring from SMAQMD; and (2) any impacts beyond those described in this report are not permitted and, if they occur, will subject the applicant to either permit revocation or modification by the Commission.

## **ENVIRONMENTAL REVIEW**

An Initial Study and Mitigated Negative Declaration, and an associated Addendum, have been prepared for this project (Attachment 11). A detailed summary of the environmental analysis for this project is contained in other sections of this report, with a particular focus on Air Quality. A summary of the environmental analyses on the issues of cultural, archeological, paleontological, and historical/tribal resources; fire/life safety; traffic, access, circulation, and parking; noise; and visual impacts are also included above. Note that an addendum to the initial air quality analysis was also prepared, and has been included both in the final Air Quality section and Appendix B of the IS/MND.

A detailed description of the potential impacts is provided within the Initial Study for this project, which is included as Attachment 11 to this report. As described above, the Mitigated Negative Declaration includes mitigation measures which, when implemented, will reduce the identified impacts to a less than significant level. These mitigation measures have been included as conditions of approval for this project. Staff points to Conditions 18 through 21 as particularly significant in this regard.

To date, several public comments were received during the Mitigated Negative Declaration public review period which started on January 7, 2022 and ended on February 7, 2022. Those public comments have been included in Attachment 13. HELIX Environmental will provide responses to those comments for the Public Hearing and on the City's website at the following link: <https://www.folsom.ca.us/government/community-development/planning-services/current-project-information>

Pursuant to AB 52, before the release of the mitigated negative declaration for this project, the City began the process of consultation with any California Native American tribes traditionally and culturally affiliated with the geographic area of the proposed project. The consultation was concluded and no changes to the project were required as a result of the consultation process.

### **RECOMMENDATION**

Based on the information included in this report, staff recommends finding that the proposed crematory is appropriate as an accessory use to the existing cemetery. Staff also recommends approval of a Conditional Use Permit for the proposed project, based on the information included in this report and the environmental documents in Attachment 11.

### **HISTORIC DISTRICT COMMISSION ACTION**

MOVE TO ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE LAKESIDE MEMORIAL LAWN CREMATORIUM, PER ATTACHMENT 11;

AND

MOVE TO FIND THAT THE PROPOSED CREMATORIUM IS APPROPRIATE AS AN ACCESSORY USE TO THE EXISTING CEMETERY;

AND

MOVE TO APPROVE THE CONDITIONAL USE PERMIT (PN 19-182) FOR OPERATION OF A CREMATORIUM WITHIN AN EXISTING 1,071-SQUARE FOOT METAL STRUCTURE LOCATED AT 1201 FORREST STREET, WITHIN THE LAKESIDE MEMORIAL LAWN CEMETERY AS ILLUSTRATED IN ATTACHMENTS 5 and 6, WITH THE FOLLOWING FINDINGS (A-K) AND CONDITIONS (NOS. 1-30):

### **GENERAL FINDINGS**

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.

### **CEQA FINDINGS**

- C. A MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED FOR THE PROJECT IN ACCORDANCE WITH CEQA.
- D. PURSUANT TO AB 52, BEFORE RELEASE OF THE MITIGATED NEGATIVE DECLARATION FOR THIS PROJECT, THE CITY CONTACTED ALL CALIFORNIA NATIVE AMERICAN TRIBES ON THE CITY'S AB 52 CONTACT LIST IN ASSOCIATION WITH THIS PROJECT.
- E. THE CITY RECEIVED ONE REQUEST FOR CONSULTATION FROM CALIFORNIA NATIVE AMERICAN TRIBES AND CONSULTATION WAS SUBSEQUENTLY CONCLUDED. NO CHANGES TO THE PROJECT WERE REQUIRED AS A RESULT OF THE CONSULTATION.
- F. THE HISTORIC DISTRICT COMMISSION HAS CONSIDERED THE INITIAL STUDY, THE PROPOSED MITIGATED NEGATIVE DECLARATION AND ALL COMMENTS RECEIVED DURING THE PUBLIC REVIEW PROCESS BEFORE MAKING A DECISION REGARDING THE PROJECT.
- G. THE MITIGATED NEGATIVE DECLARATION REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE CITY OF FOLSOM.
- H. THE MITIGATED NEGATIVE DECLARATION HAS DETERMINED THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH THE REQUIRED MITIGATION MEASURES AND THE CONDITIONS OF APPROVAL ON THE PROJECT.
- I. ON THE BASIS OF THE WHOLE RECORD, THERE IS NO SUBSTANTIAL EVIDENCE THAT THE PROJECT WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT WITH THE REQUIRED MITIGATION MEASURES AND THE CONDITIONS OF APPROVAL ON THE PROJECT.

**LAND USE COMPATIBILITY FINDING**

- J. AS CONDITIONED, THE PROPOSED CREMATORY IS APPROPRIATE AS AN ACCESSORY USE TO THE EXISTING CEMETERY.

**CONDITIONAL USE PERMIT FINDING**

- K. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE AND OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE

NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, AS THE PROPOSED PROJECT WILL NOT HAVE NEGATIVE IMPACTS TO NEARBY COMMERCIAL OR RESIDENTIAL USES THAT HAVE NOT BEEN MITIGATED.

## **ATTACHMENT 2 BACKGROUND**

### **BACKGROUND**

The Planning Commission approved a Use Permit and Variance for Mausoleums at Lakeside Memorial Lawn in 1991 (PC91-042). An amendment to the approval was granted in 1995 (PC95-033). That approval allowed for the construction of twelve mausoleums. To date, two mausoleums have been built. In 2002, Lorin Claney applied for a Conditional Use Permit for a crematorium at the Lakeside Memorial Lawn (PN 02-258). Staff routed the project for public review and prepared a staff report recommending denial of the project in 2003, but the applicant withdrew the application before Historic District Commission review. An existing maintenance building (where the crematorium is proposed), approximately 1,071 square feet in area, is located along the south border of the cemetery. The design review for a second 1,600-square-foot maintenance shed was approved by the Historic District Commission in 2020 (PN 20-160) and was subsequently constructed. The site plan associated with this approval showing both structures is provided in Attachment 7.

The applicant for the crematorium proposed in this staff report initially proposed that it be located in the Miller Funeral Home located at 507 Scott Street. Staff expressed initial concern with the crematorium being located directly adjacent to residences. The applicant also coordinated with SMAQMD to determine what measures would need to be taken to locate the crematory adjacent to residences and ultimately decided not to move forward with that location. The applicant then proposed to modify the application for cremations at the Miller Funeral Home to instead perform alkaline hydrolysis (liquid cremations) that would not employ any burning or produce emissions but instead would produce a liquid effluent that would be flushed down sewage pipes. While this method of cremation was approved in California in 2017, City Environmental and Water Resources staff, in coordination with the Sacramento Regional County Sanitation District, did not have enough local examples of the impacts of these effluents to support this proposal. The applicant subsequently decided to move forward with a standard crematorium at the Lakeside Memorial Lawn. The proposed location in the existing metal structure is further away from sensitive receptors than the previous location at the Miller Funeral Home.

The front of the project site is mostly level with a slight to moderate downward slope towards the rear of the site. Lakeside Cemetery has a variety of mature deciduous and evergreen trees. The front of the cemetery, along Forrest Street, is bounded by a brick wall capped with wrought iron fencing. Photographs of the Lakeside Memorial Lawn are included here as Attachment 10. Both the Lakeside Cemetery (including the Odd Fellows and Mason's Cemeteries) and the adjacent Chung Wah Cemetery appear on the City of Folsom's Cultural Resources Inventory. The subject property is located in the Open Space/Public Primary Area of the Historic District, with an underlying zoning of OSC (Open Space and Conservation District).

**GENERAL PLAN DESIGNATION**

OS, Open Space

**ZONING**

OS/P (Open Space/Public Primary Area),  
underlying zoning of OSC (Open Space and  
Conservation)

**ADJACENT LAND USES/ZONING**

North: Lakeside Memorial Lawn Cemetery  
(OS/P) with single-family residential  
subdivision (Lake Natoma  
Shores/The Preserve) beyond (PRE)

South: Vacant land with mine tailings (OSC)

East: Vacant land with mine tailings (OSC)  
with Folsom Boulevard and Folsom  
Village Mobile Homes beyond (NRB)

West: Lakeside Memorial Lawn Cemetery  
(OS/P) with Folsom Lake State  
Recreation Area (OSC) beyond

**SITE CHARACTERISTICS**

The 12.02-acre project site contains  
mausoleums, gravesites, landscaping, a utility  
building, mine tailings and a variety of mature  
deciduous and evergreen trees. The project  
site is generally flat, ranging from about 175 to  
185 feet above mean sea level. There are no  
wetlands, streams, or jurisdictional features  
located on the project site.

**APPLICABLE CODES**

FMC Chapter 15.52; HD, Historic District  
FMC Section 17.52.550, Open Space/Public  
Primary Area Special Use and Design  
Standards  
FMC Section 17.52.360, Conditional Use  
Permit Review  
FMC Chapter 17.60, Use Permits

## **ATTACHMENT 3**

# **Proposed Conditions of Approval**

CONDITIONS OF APPROVAL FOR LAKESIDE MEMORIAL LAWN CREMATORIUM CONDITIONAL USE PERMIT (PN 19-182)				
Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	When Required	Responsible Department
1.		Issuance of a Building Permit is required. The applicant shall submit final site and building plans to the Community Development Department that substantially conform to the overall site plan, detailed site plan and floor plans dated February 19, 2020, included in Attachment 5 and the Outer Dimensions dated August 27, 2020, contained in Attachment 6. Implementation of this project shall be consistent with the above referenced items as modified by these conditions of approval.	B	CD (B)
2.		Compliance with all local, state and federal regulations pertaining to building construction and demolition is required.	OG	CD (B)
3.		This approval is for operation of a crematorium within an existing 1,071-square foot metal structure located at 1201 Forrest Street, within the Lakeside Memorial Lawn cemetery. The applicant shall submit building plans that substantially comply with this approval and the site plan and floor plan dated February 19, 2020, included in Attachment 5 and the Outer Dimensions dated August 27, 2020, contained in Attachment 6.	B	CD (P)
4.		If the Community Development Director finds evidence that conditions of approval for the Lakeside Memorial Lawn Crematorium Conditional Use Permit have not been fulfilled or complied with, that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or has a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit.	OG	CD (P)



5.		<p>This project approval shall remain in effect for one year until February 16, 2023. Failure to submit a complete application for the relevant building permits within this time period, without the subsequent extension of this approval, or failure to vest the Conditional Use Permit within the identified time frame prior to the expiration date and the applicant has not demonstrated substantial progress towards the development of the project, shall render this approval null and void. The owner/applicant may file an application with the Community Development Department for a permit extension not less than 30 days prior to the expiration date of the permit, along with appropriate fees and necessary submittal materials pursuant to Chapter 17.60 of the <u>Folsom Municipal Code</u>.</p>	B	CD (P, B)
6.		<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> <li>• The City bears its own attorney’s fees and costs; and</li> <li>• The City defends the claim, action or proceeding in good faith</li> </ul> <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
<b>DEVELOPMENT COSTS AND FEE REQUIREMENTS</b>				
7.		<p>The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.</p>	B	CD (P)(E)

8.		The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	B	CD (P)(E)
9.		This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all Citywide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Quimby, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations or other exactions imposed on this project has begun. The fees shall be calculated at the fee rate in effect at the time of building permit issuance.	B	CD (P)(E), PW, PK
<b>CONDITIONAL USE PERMIT REQUIREMENTS</b>				
10.		Any intensification or expansion of the use approved and conditioned herein will require a subsequent Conditional Use Permit Modification by the Historic District Commission. No approvals are granted in this Conditional Use Permit except as provided.	B, OG	CD (P)
11.		All conditions of the original Conditional Use Permit (PC91-042 as modified by PC 95-033) are incorporated by reference.	OG	CD (P)
12.		Compliance with the City of Folsom's Noise Control Ordinance ( <u>Folsom Municipal Code Chapter 8.42</u> ) and General Plan Noise Element shall be required.	OG	CD (P)
13.		No more than four cremations shall occur per day and no more than 500 cremations shall be performed each year. No expansion in number of cremations per day or per year beyond what is stated above shall be permitted without prior approval being obtained from the Historic District Commission through a Conditional Use Permit Modification.	OG	CD (P)
14.		The building in which the crematorium is located shall remained locked at all times when a cremation is not occurring.	OG	CD (P)
15.		This Conditional Use Permit shall be deemed revoked without further action by the Historic District Commission if the operation of the facility in the manner described in the Conditional Use Permit ceases for any consecutive period of six (6) months.	OG	CD
<b>AIR QUALITY REQUIREMENTS</b>				

16.		<p>An authority to construct and permit to operate (A/C, PTO) shall be obtained from the Sacramento Metropolitan Air Quality Management District (SMAQMD) prior to the commencement of equipment installation. As part of this process, SMAQMD will determine if the emissions from the propane combustion and toxic emissions meet applicable rules and Best Available Control Technology (BACT) requirements, as well as the NAAQS 8-Hour Ozone Attainment and Reasonable Further Progress Plan (Regional Ozone Plan). A building permit will not be issued until an A/C, PTO has been obtained.</p> <p>Compliance with the SMAQMD A/C, PTO and the maintenance of such permits in good standing are requirements for validity of this Conditional Use Permit and the failure to comply with such permits and/or to maintain such permits in good standing shall trigger the process described in Condition of Approval No. 4.</p>	B	CD (P, B)
-----	--	--	---	-----------

17.		<p>The following SMAQMD Basic Construction Emission Control Practices shall be implemented throughout construction activities:</p> <ul style="list-style-type: none"> <li>• All exposed surfaces shall be watered two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</li> <li>• 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 shall be covered.</li> <li>• 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.</li> <li>• Limit vehicle speeds on unpaved roads to 15 miles per hour.</li> <li>• All roadways, driveways, sidewalks, parking lots shall be paved as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.</li> <li>• Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated.</li> </ul>	DC	CD (E)
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<b>CULTURAL, ARCHAEOLOGICAL, PALEONTOLOGICAL AND HISTORICAL/TRIBAL RESOURCES REQUIREMENTS</b>				
18.	✓	<p>Prior to the initiation of ground disturbing activity, a qualified professional archaeologist shall be retained to develop and deliver a contractor awareness training program to construction supervisors. The purpose of the training is to ensure that contractors are aware of the need to limit their activity, including equipment storage, staging, parking, and ground disturbance to only those locations identified as work areas on the official site plans.</p> <p>Prior to the initiation of ground disturbing activity, a qualified professional archaeologist shall be retained to monitor the installation of temporary high-visibility exclusionary fencing along the toe of existing mine tailings features adjacent to the shed. The fencing shall remain in place until all project activities are completed. City inspectors shall include a verification of the fencing during all required inspections. In the event that exclusionary fencing has failed, the construction supervisor must re-install or repair the fence within 24 hours.</p>	G, I, B	CD (P)(E)(B)

19.	✓	<p>If subsurface deposits believed to be cultural in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> <li>• If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.</li> <li>• If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the City to consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a historic property under Section 106 NHPA, if applicable. Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the site either: 1) is not an Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to its satisfaction.</li> </ul>	G, I, B	CD (P)(E)(B)
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20.	✓	<p>If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> <li>• If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Sacramento County Coroner (per §7050.5 of the Health and Safety Code). The provisions of §7050.5 of the California Health and Safety Code, §5097.98 of the California PRC, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). If the Coroner determines that the remains are human but are not Native American, then the Coroner will direct subsequent steps to address the discovery. Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.</li> </ul>	G, I, B	CD (P)(E)(B)
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21.	✓	If potentially significant Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 50 feet of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.	G, I, B	CD (P)(E)(B)
22.		If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides consultation with the Folsom Historical Society, City staff, and the Heritage Preservation League. Appropriate mitigation as recommended by the archaeologist and the Historical Society representative shall be implemented. If agreement cannot be met, the Historic District Commission shall determine the appropriate implementation method.	G, I, B	CD (P)(E)(B)
<b>FIRE AND LIFE SAFETY REQUIREMENTS</b>				
23.		Current occupancy loads shall be posted at all times, and the owner/applicant shall have an effective system to keep count of the number of occupants present at any given time. This information shall be provided to public safety personnel upon request.	OG	CD (F)
24.		The building in which the crematorium is located shall be provided with an approved monitored fire alarm/detection system when the building is not protected by an automatic sprinkler system in accordance with the <u>Folsom Municipal Code Section 907.9.1</u> .	O	CD (F)



25.		On-site fire hydrants and mains capable of supplying the fire flow shall be provided in accordance with the 2019 <u>California Fire Code (CFC)</u> Section 507 Fire Protection Water Supplies: An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereby constructed or moved into or within the jurisdiction, including the structure where cremations are proposed as a part of this project. Where a portion of a facility or building constructed is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the fire flow shall be provided where required by the fire code official. <u>CFC 507</u>	O	CD(F)
26.		Installation of the propane tanks shall comply with the following: a. There shall be no more than two propane tanks with capacities of no more than 250 gallons each. b. The installation shall conform to 2019 CFC, Chapter 61, and 2014 <u>National Fire Protection Association (NFPA)</u> Standard 58. c. The container installation shall conform to Sec. 6.6.3, <u>NFPA 58</u> , which requires a minimum 10-foot separation distance between the 250-gallon propane tanks and the building in which the crematorium is located. d. Piping shall be installed per Section 6.9, <u>NFPA 58</u> , and tested per Section 6.14. e. Combustible materials, trash, weeds and brush shall not be stored or located within 10 feet of the propane tanks. <u>CFC 6107.3 &amp; NFPA 58: 6.4.4.3</u> f. If the point of transfers for the propane tanks are not located at the tanks, they shall be located in accordance with <u>NFPA 58: Table 6.5.2.1</u> . g. Support of the propane tanks shall comply with <u>NFPA 58: 6.3.3(A) through 6.3.3(D)</u> . h. Steel supports shall be protected against fire exposure with materials having a fire resistance rating of at least 2 hours if the height limits specified in <u>NFPA 58: Table 6.3.3(A)</u> are exceeded.	O	CD (F)
27.		A trained operator shall remain on-site at all times that the crematorium machine is in operation.	O	CD (P)
<b>OTHER AGENCY REQUIREMENTS</b>				

28.		The owner/applicant shall obtain and continually maintain in good standing all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review and approval. Compliance with all required State and Federal permits and the maintenance of such permits in good standing are requirements for validity of this Conditional Use Permit and the failure to comply with such permits and/or to maintain such permits in good standing shall trigger the process described in Condition of Approval No. 4.	I, G	CD (P)(E)
29.		The owner/applicant shall obtain permission (permit, letter, agreement, etc.) from all applicable public utility companies (SMUD, PG&E, WAPA, etc.) in a form acceptable to the Community Development Department for construction-related activities proposed within the existing public utility easements.	I	CD (P)
30.		The proposed project shall comply with all State and local rules, regulations, Governor's Declarations, and restrictions including but not limited to requirements relative to water usage and conservation established by the State Water Resources Control Board, and water usage and conservation requirements established within the <u>Folsom Municipal Code</u> , (Chapter 13.26 Water Conservation), as amended from time to time.	I, B, OG	CD (P)(E)

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD	Community Development Department	I	Prior to approval of Improvement Plans
(P)	Planning Division	M	Prior to approval of Final Map
(E)	Engineering Division	B	Prior to issuance of first Building Permit
(B)	Building Division	O	Prior to approval of Occupancy Permit
(F)	Fire Division	G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		

Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

## **ATTACHMENT 4**

### **Vicinity Map**



UNINCORPORATED  
FOLSOM

AMERICAN  
RIVER

SANDY LAKE

American River Bike Trail

THE PRESERVE  
MINI PARK

MURER  
HOUSE  
PARK

Young Wo. Cir.  
Young Wo. Cir. Aly

FOLSOM

FOLSOM LAKE STATE  
RECREATION AREA

Folsom Blvd

Oakdale St

Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

**ATTACHMENT 5**  
**Overall Site Plan, Detailed Site Plan and Floor**  
**Plan, Dated 2-19-20**

# 1201 FORREST ST IN FOLSOM, CA 95630

## PROJECT DESCRIPTION & SCOPE OF WORK

### SCOPE OF WORK

USE PERMIT FOR A NEW EXHAUSTORY FAN COOLER IN AN EXISTING SHED.

APN	07002600010000
ZONING	OSC
OCCUPANCY GROUP	
CONSTRUCTION TYPE	VB
NO. OF FLOORS	1
LOT AREA	523591 SQ. FT. / 12.02 ACRES



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LAKESIDE MEMORIAL  
LAWN CEMETERY

1201 FORREST ST,  
FOLSOM  
CA 95630

07002600010000

## PROJECT DIRECTORY

**DESIGNER**  
VADIM ZANKO  
LEV DESIGNS  
(916) 312-2131  
vzanko@levdesigns.com

**OWNER**

## SHEET INDEX

SHEET	DESCRIPTION
A1.0	COVER PAGE
A2.0	OVERALL SITE PLAN
A2.1	DETAILED SITE PLAN
A3.0	EXISTING FLOOR PLAN

## BUILDING INFORMATION

ALL WORK SHALL FULLY COMPLY WITH BUT NOT BE LIMITED TO:

- A. 2019 CALIFORNIA BUILDING CODE (CBC)
- B. 2019 CALIFORNIA PLUMBING CODE (CPC)
- C. 2019 CALIFORNIA MECHANICAL CODE (CMC)
- D. 2019 CALIFORNIA ELECTRICAL CODE (CEC)
- E. 2019 CALIFORNIA FIRE CODE (FC)
- F. 2019 CALIFORNIA REFERENCED STANDARDS CODE
- G. 2019 GREEN BUILDING STANDARDS CODE (GBS)
- H. 2019 CALIFORNIA ENERGY CODE (CEC)
- I. 2019 ENERGY STANDARDS
- J. ALL OTHER APPLICABLE CODES AND ORDINANCES (CITY AND COUNTY)

GOVERNING AUTHORITIES AND CODES TAKE PRECEDENCE OVER DRAWINGS AND SPECIFICATIONS. REPORT DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.

## ABBREVIATIONS

1P1S	1 FOLEY SHELF
AS	5 SHELVES
ABV.	ABOVE
A.F.F.	ABOVE FINISHED FLOOR
BDRM	BEDROOM
BLW.	BELOW
B.O.	BOTTOM OF
C.L.O.	CeILING
CSMT.	CASEMENT WINDOW
CONC.	CONCRETE
DET.	DETAIL
DS	DOWNSPOUT
DS BLW.	DOWNSPOUT BELOW
F.F.	FACE OF FRAMING
F.F.R.	FLOOR
FOUND.	FOUNDATION
FR. DR.	FRENCH DOOR
FX.	FIXED WINDOW
HDR.	HEADER
HL. HT.	HELIX HEIGHT
HT.	HEIGHT
LNDY.	LANDING
LNT.	LANTORY
LNL.	LINEN
MIN.	MINIMUM
N.I.C.	NOT IN CONTRACT
O.H.	OPPOSITE HAND
OPT.	OPTIONAL
P.T. LUMBER	PRESSURE TREATED LUMBER
RF.	ROOF
RS. BLW.	ROOF BELOW
S.S.D.	SEE STRUCTURAL DRAWINGS
S.H.	SHIELD HUNG
SL.	SLIDER WINDOW
T.	TEMPERED GLASS
T&G.	TONGUE AND GROOVE
TEMP.	TEMPERED GLASS
T.O. PAD	TOP OF DIMMED PAD
T.O. P.	TOP OF PLATE
T.O. C.	TOP OF CURB
T.O. SLAB	TOP OF SLAB
T.O. S.F.	TOP OF SURFLOOR
T.O. B.	TOP OF BEAM
TRF.	TYPICAL
U.O.N.	UNLESS OTHERWISE NOTED
VERT.	VERTICAL
WD.	WOOD
W.D.W.	WINDOW
WP.	WEATHER PROOF
V.I.F.	VERIFY IN FIELD

## SQUARE FOOTAGE BREAKDOWN

SQUARE FOOTAGE BREAKDOWN		NO. OF SHEETS
EXISTING SHEET AREA		1 SHEET
REMOVED SHEET AREA		1 SHEET

## SPECIAL INSPECTIONS

## DEFERRED SUBMITTALS:

## SEPARATE PERMIT:

## VICINITY MAP



NO.	REVISION	DATE	DESCRIPTION
1	ISSUED FOR PERMIT		

PROJECT NO:  
SHEET NO:  
DATE:  
DRAWN BY: VADIM ZANKO  
CHECKED BY: VADIM ZANKO  
APPROVED BY: VADIM ZANKO

SHEET TITLE:  
COVER PAGE

# A1.0



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LAKESIDE MEMORIAL  
 LAWN CEMETERY

1201 FORREST ST,  
 FOLSOM  
 CA 95630

07002600010000

NO.	DATE	DESCRIPTION
1		ISSUED FOR PERMITS

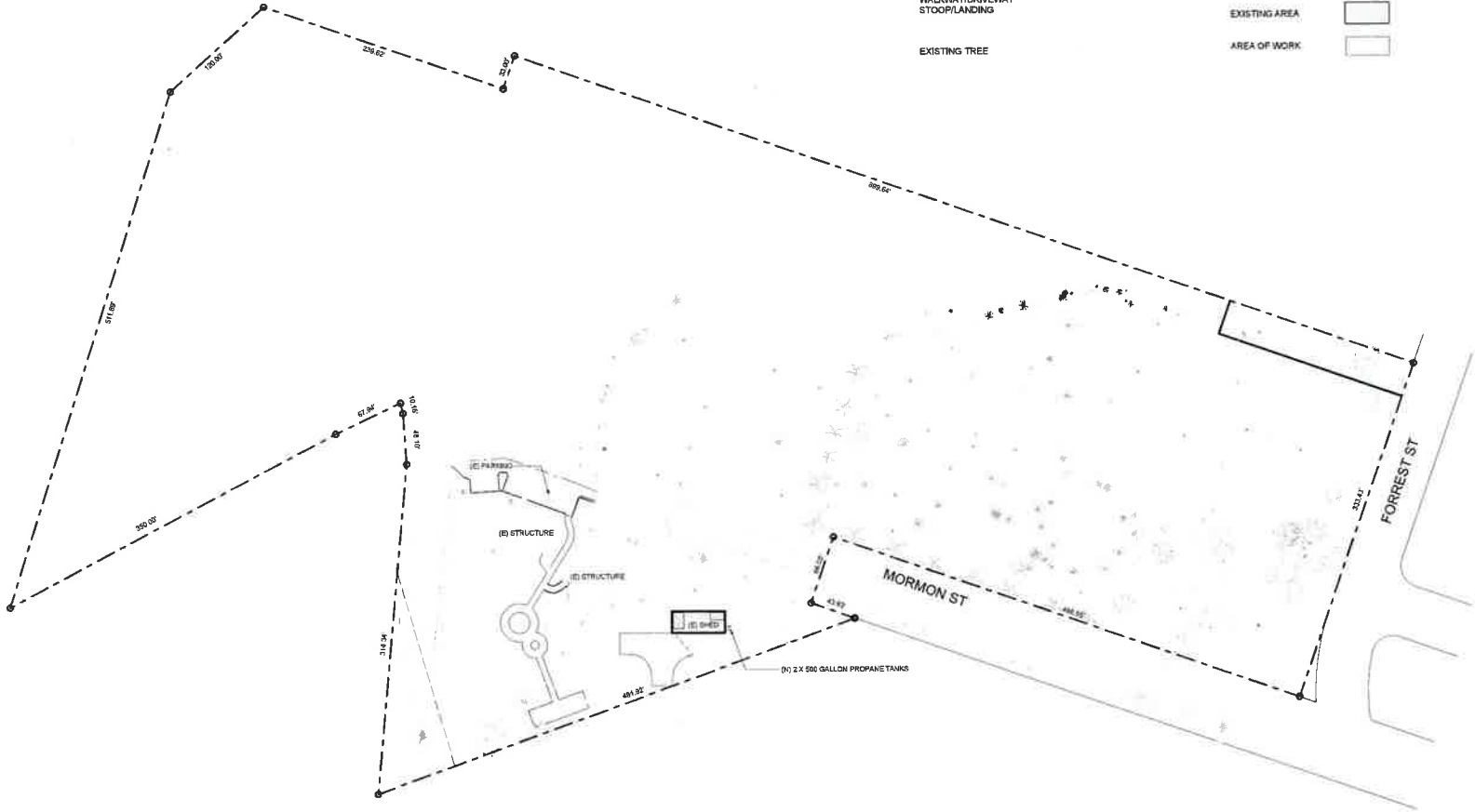
DRAWN BY: SIMON KOVALOV  
 CHECKED BY: VADIM ZANKO  
 COPYRIGHT: LEV DESIGNS  
 SHEET TITLE:  
 OVERALL SITE PLAN

**PATCH**

- EXISTING WALKWAY/DRIVEWAY/STOOP/LANDING
- EXISTING TREE

**LEGEND**

- PROPERTY LINE
- EXISTING AREA
- AREA OF WORK



**OVERALL SITE PLAN**

1" = 50'

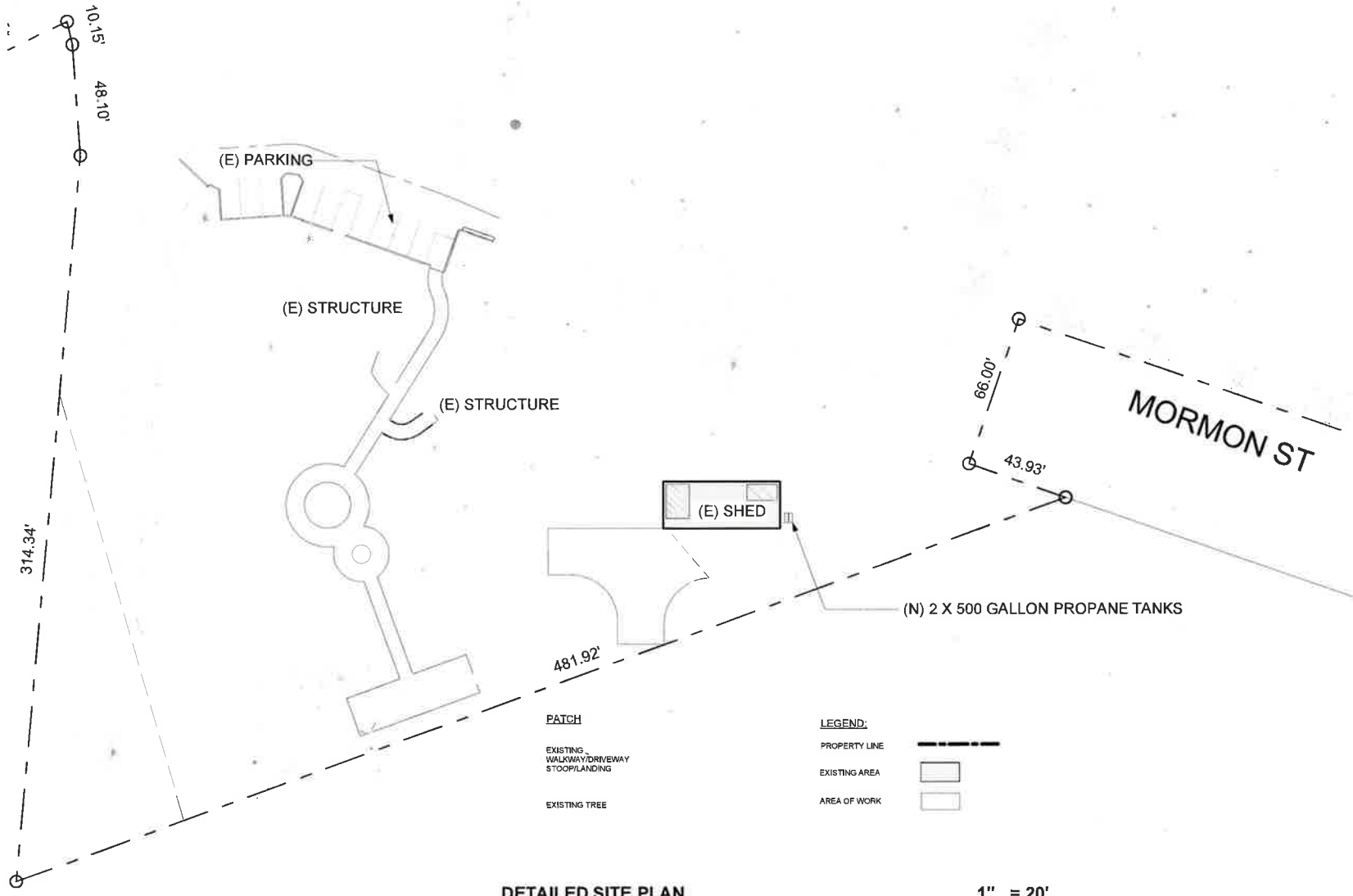


A2.0

LAKESIDE MEMORIAL  
LAWN CEMETERY

1201 FORREST ST,  
FOLSOM  
CA 95630

07002600010000



**DETAILED SITE PLAN**

**1" = 20'**

NO.	REVISION REQUIRED FOR REVIEW
1	
DATE	DESCRIPTION
PROJECT NO.	
DWG. DATE FILE	
DRAWN BY: SERGIO KOVACH	
CHECKED BY: VADIM ZANKO	
COPYRIGHT: LEV DESIGN	
SHEET TITLE	
DETAILED SITE PLAN	

**A2.1**



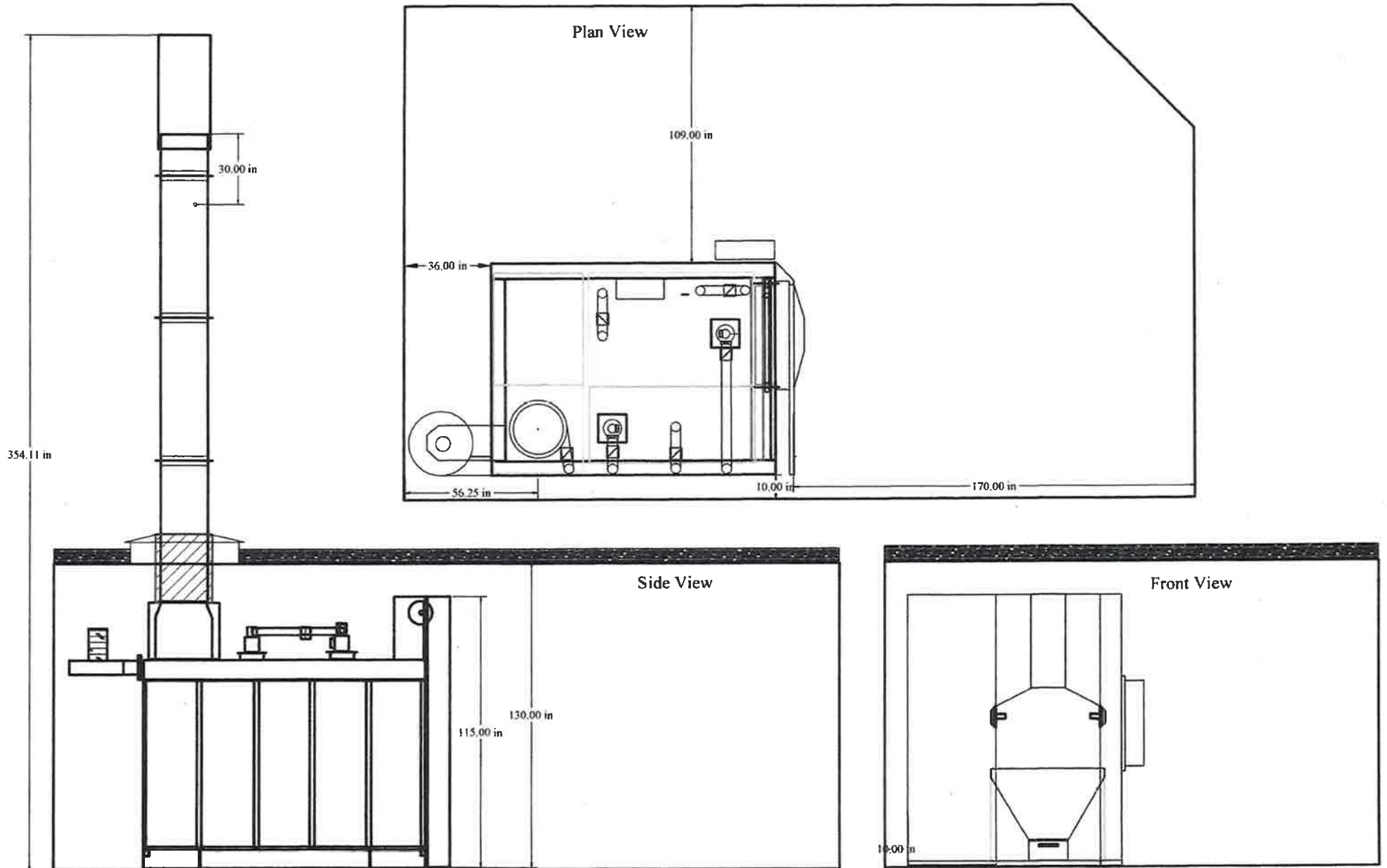


Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

**ATTACHMENT 6**  
**Hartwick Combustion Technologies Floor Plan,**  
**Outer Dimensions and Specs**

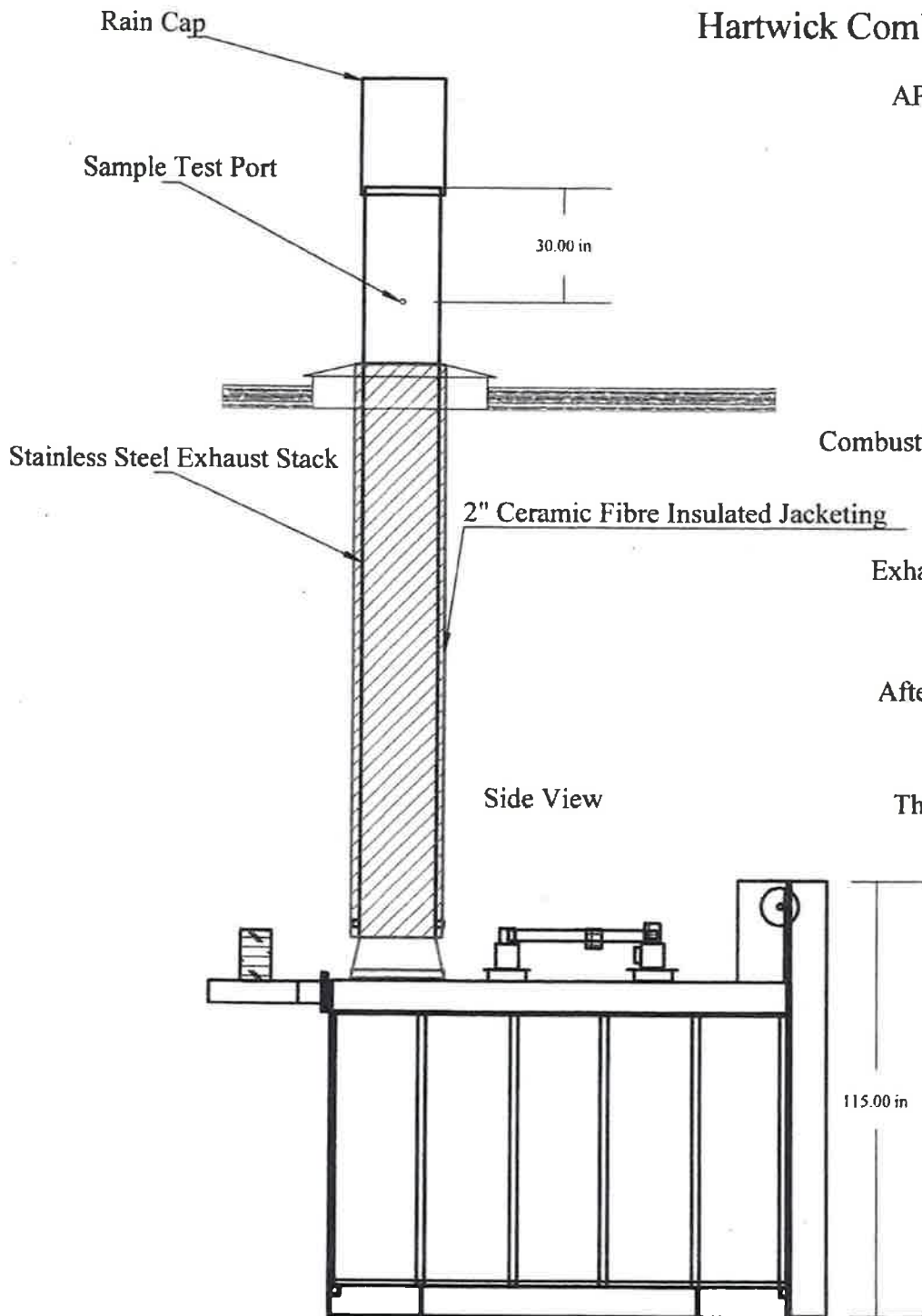
Floor Plan Drawn By: PH

Model: APEX 250

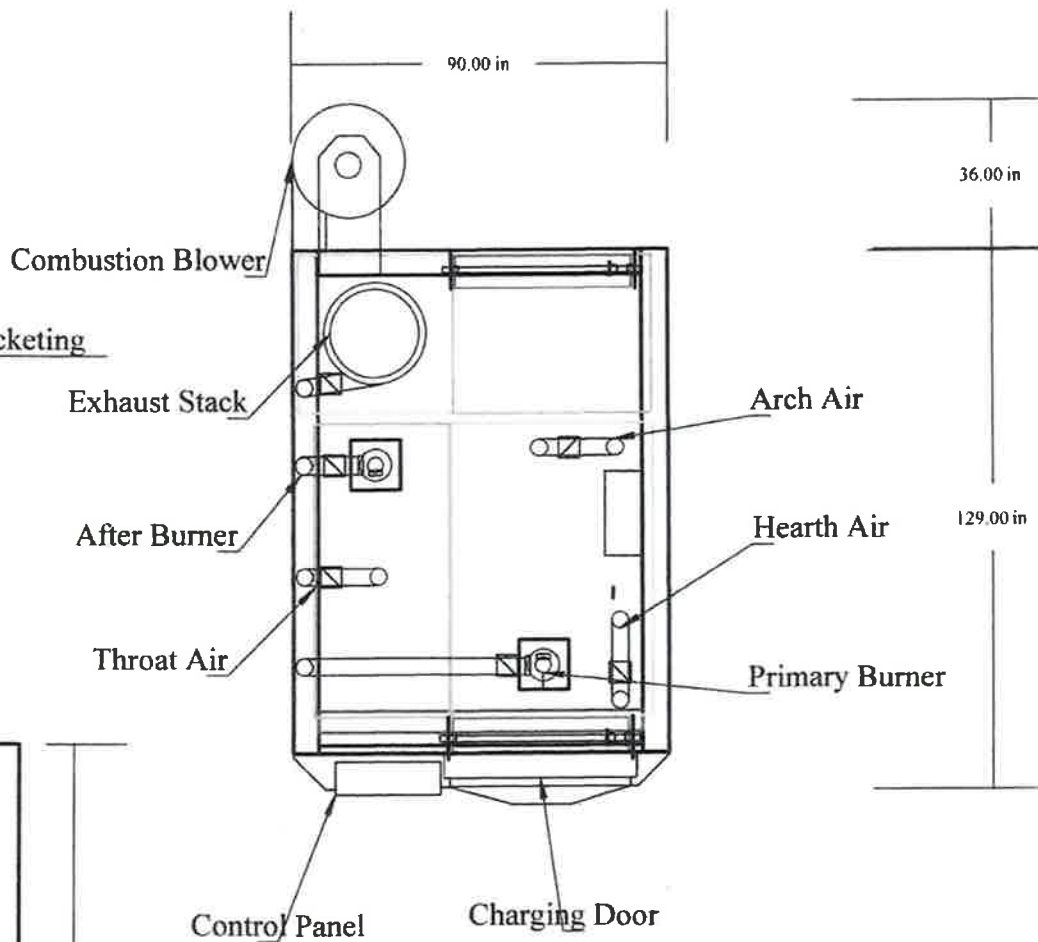


# Hartwick Combustion Technologies, Inc.

APEX 250



Top View of Mechanical features





## Hartwick Combustion Technologies, Inc.

---

### **Apex-250 XP**

#### High Efficiency

Average cycle time 60 minutes  
Secondary chamber 120 cu/ft  
Natural gas / propane  
Length 175"  
Width 90"  
Height 115"  
Weight 36,000 lbs  
2,500,000 BTU  
1 Charging door  
1 Rear door/ Retrieval  
2 Primary burners  
1 Secondary burner  
Self cooling exterior walls  
Continuous operation  
230 Volt 1-phase / 3 phase  
Oversized chamber  
1000 lbs maximum load  
Quiet operation 60 DB range  
5-8 cases in 8 hours

### **Apex-250**

#### High Production

Average cycle time 90 minutes  
Secondary chamber 90 cu/ft  
Natural gas / propane  
Length 140"  
Width 90"  
Height 115"  
Weight 32,000 lbs  
2,000,000 Uncontrolled BTU  
1,800,000 Controlled BTU  
1 Charging door  
1 Primary burner  
1 Secondary burner  
Self cooling exterior walls  
Continuous operation  
230 volt 1-phase / 3 phase  
1000 lbs maximum load  
Quiet operation 60 DB range  
4-6 cases in 8 hours



Business Office; 3533 San Gabriel River Parkway, Pico Rivera, Ca 90660  
(800)816-9125 Fax (562)922-8305  
E-mail; [info@hartwickcombustion.com](mailto:info@hartwickcombustion.com)

Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

**ATTACHMENT 7**  
**Updated Site Plan with Current Layout of**  
**Maintenance Area**

**SHEET INDEX:**  
 SHEET A2.1 - EXISTING SITE PLAN  
 CALIFORNIA ALL-STEEL ENGINEERING PACKAGE (DRAWING NO: MBD36CEE98)

**CODE GOVERNED:**  
 ALL NEW WORK SHALL COMPLY WITH 2019 CBC AND ANY LOCAL AMENDMENTS

**SCOPE OF WORK:**  
 CONSTRUCT A NEW STORAGE SHED FOR STORAGE, NO CHEMICAL STORED.



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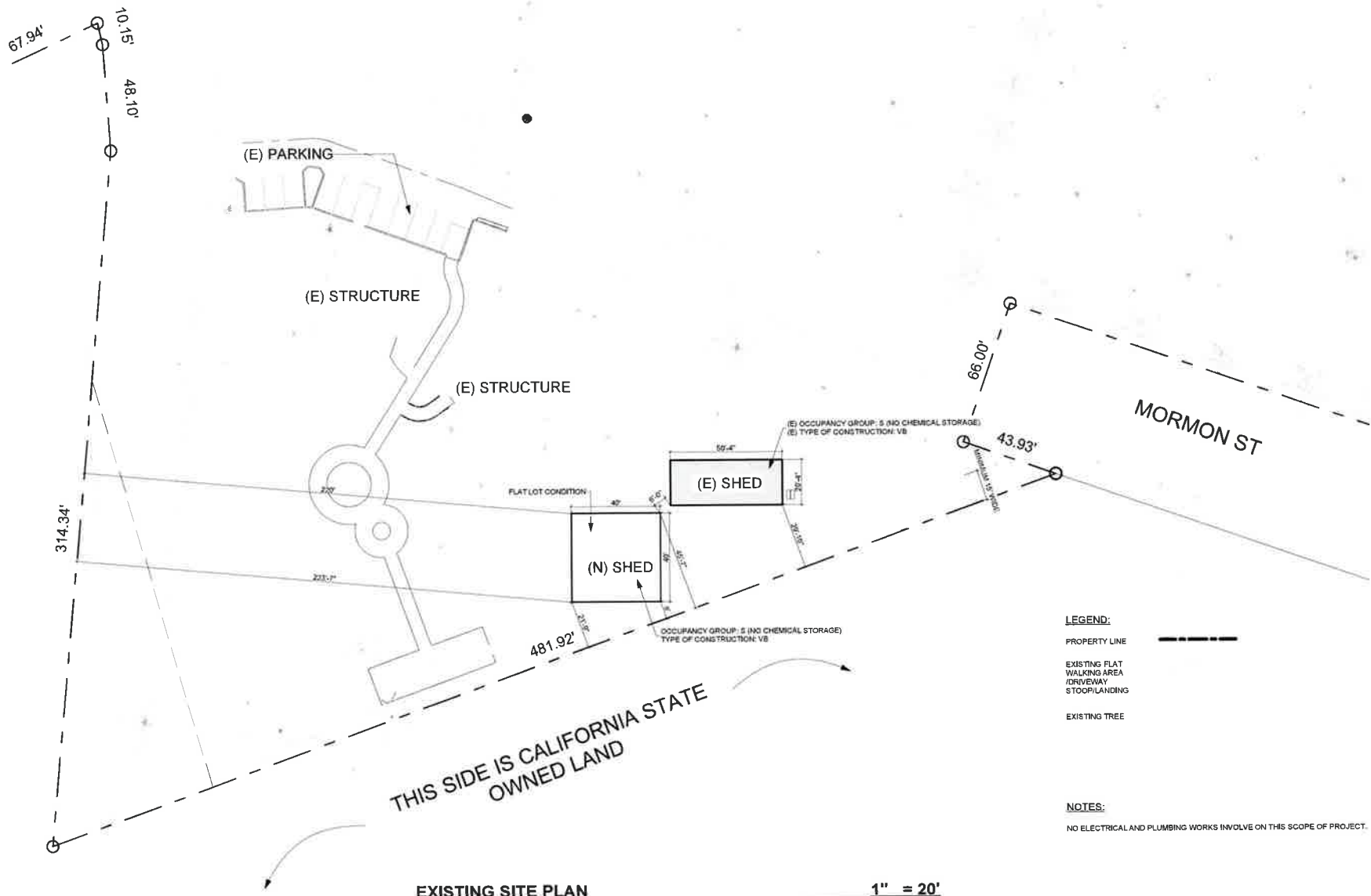
SIGNATURE

LAKESIDE MEMORIAL  
 LAWN CEMETERY

NEW STORAGE SHED

1201 FORREST ST,  
 FOLSOM  
 CA 95630

07002600010000



- LEGEND:**
- PROPERTY LINE
  - EXISTING FLAT WALKING AREA / DRIVEWAY / STOOP/LANDING
  - EXISTING TREE

**NOTES:**  
 NO ELECTRICAL AND PLUMBING WORKS INVOLVE ON THIS SCOPE OF PROJECT.

**EXISTING SITE PLAN** **1" = 20'**

NO.	DATE	REVISION

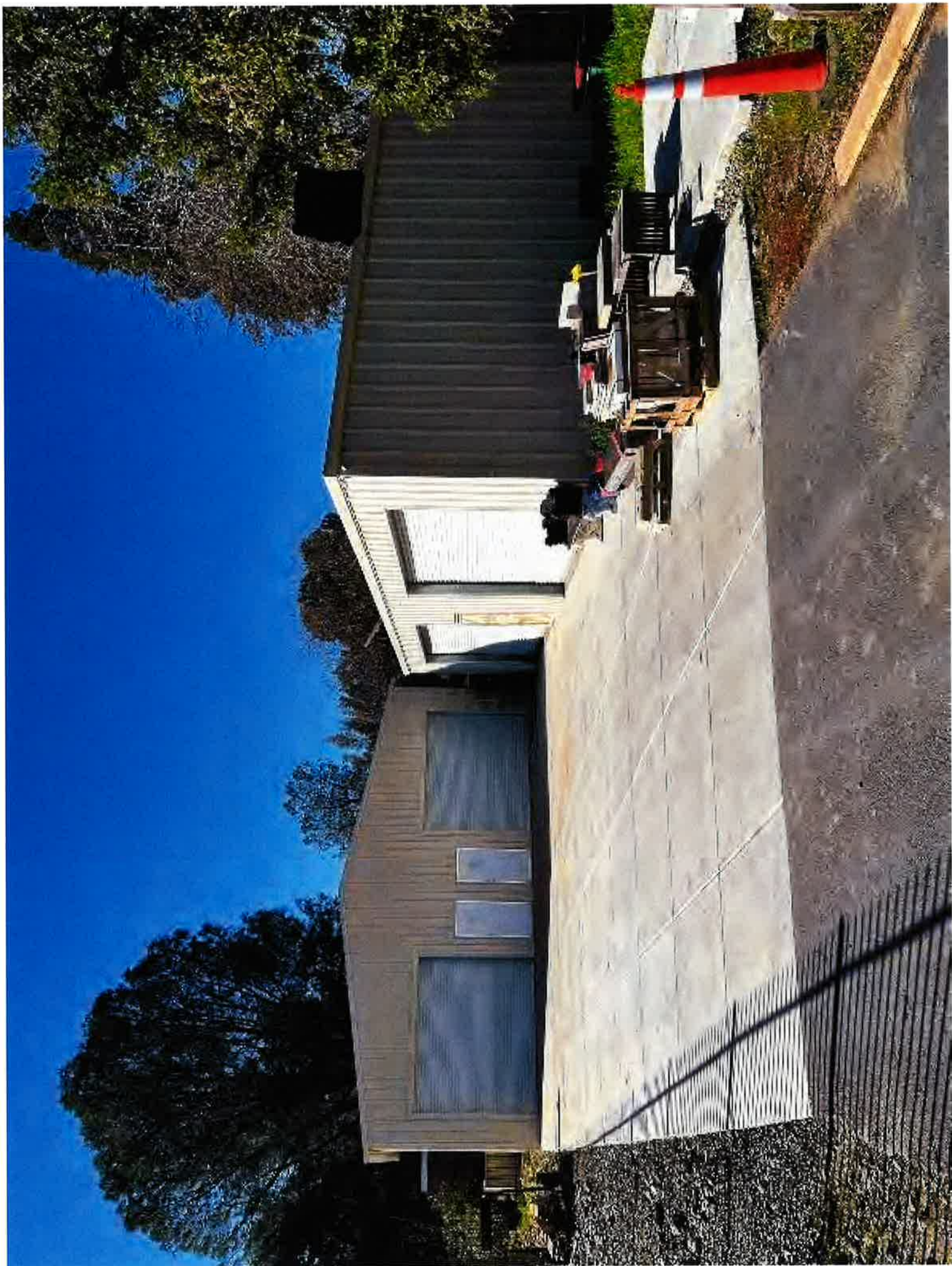
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 SHEET TITLE  
 EXISTING SITE PLAN

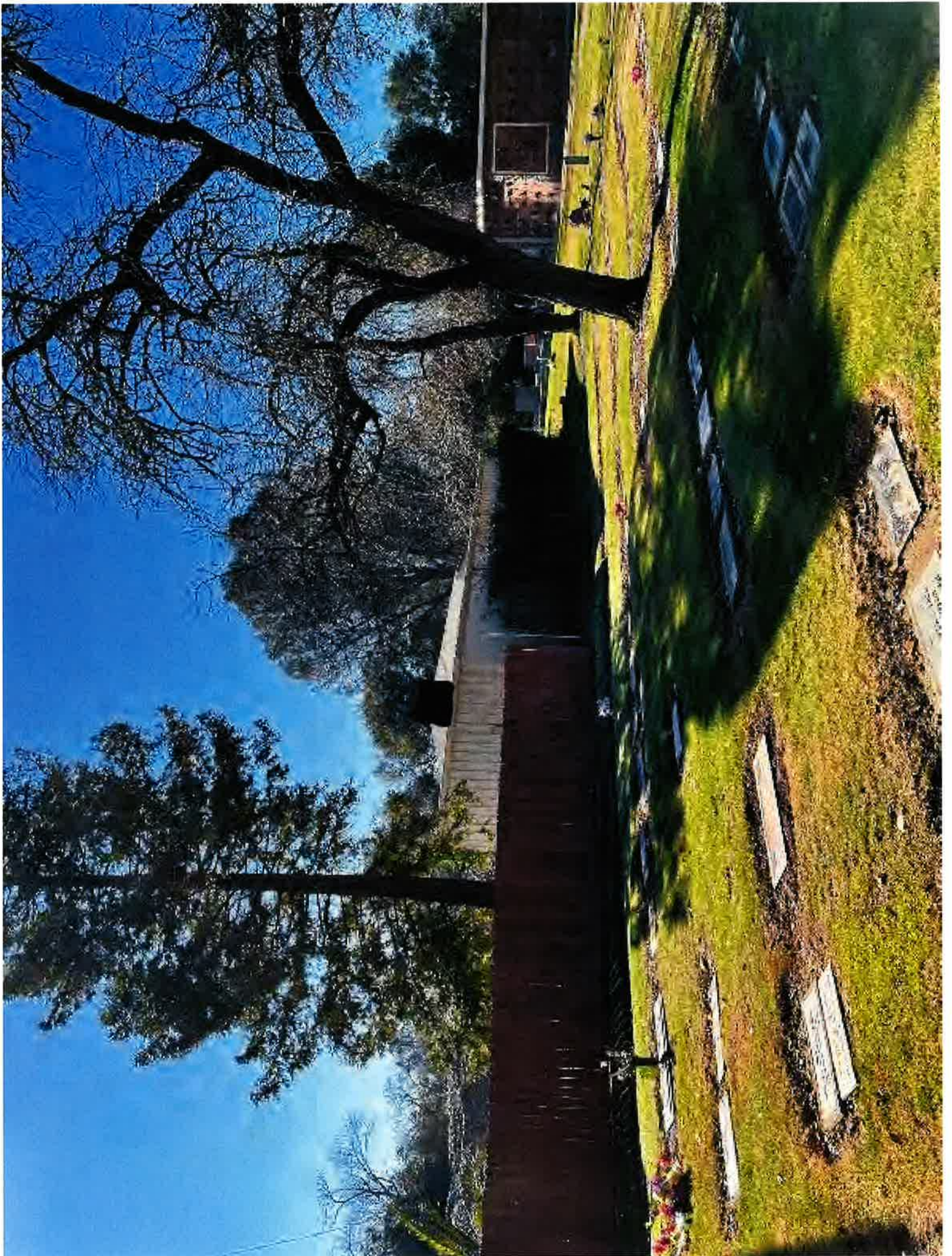
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Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

**ATTACHMENT 8**  
**Applicant's Rendering of Proposed**  
**Crematorium Stack**







Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

## **ATTACHMENT 9**

### **Applicant's Narrative**



### Scope of Work- Installing a Crematory

We are proposing to install a Hartwick Apex 250 Human Crematory at our existing shed in our cemetery Lakeside Memorial Lawn 1201 Forrest St Folsom CA 95630.

### Introduction

Lakeside Memorial Lawn has existed since 1850. It has been a large part of the history of the city of Folsom and remains to be a part of the future of the city of Folsom. It is privately held and operated by family, who currently reside in Folsom and have a long heritage in Folsom. Lakeside Memorial Lawn alongside Miller Funeral Home have over 150 years in service to the community.

The Claney and Semenyuk family has a combined experience of 100 years in the funeral industry. Residents of Folsom and active partners in the community, local ordinances and the Folsom Police Department in Every 15 Minutes Program. We also own Caring Service Group, which has 8 funeral homes from Clear Lake to Arroyo Grande. With four crematories in four separate cities. Coordinating with their respected cities and local air ordinances, Caring Service Group has been successful in operating and installing these crematories. They have been in operation for the last 10 years and have not received one complaint against their licensing as they continue to operate at full capacity. All four crematories are inside the funeral home buildings, which is an impressive feat on its own. These crematories have facilitated thousands of cremations and will continue to do so. This is to demonstrate the knowledge, professionalism and ethical practices we uphold when we install and operate crematories.

### Point at Issue

There are several large cultural communities residing and moving into Folsom. Regretfully, we do not have the ability nor the capability to serve the Sikh, Hindu, Buddhist or other cremation-based cultures as they require an on-site crematory so that they may be able to exercise their funeral rights and customs. Currently, there is no crematory in the city of Folsom, so they must find these services outside their city.

The increase in homes being built in the city of Folsom, including Folsom Ranch, we need to have an on-site crematory in order to facilitate it's increase in cremation service. Folsom tax paying residents are unable to choose cremation disposition to be performed locally.

California currently has a cremation rate of 66.7 percent and will increase to 80 percent by 2030. Since 2019 the city of Folsom has an estimated 450 deaths a year and rising as the population increases. That is an estimated 300 cremations needed to be performed every year.

### Our Proposition

The crematory placement at Lakeside Memorial Lawn is a strategic placement. It is removed from any residences, parks, or schools. It is not in eyesight of any homes, business's or restaurants. It will be inside the existing shed of Lakeside Memorial Lawn, surrounded by the rock piles of Folsom. As the only operational cemetery in Folsom, it is governed by the California Funeral and Cemetery Bureau and crematories fall under its' jurisdiction in licensing and on-site inspections.

As the cemetery does not have a gas or sewer line, we will be installing two propane tanks to facilitate the energy needed for the machine. It is a simple and cost-efficient option.

### Cremation Process

A small explanation of cremation and its process.

Once paperwork - death certificate and local disposition permit is filed, with the family's permission and consent, we can then proceed with cremation.

Through a very strict identification process, we take the remains of John Doe and place them in a cremation container. It is identified again, weighed and recorded into the crematory log.

The machine or Cremator is started and heated up to a degree that the local air quality board decrees necessary for the area, prior to remains being placed into the main chamber. Usually ranges from 1100-1600 degrees Fahrenheit. A Cremator has two burners, a main burner which is directly over the middle of the main chamber and a back burner, which is in the back in the second chamber.

The function of the second chamber is to initially heat up the machine and to incinerate any particles that escape the main chamber during the cremation process. That way there is no smoke or residue that leaves the chamber.

The main burner is there to facilitate the cremation process. It continues to heat up the main chamber and maintains a consistent temperature that allows the water in the subject to evaporate.

Once the Cremator reaches the set temperature, the cremation container is then rolled inside the main chamber. When the door opens, the main burner shuts off for safety reasons. That prevents any harm to the crematory operator and facility. The door is then shut and after a few minutes the main burner starts again and thus begins the cremation process.

This process is self-operating and does not require anything else apart from time. The usual time cremation takes is an average of 2 hours for the combustion process to be complete. It is a self-contained and safe process from start to finish.

The side door is opened, and the remains are collected and placed to cool down. Once cool, they are processed through a processor and placed into a plastic bag that is identified and sealed. The bag is placed into an urn and sealed. The urn is identified with name, date of cremation and the crematories license number. All this information is logged into the crematory book that is overseen by the CA State Funeral and Cemetery Bureau.

### Usual Safety Concerns

In the process of any errors or malfunction, there are safety features installed. In the event of an operational failure, the gas is immediately and automatically shut off. There is a manual switch as well. There has never been a crematory blowing up in the history of cremation.

We buy our machines from a very reputable, if not the best in the cremation industry manufacturer called Hartwick Combustion Technologies. They are manufactured in California, are designed to use less fuel, have lower NOx emissions, is NFPA compliant, meets Air Quality standards and the components used are UL listed.

We have one of their machines located within our Lakeport funeral home and we have not had one issue or complaint. We trust in the safety and manufacturing of these machines and ourselves hold years of experience in the cremation industry with our own high safety standards.

### Scope of Work

We are hoping to get a use permit from the city of Folsom to operate our very own Hartwick Apex 250 Human Crematory. To accomplish this, we will be working side by side with the city of Folsom, Sacramento Air Quality Board and the CA Funeral and Cemetery Bureau to meet all necessary standards, laws and regulations in order to complete said application and Use permit.

Once we are issued the Use Permit from the city of Folsom, we will go ahead and install the Cremator inside the existing shed at Lakeside Memorial Lawn.

We will have it lifted with a crane off the truck and rolled inside the shed. Once in the proper place, the stack will be installed, and the electrical/propane lines connected by its respected professionals. The CA Cemetery and Funeral Bureau will do a final inspection and they will issue a crematory license. At that point we will be operational, and the city of Folsom will have its first crematory.

We have done this process twice in two other cities and we look forward to doing this in the city we live in.

If you have any questions or require more information, please contact me.

Igor Semenyuk

Chief Operating Officer/Partner

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M. 916-548-6808

Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

**ATTACHMENT 10**  
**Photographs of the Project Site**





VIEW OF MAINTENANCE AREA FROM INSIDE CEMETERY



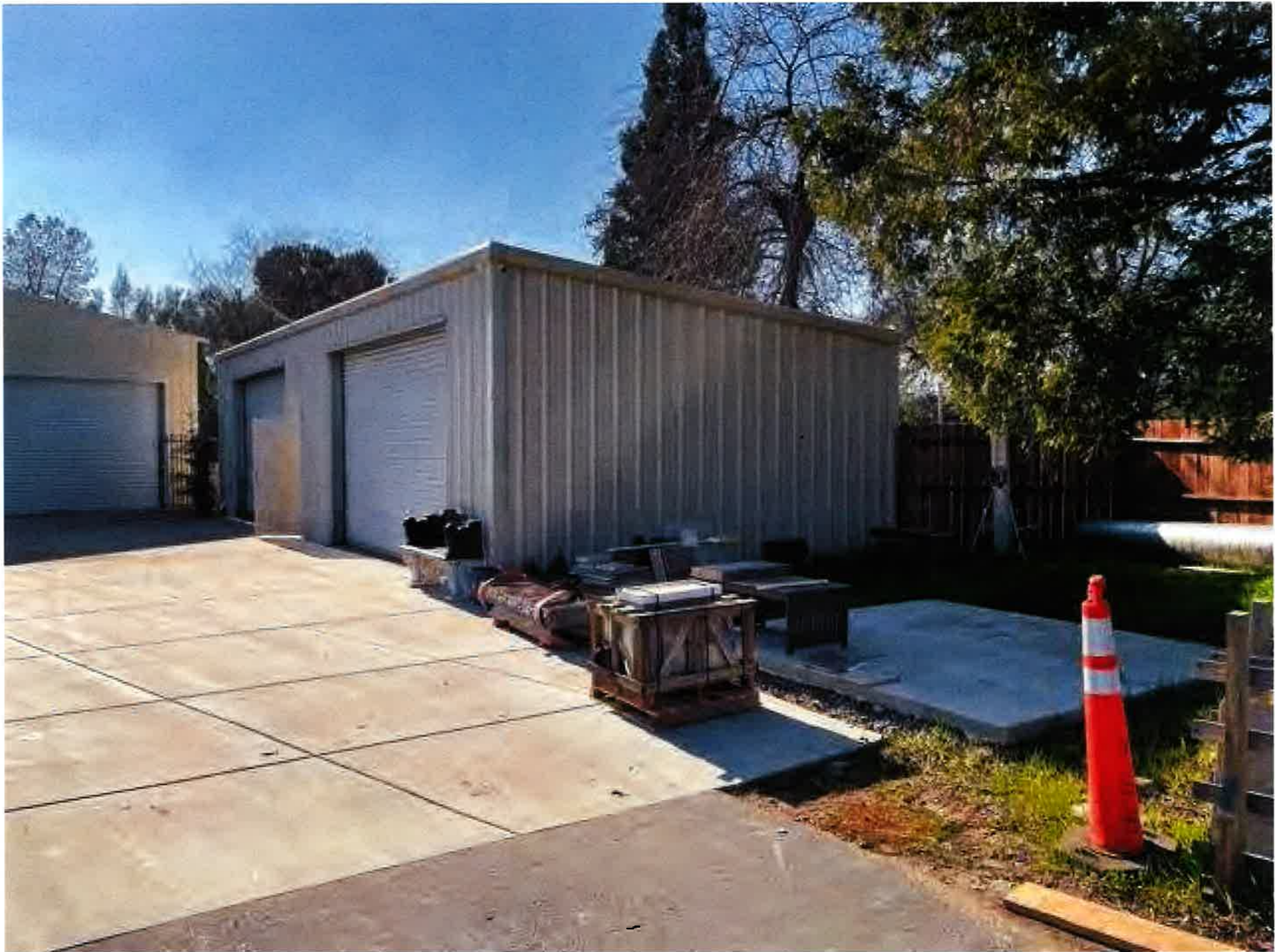
VIEW OF MAINTENANCE AREA FROM INSIDE CEMETERY



VIEW OF MAINTENANCE AREA FROM CEMETERY PARKING LOT



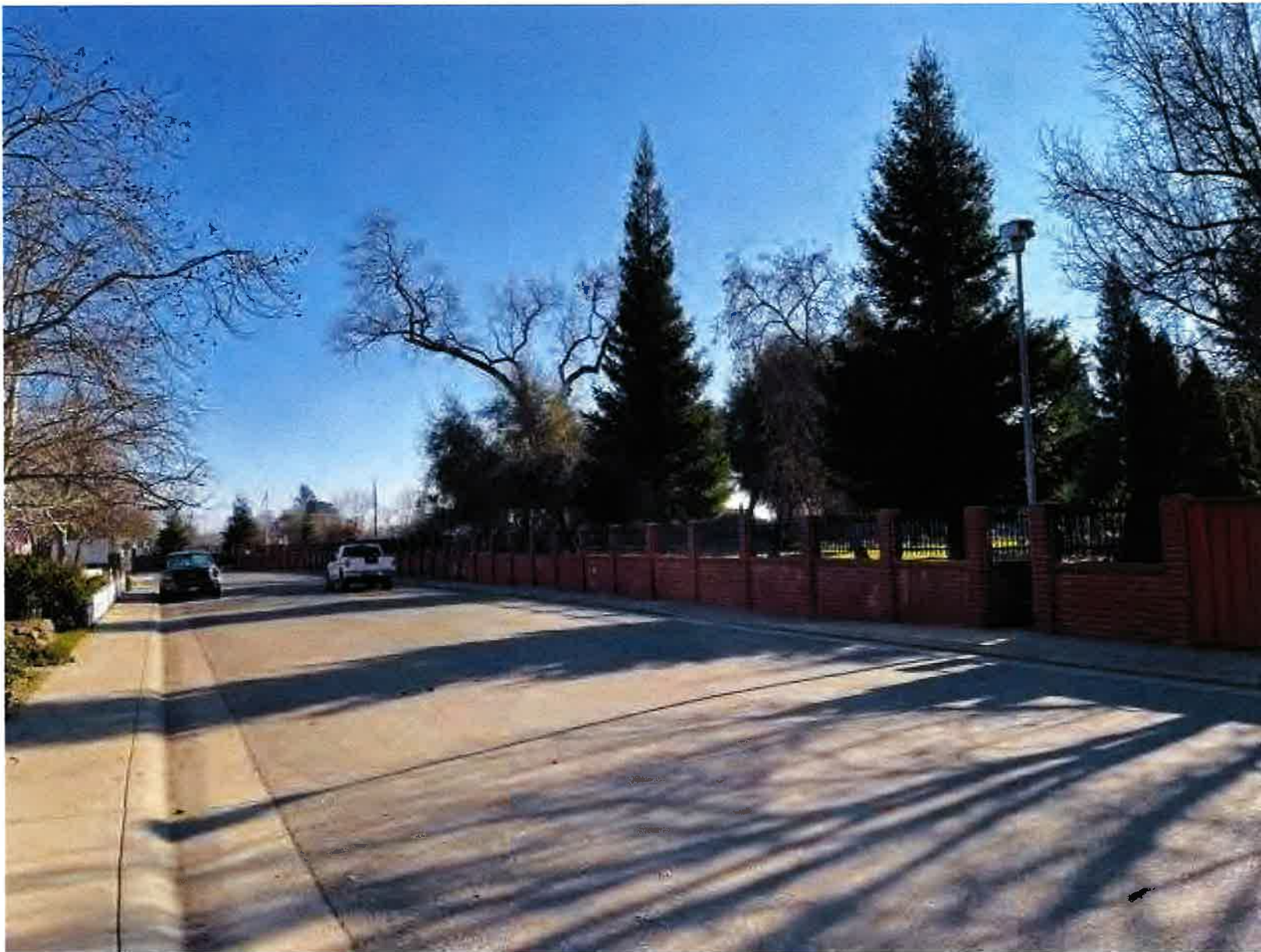
VIEW OF MAINTENANCE AREA FROM OUTER EDGE OF CEMETERY NEAR PRESERVE



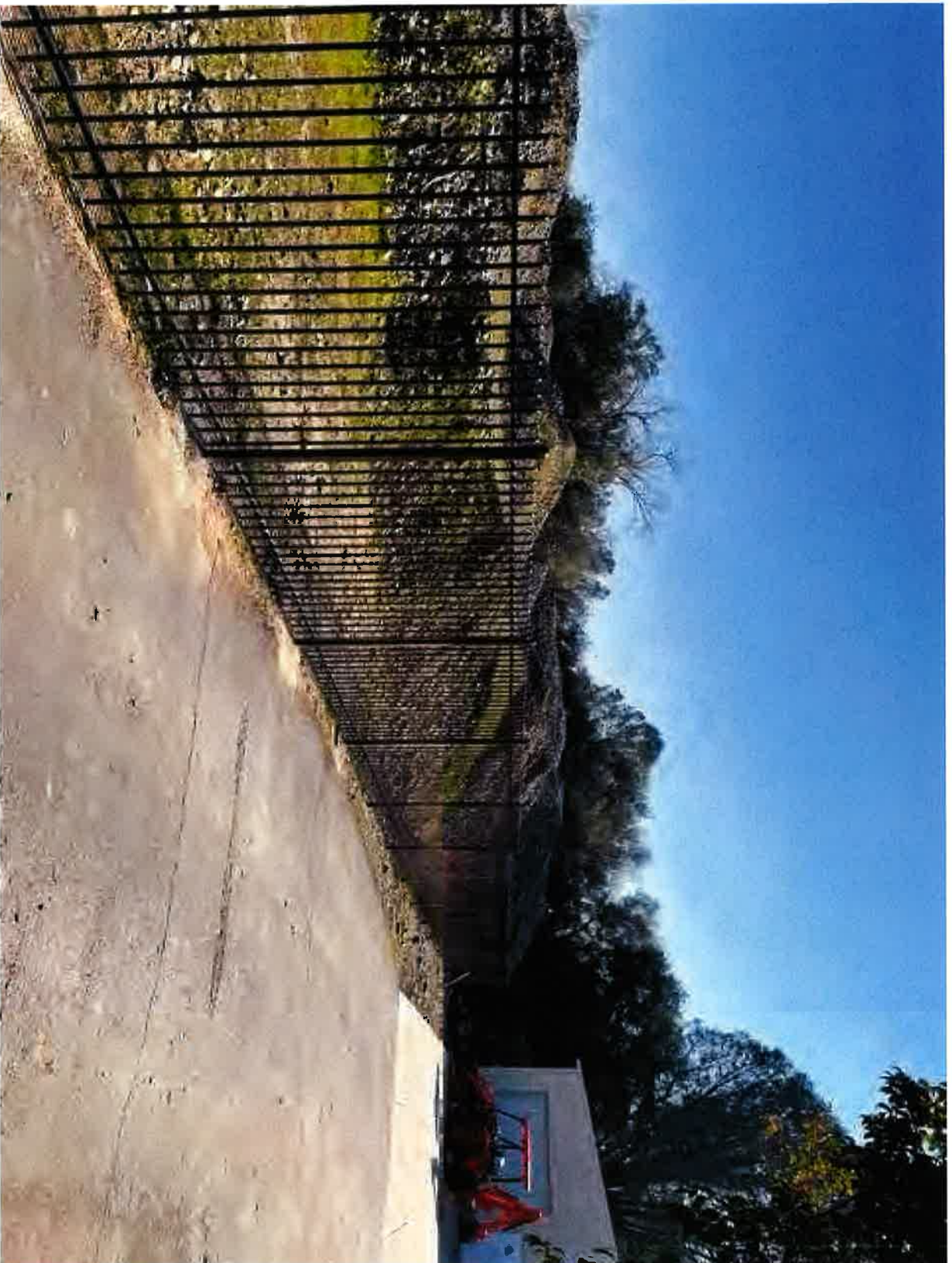
INTERIOR VIEW OF MAINTENANCE AREA



VIEW INSIDE STRUCTURE FOR PROPOSED CREMATORIUM



VIEW OF MAINTENANCE AREA FROM THE PRESERVE SUBDIVISION



VIEW OF MINING TAILINGS FROM MAINTENANCE AREA





VIEW OF MINING TAILINGS FROM FOLSOM BOULEVARD AND FORREST STREET

Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

**ATTACHMENT 11**  
**Draft Initial Study/Mitigated Negative Declaration,**  
**Dated January 2022**

# Lakeside Memorial Lawn Crematorium

Initial Study/Mitigated Negative Declaration

*Prepared by:*  
**City of Folsom**  
**Community Development Department**  
50 Natoma Street  
Folsom, CA 95630

*With Technical Support by:*  
**HELIX Environmental Planning, Inc.**  
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January 2022

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## 1.0 INTRODUCTION

This Initial Study (IS) addresses the proposed Lakeside Memorial Lawn Crematorium project (proposed project) and whether it may cause significant effects on the environment. The IS also assesses whether any environmental impacts of the project are susceptible to substantial reduction or avoidance by project revision, imposition of conditions, or any other means [§15152(b)(2)] of the California Environmental Quality Act (CEQA) Guidelines. If such revisions, conditions, or other means are identified, they will be included as mitigation measures.

This Initial Study relies on CEQA Guidelines Sections §15064 and 15064.4 in its determination of the significance of the environmental impacts. Per §15064, the finding as to whether a project may have one or more significant impacts shall be based on substantial evidence in the record, and that controversy alone, without substantial evidence of a significant impact, does not trigger the need for an Environmental Impact Report (EIR).

## 2.0 PROJECT BACKGROUND

The following project specific technical reports quantified analysis and or surveys were used in preparation of this Initial Study and are incorporated by reference:

- Air Quality and Greenhouse Gas Analysis, prepared by HELIX Environmental Planning, Inc. (December 2020).
- Addendum to the Folsom Lakeside Crematorium Project Air Quality and Greenhouse Gas Emissions Assessment, prepared by HELIX Environmental Planning, Inc. (November 2021).
- Cultural Resources Inventory Report for the Lakeside Memorial Lawn Storage Shed Project, prepared by ECORP Consulting, Inc. (November 2020).
- Tribal Consultation Record for Compliance with Assembly Bill 52 and CEQA for the Lakeside Memorial Lawn Storage Shed Project, prepared by ECORP Consulting, Inc. (January 2021).

## 3.0 PROJECT DESCRIPTION

### 3.1 Project Location

The proposed project would be constructed on an approximately 12-acre parcel situated near the western boundary of the City of Folsom in Sacramento County, California. The project site is located west of the intersection of Forrest Street/Natoma Street along Folsom Boulevard within the existing Lakeside Memorial Lawn Cemetery. It lies along the eastern shore of Lake Natoma. The crematorium would be constructed within an existing shed along the eastern boundary of the property, just west of the end of Mormon Street. The project site is identified as Assessor's Parcel Number (APN) 070-0260-001. Refer to **Figure 1** for the regional location and **Figure 2** for an aerial view of the project site. All figures are included in **Appendix A**.

### 3.2 Project Setting and Surrounding Land Uses

The project site is currently a small cemetery, with associated landscaping, outbuildings, and access roads. Lands to the south and west contain woodland habitat typical of riparian communities in the Sierra Nevada foothills. Soils at the project site are comprised of dredge tailings and other fill material.

Tailing piles between the site and Folsom Boulevard prevent the site from being visible from that street. To the west is also the Jedidiah Smith Memorial Trail that runs along the eastern shore of Lake Natoma. The trail, also known as the American River Bike Trail, connects Folsom Lake (north of the project site) to the confluence of the American and Sacramento Rivers in Downtown Sacramento. It is a part of the American River Parkway that is operated by the California Department of Parks and Recreation. To the north of the project site is a small residential neighborhood with single-family dwellings. Folsom Boulevard runs in a north/south line just east of the property. East of Folsom Boulevard is a large, developed area containing single-family homes, apartment complexes, a mobile home park, and some small businesses. The more regional setting is primarily characterized by residential development with a commercial shopping center to the east.

The project site is generally flat, ranging from about 175 to 185 feet above mean sea level. There are no wetlands, streams, or jurisdictional features located on the project site.

### **3.3 Project Characteristics**

The project would be located in an existing metal shed on the grounds of the existing Lakeside Memorial Lawn Cemetery. The shed can be reached by following Mormon Street to its terminus, making a slight left turn, and continuing for approximately 100 feet down an access road. The proposed project includes the installation of one HCT Apex-250 crematory manufactured by Hartwick Combustion. The shed would be modified to accommodate this device, but the shed's footprint would not be expanded. The shed currently covers 1,071 square feet. Further, a 10 foot by 15-foot walk-in cooler would be installed inside the shed to provide temporary, short-term storage of human remains prior to cremation. Two 250-gallon propane tanks would be installed on a proposed concrete pad along the northern side of the shed to provide power for the crematorium, as no gas lines currently exist on the property. The pad would cover approximately 38.3 square feet of ground. A small exhaust stack would be installed on the roof of the shed.

The applicant anticipates 1-4 cremations on business days (Monday through Friday) with the total number of cremations not exceeding 500 per year. Average cremation time is approximately 90 minutes. Refer to **Figure 3** for the site design plan in **Appendix A**.

### **Parking and Circulation**

Diagonal parking spaces can be found along both sides of Mormon Street. At the terminus of Mormon Street, members of the public may continue straight onto a main cemetery access road to find an additional parking lot. All existing parking spaces would be maintained. Access to the project site directly would continue to be provided by a smaller existing access road located at the southwestern terminus of Mormon Street. Both the smaller access road and the main access road can be reached at the terminus of Mormon Street, but the two roads do not form a continuous loop due to a fence line dividing them. No new parking spaces or facilities would be constructed.

As the crematorium would not be located in or near a funeral home and would be separate from any funeral services or public gatherings provided by the project applicant, access would only need to accommodate a small number of staff members with business at the site.



## **Emergency Vehicle Access**

Emergency vehicle access would be maintained throughout the project site to meet the Fire Department standards for fire engine maneuvering, location of fire engine to fight a fire, rescue access to the units, and fire hose access to all sides of the building.

## **Utilities**

The cemetery is currently serviced with potable water and irrigation water from the City of Folsom. There is no need to seek a "will serve" letter as the City currently provides water and the crematory would not substantially increase flow demand. The City also provides solid waste collection and disposal services; the project is not expected to result in a significantly increased demand for solid waste removal.

As an existing facility, Lakeside Memorial Lawn maintains adequate fire response infrastructure for both current operations and the proposed project. The City Fire Department reviewed the project application and did not raise any concerns regarding the adequacy of water supply or site access.

The cemetery is currently served with an electricity supply from the Sacramento Municipal Utilities District (SMUD). Electrical connections already exist for the shed, and may be upgraded as needed as part of the proposed project. Installation and operation of the crematory would not result in a significant increase in demand for electricity on the project site.

The cemetery, including the shed, does not have an existing sewer line. This project would not require access to, or construction of, a sewer line. The two 250-gallon propane tanks and a concrete pad for securing them would be constructed along the northern edge of the shed to provide power for the crematorium.

Stormwater flows on the site are retained and drained to Lake Natoma. There would be no change in the hydrologic regime of the project site due to the installation or operation of the proposed project.

## **Landscaping**

Existing landscaping at the cemetery and around the shed consists of mature broad-leaved, coniferous, trees and palms. These trees and landscaping also provide shade for much of the cemetery and many of the parking spaces. An irrigated lawn surrounds the existing cemetery plots, and a smaller lawn surrounds the rear of the shed (i.e., the non-service entrance side). Native oak/gray pine woodland habitat surrounds the cemetery.

No new landscaping installation or modification is proposed. Native habitat in the vicinity of the project would not be disturbed. No built footprint would be expanded.

## **Fencing**

An existing brick and wrought iron fence demarcate the boundary to the cemetery from the Forrest Street side, but does not extend the length of Mormon Street. A wooden fence currently separates the front side of the shed (facing the access road) from the back side and extends both north and south of the shed. The fencing south of the shed further extends to block the access road and restrict access between the lawn to the west of the shed and the access road to the east of the shed.

## **Grading**

No grading of the site would be required.

### **3.4 City Regulation of Urban Development**

#### **General Plan**

The City of Folsom updated and adopted its current comprehensive General Plan in August 2018. The General Plan is a long-term planning document that guides growth and land development in the City. It provides the foundation for establishing community goals and supporting policies, and directs appropriate land uses for all land parcels within the City. The project site is designated as Open Space (OS) in the City of Folsom General Plan. It is also within the Historic District and within a Sacramento Area Council of Governments (SACOG) Transit Priority Area.

#### **Zoning Ordinance**

Developed land uses in the City of Folsom are regulated specifically by the City's Zoning Code (Title 17 of the City's Municipal Code), in addition to the other adopted regulations and programs that apply to all proposed development within the City. In more detail than the General Plan, the Zoning Code regulates land uses on a parcel-by-parcel basis throughout the City. In order to achieve this regulation, the City assigns each parcel within the City to a zoning district, such as a district for single-family homes. Regulations for each district apply equally to all properties within the district.

The project site is currently within the Open Space/Public Primary Area of the Historic District (OS/P), with an underlying zoning of Open Space and Conservation (OSC). The applicant is seeking a Conditional Use Permit from the City to authorize their installation of a crematory.

### **3.5 Other City Regulation of Urban Development**

The City of Folsom further regulates urban development through standard construction conditions and through mitigation, building, and construction requirements set forth in the Folsom Municipal Code. Required of all projects constructed throughout the City, compliance with the requirements of the City's standard conditions and the provisions of the Municipal Code avoids or reduces many potential environmental effects. City procedures to minimize negative environmental effects and disruptions include an analysis of existing features, responsible agency and public input to the design process, engineering and design standards, and construction controls. The activities that mitigate typical environmental impacts to be implemented by the City during the project review, design, and construction phases are described in greater detail below.

#### **Community Development Department Standard Construction Conditions**

The City's standard construction requirements are set forth in the City of Folsom, Community Development Standard Construction Specifications updated in February of 2020. A summary of these requirements is set forth below and incorporated by reference into the project description. Copies of these documents may be reviewed at the City of Folsom, Community Development Department, 50 East Natoma Street, Folsom, California 95630.

The Department's standard construction specifications are required to be adhered to by any contractor constructing a public or private project within the City.

*Use of Pesticides* – Requires contractors to store, use, and apply a wide range of chemicals consistent with all local, state, and federal rules and regulations.

*Air Pollution Control* – Requires compliance with all Sacramento Metropolitan Air Quality Management District (SMAQMD) and City air pollution regulations.

*Water Pollution* – Requires compliance with City water pollution regulations, including National Pollutant Discharge Elimination System (NPDES) provisions.

*Noise Control* – Requires that all construction work comply with the Folsom Noise Ordinance (discussed further below), and that all construction vehicles be equipped with a muffler to control sound levels.

*Naturally Occurring Asbestos* – Requires compliance with all SMAQMD and City air pollution regulations, including preparation and implementation of an Asbestos Dust Mitigation Plan consistent with the requirements of Section 93105 of the State Government Code.

*Weekend, Holiday, and Night Work* – Prohibits construction work during evening hours, or on Sunday or holidays, to reduce noise and other construction nuisance effects.

*Public Convenience* – Regulates traffic through the work area, operations of existing traffic signals, roadway cuts for pipelines and cable installation, effects to adjacent property owners, and notification of adjacent property owners and businesses.

*Public Safety and Traffic Control* – Regulates signage and other traffic safety devices through work zones.

*Existing Utilities* – Regulates the relocation and protection of utilities.

*Preservation of Property* – Requires preservation of trees and shrubbery and prohibits adverse effects to adjacent property and fixtures.

*Cultural Resources* – Requires that contractors stop work upon the discovery of unknown cultural or historic resources, and that an archaeologist be retained to evaluate the significance of the resource and to establish mitigation requirements, if necessary.

*Protection of Existing Trees* – Specifies measures necessary to protect both ornamental and native oak trees.

*Clearing and Grubbing* – Specifies protection standards for signs, mailboxes, underground structures, drainage facilities, sprinklers and lights, trees and shrubbery, and fencing. Also requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to control erosion and siltation of receiving waters.

*Reseeding* – Specifies seed mixes and methods for reseeding of graded areas.

## **City of Folsom Municipal Code**

The City regulates many aspects of construction and development through requirements and ordinances established in the Folsom Municipal Code. These requirements are summarized in **Table 1** and

incorporated by reference into the project description. Copies of these documents may be reviewed at the City of Folsom, Office of the City Clerk, 50 East Natoma Street, Folsom, California 95630.

**Table 1. City of Folsom Municipal Code Regulating Construction and Development**

<b>CODE SECTION</b>	<b>CODE NAME</b>	<b>EFFECT OF CODE</b>
8.42	Noise Control	Establishes interior and exterior noise standards that may not be exceeded within structures, including residences; establishes time periods for construction operations.
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of Stormwater Pollution Prevention Plans.
9.34	Hazardous Materials Disclosure	Defines hazardous materials; requires filing of a Hazardous Material Disclosure Form by businesses that manufacture, use, or store such materials.
9.35	Underground Storage of Hazardous Substances	Establishes standards for the construction and monitoring of facilities used for the underground storage of hazardous substances and establishes a procedure for issuance of permits for the use of these facilities.
12.16	Tree Preservation	Regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; establishes mitigation requirements for cut or damaged trees.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions.
14.19	Energy Code	Adopts the California Energy Code, 2010 Edition, published as Part 6, Title 24, C.C.R. to require energy efficiency standards for structures.
14.20	Green Building Standards Code	Adopts the California Green Building Standards Code (CALGreen Code), 2010 Edition, excluding Appendix Chapters A4 and A5, published as Part 11, Title 24, C.C.R. to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation.
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.

## 4.0 PROJECT OBJECTIVES

The project objectives, as expressed by the applicant, are to:

- Provide cremation services for those who currently live in and around Folsom, as no such services currently exist in the City;
- Provide cremation services for members of the population whose customs or religions require such practices;
- Prepare for an increase in the demand for cremation services as cremations become more popular in California and as Folsom's population grows;
- Upgrade existing facilities to capitalize on a business opportunity that has proven successful for the applicant elsewhere in California.

## 5.0 REQUIRED APPROVALS

A listing and brief description of the project approvals required to implement the proposed project is provided below. This environmental document is intended to address the environmental impacts associated with all the following decision actions and approvals:

- Conditional Use Permit

The City of Folsom has the following discretionary powers related to the proposed project:

- **Certification of the environmental document:** The Folsom City Council will act as the lead agency as defined by the California Environmental Quality Act (CEQA) and will have authority to determine if the environmental document is adequate under CEQA.
- **Approval of project:** The Folsom City Council will consider approval of the project and all entitlements as described above.

## 6.0 PREVIOUS RELEVANT ENVIRONMENTAL ANALYSIS

### 6.1 City of Folsom General Plan

The Program EIR for the City of Folsom General Plan (2018) provides relevant policy guidance for this environmental analysis. The EIR evaluated the environmental impacts that could result from implementation of the City of Folsom 2035 General Plan (2035 General Plan) (City of Folsom 2018a). The Program EIR is intended to provide information to the public and to decision makers regarding the potential effects of adoption and implementation of the 2035 General Plan, which consists of a comprehensive update of Folsom's current General Plan. The 2035 General Plan consists of a policy document, including Land Use and Circulation Diagrams.

## **6.2 Tiering**

“Tiering” refers to the relationship between a Program EIR (where long-range programmatic cumulative impacts are the focus of the environmental analysis) and subsequent environmental analyses such as the subject document, which focus primarily on issues unique to a smaller project within the larger program or plan. Through tiering a subsequent environmental analysis can incorporate, by reference, discussion that summarizes general environmental data found in the Program EIR that establishes cumulative impacts and mitigation measures, the planning context, and/or the regulatory background. These broad-based issues need not be reevaluated subsequently, having been previously identified and evaluated at the program stage.

Tiering focuses the environmental review on the project-specific significant effects that were not examined in the prior environmental review, or that are susceptible to substantial reduction or avoidance by specific revisions in the project, by the imposition of conditions or by other means. Section 21093(b) of the Public Resources Code requires the tiering of environmental review whenever feasible, as determined by the Lead Agency.

In the case of the proposed project, this Initial Study tiers from the Program EIR for the City of Folsom 2035 General Plan. The Folsom 2035 General Plan is a project that is related to the proposed project and, pursuant to §15152(a) of the State CEQA Guidelines, tiering of environmental documents is appropriate. State CEQA Guidelines §15152(e) specifically provides that:

“[w]hen tiering is used, the later EIRs or Negative Declarations shall refer to the prior EIR and state where a copy of the prior EIR may be examined. The later [environmental document] should state that the Lead Agency is using the tiering concept and that the [environmental document] is being tiered with the earlier EIR.”

The above-mentioned Program EIR and this Initial Study can be reviewed at the following location:

City of Folsom  
Community Development Department  
50 East Natoma Street  
Folsom, CA 95630  
Contact: Mr. Josh Kinkade, Associate Planner  
(916) 461-6209

## **6.3 Incorporation of the Folsom General Plan and East Area Facilities Plan EIRs by Reference**

The Program EIR for the Folsom 2035 General Plan is a comprehensive document. Due to various references to the Folsom 2035 General Plan Program EIR in this proposed project, and to its importance relative to understanding the environmental analysis that has occurred to date with respect to development in the Folsom area, the program EIR document is hereby incorporated by reference pursuant to CEQA Guidelines Section 15150.

## **6.4 Summary of Folsom 2035 General Plan EIR**

The 2035 General Plan Program EIR focused on the secondary or indirect effects of implementing the 2035 General Plan. Indirect physical changes to the environment (impacts) that could result from

implementation of 2035 General Plan are addressed in the appropriate technical chapters of the Program EIR. Likewise, inconsistency with an adopted plan, in general, is not considered a direct physical impact to the environment, but may result in impacts, which are discussed in the appropriate technical chapters. According to this definition, potential secondary or indirect environmental effects may be divided into two broad classes:

- Coverage Impacts - Those that result from development or other activities covering land or otherwise physically interfering with a resource (e.g., constructing a paved parking lot over a sensitive biological resource); and,
- Intensity Impacts - Those that result from increased levels of human activity (e.g., increases in traffic levels leading to increased emissions of criteria air pollutants).

The 2035 General Plan does not identify any additional areas designated for urban uses beyond those set forth in the 1988 General Plan as amended through fall 2017. Therefore, the environmental analysis concentrates its evaluation on those undeveloped areas designated for urban uses and the resources still present within them, including within the Folsom Plan Area Specific Plan (FPASP) area, south of Highway 50.

### **Coverage Impacts**

These impacts are based on the conversion of existing vacant parcels to a developed land use. Conversion can result in the eradication of, or damage to, a resource, revealing of environmental conditions detrimental to a developed land use, or exposure of the developed use to an existing environmental hazard. For the purposes of evaluating these effects, the Program EIR assumed that all land identified for urban uses in the 2035 General Plan would be developed with such uses within the 20-year planning horizon.

For areas designated for urban or infrastructure uses by the 2035 General Plan, potential coverage effects for certain environmental topics were assessed in a multi-step process. Quantitative evaluations began with a review of resources potentially affected by the implementation of the 2035 General Plan project, and the areal extent of identified resources.

To determine the locations where a resource could be converted to developed uses under the proposed 2035 General Plan, an inventory of each environmental resource within each urban area project boundary was completed. Using geospatial data, or geographic information systems (GIS), all parcels or lots within the 2035 Plan Evaluation Area were identified as developed or vacant. Vacant parcels were further identified as being located north of Highway 50, or south of Highway 50 within the FPASP area.

For vacant parcels north of Highway 50, the analysis identified 453 total vacant parcels encompassing 441 acres. Of these 453 parcels, 377 are lots within existing single-family residential subdivisions totaling 163 acres, with a gross median lot size of 16,125 square feet. Of the remaining 76 parcels, the majority are designated for commercial or multi-family uses. For these uses, the total acreage is 278 acres with a gross median parcel size of 37,150 square feet. Once the 453 parcels were identified, each was evaluated using aerial photographs to determine its condition. As evidenced on the aerial photographs, the overwhelming majority of both the single-family residential and commercial/multi-family residential parcels are remnant areas within subdivisions or larger development projects, and most have been disturbed by prior rough grading and/or the construction of roads and utilities.

There are a total of 3,336 acres in the FPASP area south of Highway 50, of which 1,118 acres would remain in open space. The remaining 2,218 acres would be developed with a variety of urban land uses and supporting infrastructure. Although potential environmental impacts could occur throughout the 2035 Plan Evaluation Area, the majority of the land available for new development of urban uses (77 percent of the citywide total or 2,218 acres) would be located within the FPASP area.

The possibility of potential coverage impacts was determined by layering maps of sensitive resources (e.g., sensitive species, areas of naturally occurring asbestos, flood hazards) over the map of vacant parcels. The results of this type of analysis are reported in the following chapters of the PEIR: 6. Aesthetics and Visual Resources, 7. Agricultural and Forestry Resources, 9. Biological Resources, 10. Cultural Resources, 11. Geology, Soils, and Mineral Resources, 13. Hazards and Hazardous Materials, 14. Hydrology and Water Quality, and 18. Tribal Cultural Resources.

### **Intensity Impacts**

Intensity impacts, such as those for traffic, air quality, greenhouse gas emissions, and noise, depend upon both the location and level of human activity. Other impacts, such as those to public services and utilities depend upon the size of the served population.

The 2035 General Plan proposed no increases in the amount of land identified for urban uses beyond that currently identified in the 1988 General Plan as amended. However, the development of urban uses on vacant land designated and available for residential and employment uses would result in an increase in the number of people and jobs in the City over existing (2015/2017) conditions. For intensity impacts, the PEIR evaluated a forecast of 2035 conditions consistent with the land uses identified in the 2035 General Plan.

The 2035 development forecast is based on a buildout model for use in the analysis of future traffic conditions. Summarily, the buildout model forecasts full development of all planned land uses within the existing city limits, full buildout of the Easton and Glenborough projects as approved by Sacramento County, and background land use assumptions outside of the City, Glenborough, and Easton consistent with the land use assumptions of Sacramento Area Council of Governments (SACOG) Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). Because the MTP/SCS forecasts conditions for the year 2036, the buildout model used in the Program EIR interpolates 2035 conditions, the horizon year for the proposed Folsom General Plan.

As with the Coverage Impact analysis, the Intensity Impact Analysis focused on the difference between the location and level of human activity currently existing (2015/2017), and the level of activity that would exist with implementation of the 2035 General Plan. The results of this type of analysis are reported in the following chapters of the Program EIR: 8. Air Resources, 12. Global Climate Change, 15. Noise and Vibration, 16. Public Services and Recreation, 17. Transportation, and 19. Utilities and Service Systems.



## 7.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that may require mitigation to reduce the impact from “Potential Impact” to “Less than Significant” as indicated by the checklist on the following pages.

An Initial Study is conducted by a Lead Agency to determine if a project may have a potentially significant effect on the environment (CEQA Guidelines Section 15063). An Environmental Impact Report (EIR) must be prepared if an Initial Study indicates that further analysis is needed to determine whether a significant impact will occur or if there is substantial evidence in the record that a project may have a significant effect on the environment (CEQA Guidelines Section 15064(f)).

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture/Forestry Resources	<input checked="" type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards/Hazardous Materials
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources
<input type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services
<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Wildfire	<input type="checkbox"/> Mandatory Findings of Significance

# 8.0 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an environmental impact report is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potential impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 \_\_\_\_\_  
 Signature

1/3/21  
 \_\_\_\_\_  
 Date

Josh Kinkade  
 \_\_\_\_\_  
 Printed Name:

City of Folsom  
 \_\_\_\_\_  
 For:

## 9.0 ENVIRONMENTAL INITIAL STUDY CHECKLIST

Responses to the following questions and related discussion indicate if the proposed project will have or will potentially have a significant adverse impact on the environment, either individually or cumulatively with other projects. All phases of project planning, implementation, and operation are considered. Mandatory Findings of Significance are located in Section 9.XXI below.

- A. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- B. "Less Than Significant with Mitigation" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).
- C. "Less Than Significant Impact" applies where the project creates no significant impacts, only less than significant impacts.
- D. "No Impact" applies where a project does not create an impact in that category. "No Impact" answers do not require an explanation if they are adequately supported by the information sources cited by the lead agency which show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project specific screening analysis).

**I. AESTHETICS**

AESTHETICS:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The project site is currently a small cemetery, with associated landscaping, outbuildings, and access roads. Lands to the south and west contain woodland habitat typical of riparian communities in the Sierra Nevada foothills. Soils at the project site are comprised of dredge tailings and other fill material. Tailing piles between the site and Folsom Boulevard prevent the site from being visible from that street. To the west is also the Jedidiah Smith Memorial Trail that runs along the eastern shore of Lake Natoma. To the north is a small residential neighborhood with single family dwellings. Folsom Boulevard runs in a north/south line just east of the property. East of Folsom Boulevard is a large, developed area containing single family homes, apartment complexes, a mobile home park, and some small businesses. The more regional setting is primarily characterized by residential development with a commercial shopping center to the east.

The project would be located in an existing metal shed on the grounds of the existing Lakeside Memorial Lawn Cemetery. The shed can be reached by following Mormon Street to its terminus, making a slight left turn, and continuing for approximately 100 feet down an access road. The proposed project includes the installation of one HCT Apex-250 crematory manufactured by Hartwick Combustion. The shed would be modified to accommodate this device, but its footprint would not be expanded. It currently covers 1,071 square feet. A small exhaust stack would be added to the roof of the shed. This stack would be approximately 19.5 feet above grade, and would project approximately 10 feet above the existing roof of the shed. The crematory would be placed in the northwest corner of the shed. Two 250-gallon propane tanks would be installed on a proposed concrete pad along the northern side of the shed to provide power for the crematorium, as no gas lines currently exist. An existing wooden fence would shield these tanks from view from the publicly used areas of the cemetery.

Existing landscaping at the cemetery and around the shed consists of mature broad-leaved, coniferous, and palm trees. These trees also provide shade for much of the cemetery and many of the parking spaces. An irrigated lawn surrounds the existing cemetery plots and a smaller lawn surrounds the rear of the shed (i.e., the non-service entrance side). Native oak/gray pine woodland habitat exists surrounding the cemetery. No new landscaping installation or modification is proposed. Native habitat in the vicinity of the project would not be disturbed. No built footprint would be expanded.

An existing brick and wrought iron fence marks the edge of the cemetery from the Forrest Street side, but does not extend the length of Mormon Street. A wooden fence currently separates the front side of the shed (facing the access road) from the back side and extends both north and south of the shed. The fencing south of the shed further extends to block the access road and restrict access between the lawn to the west of the shed and the access road to the east of the shed. No changes to fencing are proposed as part of this action.

The access side of the shed that would be used for crematory operations is shielded from view from the rest of the cemetery by wooden fencing. A gravel berm shields views of the shed from the east, including from Folsom Boulevard. No external modifications to the shed are proposed.

### **Evaluation of Aesthetics**

- a) Have a substantial adverse effect on a scenic vista?

**No Impact.** Neither the project site nor the surrounding areas are scenic vistas due to the presence of existing nearby commercial and residential developments. Further, neither the project site, nor views to or from the project site, have been designated as important scenic resources by the City of Folsom or any other public agency. Additionally, the site of proposed modifications is already largely shielded from public view and would remain so. Therefore, the proposed development would not interfere with or degrade a scenic vista, and no impact would occur.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

**No Impact.** There are no state or locally designated scenic highways in the vicinity of the proposed project site (Caltrans 2020). Implementation of the proposed project would not adversely affect scenic resources within a designated scenic highway, and no impact would occur.

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

**Less than Significant Impact.** The crematory would be placed inside a shed that already exists on the property and that is already mostly shielded from public view. The only external modifications would be the addition of two 250-gallon propane tanks on a concrete pad near the edge of the building and the addition of a small exhaust stack to the roof of the shed. Given that external modifications would be very minor and that the building is already mostly shielded from view, any impacts would be less than significant.

- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

**No Impact.** The project would not result in any external glow or light source. No impact would occur.

## II. AGRICULTURE AND FORESTRY RESOURCES

AGRICULTURE AND FORESTRY RESOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

No agricultural activities or timber management occur on the project site or in adjacent areas, and the project site is not designated for agricultural or timberland uses. The California Important Farmland Finder classifies the project site as “Urban and Built Up” and “Other Land” (i.e., not farmland or potential farmland) (CDC 2020c).

The Natural Resources Conservation Service (NRCS) soil survey report generated for the project site indicates that no Prime or Unique Farmland or Farmland of Statewide Importance occurs on the project site (NRCS 2020).

### Evaluation of Agriculture and Forestry Resources

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**No Impact.** The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide importance (Farmland), pursuant to the California Important Farmland Finder (CDC 2020c). Therefore, no impact would occur.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**No Impact.** The project site is not zoned for agricultural use or enacted into a Williamson Act contract. Therefore, no impact would occur.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

**No Impact.** The project site is not zoned or designated as farmland, and the surrounding land uses are primarily residential developments and open space as part of an urban greenbelt. Therefore, the nature and location of the project would not directly or indirectly result in the conversion of Farmland to non-agricultural uses. No impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

**No impact.** No changes to the landscape are proposed, no removal of trees is proposed, and no expansion of a building footprint is proposed. No impact would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

**No Impact.** No changes to the landscape are proposed, no removal of trees is proposed, and no expansion of a building footprint is proposed. No impact would occur.



### III. AIR QUALITY

AIR QUALITY:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Air Quality section of this document is based upon the approach, methodology, results, and conclusions outlined in the project-specific Air Quality and Greenhouse Gas Assessment (HELIX 2020) and the subsequent addendum analysis (HELIX 2021); both documents were prepared by HELIX Environmental Planning, Inc. and are included as **Appendix B**.

#### Environmental Setting

The City of Folsom lies within the Sacramento Valley Air Basin (SVAB), near the southeastern edge. The SVAB consists of all or parts of eleven counties spanning from Solano and Sacramento counties in the south to Shasta County in the north. The Sacramento Metropolitan Air Quality Management District (SMAQMD) is responsible for implementing emissions standards and other requirements of federal and state laws for Sacramento County, including the project area.

The climate of the SVAB is characterized by hot, dry summers and mild, rainy winters. During the year, the temperature may range from 20 to 115 degrees Fahrenheit with summer highs usually in the 90s and winter lows occasionally below freezing. Average annual rainfall is about 20 inches with snowfall being very rare. The prevailing winds are moderate in strength and vary from moist breezes from the south to dry land flows from the north. The mountains surrounding the Sacramento Valley create a barrier to airflow, which can trap air pollutants in the valley when certain meteorological conditions are present, and a temperature inversion (areas of warm air overlying areas of cooler air) exists. Air stagnation in the autumn and early winter occurs when large high-pressure cells lie over the valley. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows pollutants to become concentrated in the air. The surface concentrations of pollutants are highest when these conditions are combined with increased levels of smoke or when temperature inversions trap cool air, fog, and pollutants near the ground. The ozone season (May through October) in the SVAB is characterized by stagnant morning air or light winds with

the breeze arriving in the afternoon out of the southwest from the San Francisco Bay. Usually the evening breeze transports the airborne pollutants to the north out of the SVAB. During about half of the days from July to September, however, a phenomenon called the “Schultz Eddy” prevents this from occurring. Instead of allowing for the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern and pollutants to circle back southward. This phenomenon’s effect exacerbates the pollution levels in the area and increases the likelihood of violating the federal and state air quality standards (SMAQMD 2020a).

## Regulatory Setting

### Criteria Pollutants

Ambient air quality is described in terms of compliance with state and national standards, and the levels of air pollutant concentrations considered safe, to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. The U.S. Environmental Protection Agency (USEPA), the federal agency that administrates the Federal Clean Air Act of 1970, as amended in 1990, has established national ambient air quality standards (NAAQS) for several air pollution constituents known as criteria pollutants, including: ozone (O<sub>3</sub>); carbon monoxide (CO); coarse particulate matter (PM<sub>10</sub>; particles 10 microns or less) and fine particulate matter (PM<sub>2.5</sub>; particles 2.5 microns or less); sulfur dioxide (SO<sub>2</sub>); and lead (Pb). As permitted by the Clean Air Act, California has adopted the more stringent California ambient air quality standards (CAAQS) and expanded the number of regulated air constituents. Ground-level ozone is not emitted directly into the environment but is generated from complex chemical and photochemical reactions between precursor pollutants, primarily reactive organic gases (ROGs; also known as volatile organic compounds [VOC]),<sup>1</sup> and oxides of nitrogen (NO<sub>x</sub>). PM<sub>10</sub> and PM<sub>2.5</sub> are generated from a variety of sources, including road dust, diesel exhaust, fuel combustion, tire and brake wear, construction operations and windblown dust. In addition, PM<sub>10</sub> and PM<sub>2.5</sub> can also be formed through chemical and photochemical reactions of precursor pollutants in the atmosphere.

The California Air Resources Board (CARB) is required to designate areas of the state as attainment, nonattainment, or unclassified for the ambient air quality standards. An “attainment” designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A “nonattainment” designation indicates that a pollutant concentration violated the standard at least once. An “unclassified” designation indicates that insufficient data was available to determine the status. The air quality attainment status of Sacramento County is shown in **Table 2**.

**Table 2. Sacramento County Attainment Status**

Pollutant	State of California Attainment Status	Federal Attainment Status
Ozone (1-hour)	Nonattainment	No Federal Standard
Ozone (8-hour)	Nonattainment	Nonattainment
Coarse Particulate Matter (PM <sub>10</sub> )	Nonattainment	Attainment
Fine Particulate Matter (PM <sub>2.5</sub> )	Attainment	Nonattainment

<sup>1</sup> CARB defines and uses the term ROGs while the USEPA defines and uses the term VOCs. The compounds included in the lists of ROGs and VOCs and the methods of calculation are slightly different. However, for the purposes of estimating criteria pollutant precursor emissions, the two terms are often used interchangeably.

Pollutant	State of California Attainment Status	Federal Attainment Status
Carbon Monoxide (CO)	Attainment	Attainment
Nitrogen Dioxide (NO <sub>2</sub> )	Attainment	Attainment
Lead	Attainment	Attainment
Sulfur Dioxide (SO <sub>2</sub> )	Attainment	Attainment
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard

Sources: SMAQMD 2020a.

Sacramento County is designated as nonattainment for the state and federal ozone standards, the state PM<sub>10</sub> standards, and the federal PM<sub>2.5</sub> standards. The SMAQMD is responsible for implementing emissions standards and other requirements of federal and state laws in Sacramento County. Attainment plans for meeting the federal air quality standards are incorporated into the State Implementation Plan (SIP), which is subsequently submitted to the USEPA, the federal agency that administrates the Federal CAA of 1970, as amended in 1990. The current air quality plan applicable to the project, the *Sacramento Regional 2008 NAAQS 8-Hour Ozone Attainment and Reasonable Further Progress Plan* (Regional Ozone Plan), was developed by the SMAQMD and adjacent air district to describe how the air districts in and near the Sacramento metropolitan area will continue the progress toward attaining state and national ozone air quality standards (SMAQMD 2017).

### **Toxic Air Contaminants**

Toxic air contaminants (TAC) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or in serious illness or that may pose a present or potential hazard to human health. TACs can cause long-term chronic health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute effects such as eye watering, respiratory irritation (a cough), runny nose, throat pain, and headaches. TACs are considered either carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For carcinogenic TACs, there is no level of exposure that is considered safe and impacts are evaluated in terms of overall relative risk expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

The Health and Safety Code (§39655[a]) defines TAC as “an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health.” All substances that are listed as hazardous air pollutants pursuant to subsection (b) of Section 112 of the CAA (42 United States Code Sec. 7412[b]) are designated as TACs. Under State law, the California Environmental Protection Agency (CalEPA), acting through CARB, is authorized to identify a substance as a TAC if it determines the substance is an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or that may pose a present or potential hazard to human health.

Crematories are a potential source of TACs as a result of trace metals and organic compounds that accumulate in the body throughout a person’s life and are released during combustion of human remains, and as a result of trace organic compounds that are formed in the combustion process. These TACs include: metals and inorganics (i.e., arsenic, beryllium, cadmium, chromium, copper, hydrogen

fluoride, lead, mercury, nickel, selenium, zinc); VOCs (i.e., benzene, toluene, xylenes, vinyl chloride); aldehydes (i.e., acetaldehyde, formaldehyde); polyaromatic hydrocarbons (PAHs); polychlorinated dibenzodioxins (dioxins; PCDD); and polychlorinated dibenzofurans (furans; PCD). Prolonged exposure to significant concentrations of these TACs can result in a variety of adverse health effects including cancers, chronic conditions, and/or acute conditions, depending on the substance and level of exposure. Based on the results of the Health Risk Assessment (HRA), described below, hexavalent chromium and mercury are the primary drivers of the health risks from crematory emissions because the health risks from crematory emissions of these substances are one or more orders of magnitude greater than the health risks from other TACs in crematory emissions.

**Increased Cancer Risks – Hexavalent Chromium.** Hexavalent chromium is a toxic form of the element chromium. Hexavalent chromium compounds are man-made and widely used in many different industries. Prolonged exposure to airborne hexavalent chromium may result in lung cancer. Although exposure to high levels of airborne hexavalent chromium may result in irritation or damage to the nose, throat, and lungs, breathing small amounts of hexavalent chromium even for long periods does not cause respiratory tract irritation in most people (Occupational Safety and Health Administration [OSHA] 2006).

**Non-Cancer Chronic and Acute Health Risks – Mercury.** Mercury is a naturally occurring element that is found in its elemental form (commonly known as quicksilver), in organic compounds which accumulate in fish and shellfish, and in inorganic compounds mainly occurring in contaminated drinking water. Mercury is a neurotoxin that can result in a range of chronic neurological disorders and developmental issues. The specific health effects of mercury are dependent on the form and amount of mercury in the exposure, the duration of the exposure, and the age of the individual (USEPA 2020b).

### **Sensitive Receptors**

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptors. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB and the Office of Environmental Health Hazard Assessment (OEHHA) have identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis (CARB 2005; OEHHA 2015).

Residential areas are considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Children and infants are considered more susceptible to health effects of air pollution due to their immature immune systems, developing organs, and higher breathing rates. As such, schools are also considered sensitive receptors, as children are present for extended durations and engage in regular outdoor activities.

The closest existing sensitive receptors to the project site are multiple single-family residences adjacent to the cemetery to the north, between 450 and 750 feet from the proposed crematory location, and mobile homes across Folsom Boulevard to the east, approximately 700 feet from the proposed crematory location; see Figure 3, *Receptor Locations*, attached to the air quality report. The closest schools to the project site are the Folsom Montessori School approximately 3,200 feet (0.6 miles) to the northeast and the Golden Valley Charter River School. That school is located across Lake Natoma from

the project site and, though it is approximately 2.7 miles away by car, its physical location is about 3,000 feet (just over one-half mile) northwest of the project site.

## **Methods**

### ***Criteria Pollutant Emissions***

Criteria pollutant and precursor emissions for long-term operation of the proposed crematory were calculated using propane combustion emissions factors from the USEPA AP-42 Compilation of Emissions Factors Chapter 1.5 (USEPA 2008), and crematory emissions factors provided by the SMAQMD, which combined USEPA AP-42 data and the USEPA Factor Information Retrieval Program (SMAQMD 2020b).

### ***Crematory Health Risks***

Potential health risks to nearby sensitive receptors from the emission of TACs during operation of the proposed crematory were analyzed after consultation with the SMAQMD and in accordance with the OEHHA Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA 2015).

### ***TAC Emissions***

Toxic emissions from the cremation process were estimated based on emissions factors provided by the SMAQMD and on maximum cremation process rates provided by Caring Service Group of 200 pounds per hour and 100,000 pounds per year. The TAC emissions factors provided by SMAQMD were based on data in a test report from CARB that measured emissions from two propane-fired crematories (SMAQMD 2020b)

### ***Dispersion Modeling***

Localized concentrations of TACs were modeled using Lakes AERMOD View version 9.8.3. The Lakes program utilizes USEPA's AERMOD gaussian air dispersion model version 19191. Plot files from AERMOD using unitized emissions (one gram per second) from the crematory stack were imported into CARB's Hotspots Analysis and Reporting Program (HARP), Air Dispersion Modeling and Risk Tool (ADMRT) version 19121. The ADMRT calculated ground-level concentrations of TACs utilizing the imported plot files and the annual and hourly emissions inventory (provided in detail in Attachment A to the Air Quality report).

### ***Source Parameters***

Based on data provided by the crematory manufacturer, emissions from the proposed crematory were modeled as a point source emitting from the exhaust stack at 19.5 feet above the ground. The stack diameter was set at 20 inches, the exhaust gas temperature was set to 1080 degrees Fahrenheit (°F), the gas exit velocity was set to 14.7 feet per second, and the stack was assumed to have a rain cap resulting in a near-zero initial vertical gas velocity. Downwash from the existing shed housing the proposed crematory was modeled using the Building Profile Input Program (BPIP – a building preprocessing program for AERMOD).

### ***Meteorological Data***

SMAQMD provides pre-processed meteorological data suitable for use with AERMOD (SMAQMD 2014) for projects within Sacramento County. The available data set most representative of conditions in the project vicinity was from the Sacramento Executive Airport station, approximately 19 miles southwest of the project site. The Sacramento Executive Airport set includes 5 years of data collected between 2010 to 2014. Rural dispersion coefficients were selected in the model to reflect the existing undeveloped and open nature of the immediate project vicinity. A wind rose for the Sacramento Executive Airport shows an average speed of 6.6 miles per hour from the south (Iowa Environmental Mesonet 2019). The wind rose graphic is included in Attachment B to the air quality report.

### ***Terrain Data***

United States Geological Survey (USGS) National Elevation Dataset (NED) files with a 10-meter resolution covering an area approximately 500 meters (1,640 feet) around the project site were used in the model to cover the analysis area. Terrain data was imported to the model using AERMAP (a terrain preprocessing program for AERMOD).

### ***Receptor Modeling***

To develop risk isopleths (linear contours showing equal level of risk) and ensure that the area of maximum impact was captured, receptors were placed in a cartesian grid 690 meters by 490 meters (approximately 2,264 feet by 1,608 feet), centered on the proposed crematory with a grid spacing of 10 meters (33 feet) and a receptor height (flagpole height) of 1.2 meters (4 feet) above the ground. Additional discrete receptors were placed at the residential property line of the 37 closest identified sensitive receptors and the 4 closest off-site worker buildings. See Figure 3 for the discrete receptor locations relative to the TAC source.

### ***Risk Determination***

Health risks resulting from localized concentration of TACs emitted by the proposed crematory were estimated using the ADMRT. The latest cancer slope factors, chronic Recommended Exposure Limits (REL), acute RELs and exposure paths for all TACs, as designated by CARB, are included in the ADMRT. For the residential cancer risk, an exposure duration of 30 years was selected in accordance with the OEHHA (2015) guidelines. In accordance with OEHHA guidelines, the model conservatively assumes that residents would be standing and breathing outdoors at the location of the property line closest to the crematory every day between 17 and 21 hours per day (depending on the age group, starting with infants in utero in the third trimester of pregnancy) for 30 years. For off-site worker cancer risk, an exposure duration of 25 years was selected with an assumption of 8 hours per day, 5 days per week of exposure while standing outside. The mandatory minimum exposure pathways and the OEHHA derived breathing intake rate percentile method were selected.

### ***Significance Criteria***

The following potential air quality impacts are based on Appendix G of the CEQA Guidelines, a significant impact is identified if the project would result in any of the following:

- a) *Conflict with or obstruct implementation of the applicable air quality plan?*

- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*
- c) *Expose sensitive receptors to substantial pollutant concentrations?*
- d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

While the final determination of whether or not a project has a significant effect is within the purview of the lead agency pursuant to CEQA Guidelines Section 15064(b), the SMAQMD has adopted screening tables and thresholds which lead agencies can use to determine the significance of a development project's short-term construction and long-term operational pollutant emissions. The SMAQMD's project-level thresholds of significance for mass emissions of criteria pollutant and precursors and exposure to TACs are shown in **Table 3**.

**Table 3. SMAQMD Significance Thresholds**

Pollutant	Operational Emissions Threshold
ROG	65 pounds per day
NO <sub>x</sub>	65 pound per day
PM10	80 pounds per day/14.6 tons per year <sup>1</sup>
PM2.5	82 pounds per day/15 tons per year <sup>1</sup>
TAC Exposure Incremental Increased Cancer Risk	10 in 1 million
TAC Exposure Non-Cancer Hazard Index	1

Source: SMAQMD 2020c

<sup>1</sup> Thresholds for PM is zero unless all feasible best available control technology/best management practices (BACT/BMPs) are applied.

### Evaluation of Air Quality

- a) Conflict with or obstruct implementation of the applicable air quality plan?

**Less Than Significant Impact.** Consistency with the air quality plan is determined by whether the project would hinder implementation of control measures identified in the air quality plan or would result in growth of population or employment that is not accounted for in local and regional planning. The SMAQMD's Regional Ozone Plan and the SIP are the applicable air quality plans for the projects developed within Sacramento County.

The project would be consistent with the General Plan land use designation of Open Space, but the project would require a conditional use permit to install and operate a crematory in the Open Space and Conservation zoning designation of the project site. The project would not result in population growth in the City and employment growth would be limited to a few personnel to operate the crematory. Therefore, the project would be consistent with the local and regional growth assumptions used in developing the Regional Ozone Plan and the SIP. In addition, as described in impact discussion b), below, the project would not result in a cumulatively considerable increase of any criteria pollutant. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan and the impact would be less than significant.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?

### Construction (Short-Term) Emissions

**Less Than Significant Impact with Mitigation Incorporated.** Construction of the project would involve the use of a crane for several hours to unload the chiller and crematory from the truck, and the use of a mini excavator or skid steer loader for one day and one truck load of concrete to install a small pad for the two propane tanks.

According to the SMAQMD's CEQA Guide, projects that are 35 acres or less in size generally will not exceed the SMAQMD's construction NO<sub>x</sub> or PM thresholds of significance. However, all construction projects regardless of the screening level are required to implement the SMAQMD's Basic Construction Emission Control Practices (also known as Best Management Practices [BMP]; SMAQMD 2020b). The BMPs satisfy the requirements of SMAQMD's Rule 403, *Fugitive Dust*, which requires every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates. ROG emissions during construction are generally associated with the application of architectural coatings. The project does not propose any new structures and would not require substantial amounts of painting and would not result in significant emissions of ROGs. Therefore, construction of the project would not result in a cumulatively considerable net increase of any criteria pollutant and the impact would be less than significant with implementation of Mitigation Measure AIR-01.

### Mitigation Measure AIR-01: Implement SMAQMD's Basic Construction Emission Control Practices.

City approval of grading and/or improvement plans for the proposed project shall include the following SMAQMD Basic Construction Emission Control Practices:

- All exposed surfaces shall be watered 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 shall 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.
- All roadways, driveways, sidewalks, parking lots shall be paved as soon as possible. In addition, building pads shall 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 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of 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 shall be checked by a certified mechanic and determine to be running in proper condition before it is operated.

### Operation (Long-Term) Emissions

**Less than Significant.** The project would result in long-term operational emissions from vehicles that drive to and from the project and from operation of the crematory.

Because there are no crematories currently operating in Folsom, demand for cremation services is filled by transporting the deceased to facilities outside of the City. Therefore, operations of the project would not result in new vehicle trips (nor the associated emissions in the region). Instead, the project would replace existing regional vehicle trips with shorter trips (and reduced associated emissions).

Operation of a propane-fired crematory would be considered a new stationary source of emissions. The project may be subject to SMAQMD's Rule 201, *General Permit Requirements*, and Rule 202, *New Source Review*. The project would be required to implement best available control technology (BACT) for the minimization of emissions. BACT for crematories is incorporated into the product design in the form of controls which ensure maintenance of the correct temperatures and cycle times, and a secondary combustion chamber which ensures oxygenation and complete combustions of all fuels. As described in the Methods sections above, Criteria pollutant and precursor emissions for long-term operation of the proposed crematory were calculated using propane combustion emissions factors from AP-42 and crematory emissions factors provided by SMAQMD. The project's calculated criteria and precursor operational emissions are compared to the SMAQMD thresholds in **Table 4**. A printout of the calculation sheets is included in Attachment A of the air quality report.

**Table 4. Operational Criteria Pollutant and Precursor Emissions**

Pollutant	Project Emissions	SMAQMD Threshold	Exceed Threshold?
<i>Daily Emissions (pounds per day)</i>			
ROG	0.1	65	No
NO <sub>x</sub>	1.2	65	No
CO	0.9	None	No
SO <sub>x</sub>	0.4	None	No
PM <sub>10</sub>	0.3	80	No
PM <sub>2.5</sub>	0.3	82	No
<i>Annual Emissions (tons per year)</i>			
ROG	0.01	None	No
NO <sub>x</sub>	0.15	None	No
CO	0.11	None	No
SO <sub>x</sub>	0.05	None	No
PM <sub>10</sub>	0.03	14.6	No
PM <sub>2.5</sub>	0.03	15	No

Source: SMAQMD 2020b; SMAQMD 2020c

As shown in **Table 4**, the project's operational emissions of criteria pollutants and precursors would not exceed the SMAQMD daily or annual thresholds. Therefore, the project's operational emissions would

not result in a cumulatively considerable net increase of any criteria pollutant and impacts would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

**Less Than Significant Impact.** Crematories are a potential source of TACs as a result of trace metals and organic compounds that accumulate in the body and are released during combustion, and trace organic compounds that are formed in the combustion process. An HRA was conducted to determine potential community health risks from exposure to TACs emitted from the proposed crematory, as described in the Methods section above.

Health risks associated with cancer from development projects are estimated using the incremental excess cancer risk expressed as cancer cases per one million exposed individuals. The incremental excess cancer risk is an estimate of the chance a person exposed to specific sources of a TACs may have of developing cancer from that exposure beyond the individual's risk of developing cancer from existing background levels of pollutants in the ambient air. For context, the average cancer risk from TACs in the ambient air for an individual living in an urban area of California is 830 in 1 million (CARB 2015). Cancer risk estimates do not mean, and should not be interpreted to mean, that a person will develop cancer from estimated exposures to toxic air pollutants.

Health risks associated with chronic and acute effects from a development project are quantified using the maximum hazard index. A hazard index is the potential exposure to a substance divided by the reference exposure level (the level at which no adverse effects are expected). A hazard index of less than one indicates no adverse health effects are expected from the potential exposure to the substance. The maximum hazard index is the sum of hazard indices for pollutants with non-cancer health effects that have the same or similar adverse health effects.

The modeled point of maximum impact for the project (geographic point outside of the project site with the highest estimated incremental cancer risk and maximum hazard index) would be a point near the project boundary approximately 96 feet southeast of the proposed crematory exhaust stack, at approximately Universal Transverse Mercator (UTM) coordinates Zone 10, 657982 meters east, 4281757 meters north. The maximum health risk exposure at this point would be a residential incremental cancer risk of 3.2 in 1 million and a residential non-cancer chronic hazard index of 0.09. This point of maximum impact is in an area zoned as Open Space Conservation District containing dredge tailings from past gold mining. No residents or workers are anticipated to be at the point of maximum impact for prolonged periods.

The maximum estimated community incremental excess cancer, chronic and acute health risks due to exposure to the project TAC emissions from long term operation of the proposed crematory are presented in **Table 5**. These estimates are conservative (health protective) and assume that the resident or worker is outdoors for the entire exposure period. The modeled locations of the Maximum Exposed Individual Resident (MEIR) and the point of maximum impact, along with the residential cancer risk isopleths (contours of equal risk), are shown in Figure 4, *Cancer Risks*. The complete HRA model output, including tables of health risks for all modeled discrete receptors and isopleth figures for incremental cancer risk, non-cancer chronic hazard index and acute hazard index are included as Attachment B to the air quality report.

**Table 5. Maximum Exposed Individual Incremental Cancer Risk and Hazard Index**

	MEI Resident Cancer Risk	MEI Worker Cancer Risk	MEI Resident Chronic Hazard Index	MEI Worker Chronic Hazard Index	MEI Acute Hazard Index
Results	0.6 in 1 million	<0.1 in 1 million	0.02	0.02	0.20
Threshold	10 in 1 million	10 in 1 million	1	1	1
Exceed Threshold?	No	No	No	No	No

Source: Lakes AERMOD View version 9.8.3 and CARB ADMRT version 19121. See Attachment B for model inputs, outputs, and risk isopleths.

MEI = Maximum Exposed Individual.

As shown in **Table 5**, the maximum incremental increased cancer risks and maximum non-cancer chronic and acute hazard index due to exposure to TACs from long-term operation of the proposed crematory would not exceed the SMAQMD thresholds. Therefore, operation of the project would not result in the exposure of sensitive receptors to substantial TAC concentrations and the impact would be less than significant.

- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

**Less Than Significant Impact** Diesel equipment could generate diesel exhaust odors during construction activities. The generation of odors during the construction period would be temporary, intermittent, and dispersed within a short distance from the active work area. Once operational, potential odors from human remains prior to cremation would be minimized either by immediately processing remains or by temporarily storing remains in the proposed refrigeration chiller. Operation of the crematory would not be a significant source odors or other emissions due to the BACT features of the crematory, including process temperature and cycle time controls, as well as secondary combustion chambers which ensure the complete combustion of all solids, liquids, and gaseous fuels. Therefore, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people and the impact would be less than significant.

**IV. BIOLOGICAL RESOURCES**

<b>BIOLOGICAL RESOURCES:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The project site features open space habitat consisting of maintained grass with an open canopy of a variety of native and exotic tree species. The property that encompasses the project site features an open cemetery, lawns, associated landscaping, and the existing shed in which the crematory would be installed. Existing landscaping at the cemetery and around the shed consists of mature broad-leaved, coniferous, and palm trees. Lands to the south and west of the property contain native oak/gray pine woodland habitat typical of riparian communities in the Sierra Nevada foothills. To the west of the project site, the Jedediah Smith Memorial Trail and Lake Natoma run on a north/south axis. The open spaces to the south and west are a part of the American River Parkway operated by the California Department of Parks and Recreation.

There are no jurisdictional wetlands, riparian, or other special status habitats located on or immediately adjacent to the project site.

### **Regulatory Framework Related to Biological Resources**

The City of Folsom regulates urban development through standard construction conditions and through mitigation, building, and construction requirements set forth in the Folsom Municipal Code. Required of all projects constructed throughout the City, compliance with the requirements of the City's standard conditions and the provisions of the Municipal Code avoids or reduces many potential environmental effects. No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been approved for the City of Folsom.

### ***State and Federal Endangered Species Acts***

Special status species are protected by state and federal laws. The California Endangered Species Act (CESA; California Fish and Game Code Sections 2050 to 2097) protects species listed as threatened and endangered under CESA from harm or harassment. This law is similar to the Federal Endangered Species Act of 1973 (FESA; 16 USC 1531 et seq.) which protects federally threatened or endangered species (50 CFR 17.11, and 17.12; listed species) from take. For both laws, take of the protected species may be allowed through consultation with and issuance of a permit by the agency with jurisdiction over the protected species.

### ***California Code of Regulations and California Fish and Game Code***

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 § 670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by the California Department of Fish and Wildlife (CDFW) for inclusion on the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code. CDFW also designates Species of Special Concern that are not currently listed or candidate species.

Legal protection is also provided for wildlife species in California that are identified as "fully protected animals." These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fishes) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. The CDFW is unable to authorize incidental take of fully protected species when activities are proposed in areas inhabited by these species. The CDFW has informed non-federal agencies and private parties that they must avoid take of any fully protected species. However, Senate Bill (SB) 618 (2011) allows the CDFW to issue permits authorizing the incidental take of fully protected species under the CESA, so long as any such take authorization is issued in conjunction with the approval of a Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

### ***California Native Plant Protection Act***

The California Native Plant Protection Act of 1977 (California Fish and Game Code Sections 1900 to 1913) requires all state agencies to use their authority to implement programs to conserve endangered and otherwise rare species of native plants. Provisions of the act prohibit the taking of listed plants from the wild and require notification of CDFW at least 10 days in advance of any change in land use other than changing from one agricultural use to another, which allows CDFW to salvage listed plants that would otherwise be destroyed.

### ***Nesting and Migratory Birds***

Nesting birds are protected by state and federal laws. California Fish and Game Code (§3503, 3503.5, and 3800) prohibits the possession, incidental take, or needless destruction of any bird nests or eggs; Fish and Game Code §3511 designates certain bird species “fully protected” (including all raptors), making it unlawful to take, possess, or destroy these species except under issuance of a specific permit. Under the Migratory Bird Treaty Act (MBTA) of 1918 (16 USF §703-711), migratory bird species and their nests and eggs that are on the federal list (50 CFR §10.13) are protected from injury or death, and project-related disturbance must be reduced or eliminated during the nesting cycle.

### ***City of Folsom Tree Preservation Ordinance***

Requirements related to biological resources also include protection of existing trees and species measures necessary to protect both ornamental and native oak trees.

Chapter 12.16 of the Folsom Municipal Code, Tree Preservation, further regulates the cutting or modification of trees, including oaks and specified other trees; requires a Tree Permit prior to cutting or modification; and establishes mitigation requirements for cut or damaged trees (City of Folsom 2018b). The Tree Preservation Ordinance establishes policies, regulations, and standards necessary to ensure that the City will continue to preserve and maintain its “urban forests”. Anyone who wishes to perform “Regulated Activities” on “Protected Trees” must apply for a permit with the City. Regulated activities include:

- Removal of a Protected Tree
- Pruning/trimming of a Protected Tree
- Grading or trenching within the Protected zone

Protected trees include:

- Native oak trees with a diameter of 6 inches or larger at breast height for single trunk trees or 20 inches or larger at combined diameter at breast height of native oak multi-trunk trees
- Heritage oak trees are native oaks with a trunk diameter of 19 inches or larger at breast height or native oaks with a multi-trunk diameter of 38 inches or larger at breast height
- Landmark trees are a tree or group of trees determined by the City Council to be a significant community benefit
- Street trees within the tree maintenance strip or contained on the master tree list

### ***Jurisdictional Waters***

Any person, firm, or agency planning to alter or work in “waters of the U.S.,” including the discharge of dredged or fill material, must first obtain authorization from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA). Section 401 requires an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the U.S. to obtain a state certification that the discharge complies with other provisions of the CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California. The RWQCB also regulates discharges of pollutants or dredged or fill material to waters of the State which are more broadly defined than waters of the U.S.

## **Biological Resources Present in the Project Site**

### ***Land Cover Type***

The land cover type present on the project site is mostly maintained lawn with an open overstory of native and exotic trees. The land is within the Open Space/Public (OS/P) Primary Area of the Historic District with underlying zoning of Open Space and Conservation (OSC). Land cover adjacent to the project site is primarily developed to the north and east, oak/gray pine woodland to the south and west, along with the Jedediah Smith Memorial Trail and Lake Natoma that run on a north-south axis to the west of the project site.

### ***Wildlife***

The project site provides habitat for disturbance-tolerant wildlife species typical of urban and suburban areas. Species present likely include resident and migratory passerines, raptors, and waterfowl, along with small mammals and reptiles adapted to a moderate level of human activity.

### ***Special-Status Species with the Potential to Occur***

The regionally occurring special-status species in the Folsom area are typically associated with aquatic habitats including perennial waterbodies, wetlands, and/or vernal pools, or are associated with relatively undisturbed contiguous stands of oak or riparian woodland. The project site is developed and lacks any aquatic habitats. Species expected to use the site would be highly adaptable common species tolerant of disturbance and urban areas.

No special-status wildlife species are expected to occur on the project site with the possible exception of a special-status bird using the project site as a temporary stopover in transit to or from more suitable habitats.

### ***Other Migratory Birds and Nesting Birds***

While no special-status bird species are expected to nest on the project site, marginal habitat is present on the site for a variety of common bird species that nest in trees, on buildings, or on the ground in urban and suburban areas.

### ***Protected Trees***

No site grading or removal of any trees, protected or otherwise, is proposed.

### ***Jurisdictional Waters***

No potential waters of the U.S. and/or State are present on the project site.

## **Evaluation of Biological Resources**

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**Less Than Significant.** No habitat modifications are proposed. No sensitive species are expected to use the site, although birds protected under the MBTA may use the vicinity of the site for roosting, foraging, and nesting. While the delivery and installation of the crematory would likely result in a small increase in vehicles and workers visiting the site, those increases are expected to be insignificant relative to the number of workers and members of the public who visit the cemetery each day. Birds roosting in nearby trees may be temporarily flushed by the arrival of workers or equipment, but any birds using the site are likely already accustomed to a moderate level of human activity. A less than significant impact would occur.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**No Impact.** No external modifications to the shed are proposed beyond the addition of two 250-gallon propane tanks on a concrete pad along the edge of the building and the addition of the proposed stack to the roof. Those modifications would occur in an area already subject to vehicle and worker visits and maintenance activity and would not affect any native habitat in the vicinity of the project site. No modifications to any habitat, vegetation, or landscaping are proposed. Therefore, no impact would occur.

- c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?

**No Impact.** No potential waters of the U.S. or State exist on the project site. No modification of any habitat is proposed. Therefore, there would be no impact.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**No Impact.** No external modifications are proposed except for the installation of two 250-gallon propane tanks on a concrete pad adjacent to a building already in use as a service shed. No modification of any landscaping, habitat, or vegetation is proposed as part of this project. There would be no impact.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**No Impact.** No modifications to, or removals of, any habitat, vegetation, trees, or landscaping are proposed. Therefore, no impact would occur.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**No Impact.** No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been approved for the City of Folsom. Therefore, no impacts to an existing adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan would occur.



## V. CULTURAL RESOURCES

CULTURAL RESOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Cultural Resources section of this document is based upon the approach, methodology, and conclusions outlined in the project-specific Cultural Resources Inventory Report prepared by ECORP Consulting, Inc. (2020). All phases of the cultural resources investigation were conducted or supervised by Registered Professional Archaeologist (RPA) Lisa Westwood, who meets the Secretary of the Interior's Professional Qualifications Standards for prehistoric and historical archaeology. Fieldwork and report contributions were conducted by Staff Archaeologist Laurel Zickler-Martin, RPA. Though the document in its entirety is incorporated by reference, the report itself is confidential and is not included as an appendix to this Initial Study.

### Environmental Setting

To meet the regulatory requirements of this project, the cultural resources investigation was conducted pursuant to the provisions for the treatment of cultural resources contained within Section 106 of the National Historic Preservation Act (NHPA) and in CEQA (Public Resources Code [PRC] § 21000 et seq.). The goal of NHPA and CEQA is to develop and maintain a high-quality environment that serves to identify the significant environmental effects of the actions of a proposed project and to either avoid or mitigate those significant effects where feasible. CEQA pertains to all proposed projects that require State or local government agency approval, including the enactment of zoning ordinances, the issuance of conditional use permits, and the approval of development project maps. The NHPA pertains to projects that entail some degree of federal funding or permit approval.

The NHPA and CEQA (Title 54 U.S. Code [USC] Section 100101 et seq. and Title 14, California Code of Regulations [CCR], Article 5, § 15064.5) apply to cultural resources of the historical and pre-contact periods. Any project with an effect that may cause a substantial adverse change in the significance of a cultural resource, either directly or indirectly, is a project that may have a significant effect on the environment. As a result, such a project would require avoidance or mitigation of impacts to those affected resources. Significant cultural resources must meet at least one of four criteria that define eligibility for listing on either the California Register of Historical Resources (CRHR) (PRC § 5024.1, Title 14 CCR, § 4852) or the National Register of Historic Places (NRHP) (36 Code of Federal Regulations [CFR] 60.4):

- 1) is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- 2) is associated with the lives of persons important in our past;
- 3) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- 4) has yielded, or may be likely to yield, information important in prehistory or history.

Cultural resources eligible for listing on the NRHP are considered Historic Properties under 36 Code of Federal Regulations Part 800 and are automatically eligible for the CRHR. Resources listed on or eligible for inclusion in the CRHR are considered Historical Resources under CEQA.

The City of Folsom Standard Construction Specifications were developed and approved by the City of Folsom in May 2004 and updated in April 2015. They include Article 11 - Cultural Resources, which provides direction on actions to be taken in the event that materials are discovered that may ultimately be identified as a historical or archaeological resource, or human remains (City of Folsom 2015).

## **Ethnography**

Following is a brief summary providing a context in which to understand the background and relevance of resources that may occur in the general project area. This section is not intended to be a comprehensive review of the current resources available; rather, it serves as a general overview. Further details can be found in ethnographic studies, mission records, and major published sources.

### ***Regional Background***

California has been occupied by humans for approximately the past 10,000 years. Early groups between 10,000 and 8,000 years before present (BP) were largely mobile, small in number, and relied upon big game hunting and a limited exploitation of small game and plant resources. Between 8,000 and 5,000 BP, groups become more sedentary and stable and shifted to a greater reliance on plant resources and milling seeds and other plant matter. After about 5,000 BP, groups became more specialized, population densities increased, and regional cultures and languages developed that would form the basis for the societies encountered at the time of first European contact. Current patterns of climate and vegetation communities were in place by approximately 3,000 BP.

### ***Nisenan or Southern Maidu***

Ethnographically, the project area is in the southwestern portion of the territory occupied by the Penutian-speaking Nisenan. Nisenan inhabited the drainages of the Yuba, Bear, and American rivers, and also the lower reaches of the Feather River, extending from the east banks of the Sacramento River on the west to the mid to high elevations of the western flank of the Sierra Nevada to the east (Wilson and Towne 1978). The territory extended from the area surrounding the current city of Oroville on the north to a few miles south of the American River in the south.

Individual and extended families "owned" hunting and gathering grounds, and trespassing was discouraged (Kroeber 1925; Wilson and Towne 1978). Residence was generally patrilocal, but couples had a choice in the matter (Wilson and Towne 1978). The basic social and economic group for the

Nisenan was the family or household unit. The nuclear and/or extended family formed a corporate unit. These basic units were combined into distinct village or hamlet groups, each largely composed of consanguine relatives (Beals 1933; Littlejohn 1928). Lineage groups were important political and economic units that combined to form tribelets, which were the largest sociopolitical unit identified for Nisenan (Wilson and Towne 1978). Each tribelet had a chief or headman who exercised political control over all villages within it. Villages typically included family dwellings, acorn granaries, a sweathouse, and a dance house, owned by the chief. The role of chief seems to have been an advisory role with little direct authority (Beals 1933) but with the support of the shaman and the elders, the word of the chief became virtually the law (Wilson and Towne 1978). Tribelets assumed the name of the head village where the chief resided (Beals 1933; Levy 1978).

The office of tribelet chief was hereditary, with the chieftainship being the property of a single patrilineage within the tribelet. Tribelet populations of Valley Nisenan were as large as 500 persons (Wilson and Towne 1982), while foothill and mountain tribelets ranged between 100 and 300 persons (Littlejohn 1928; Levy 1978). Each tribelet owned a bounded tract of land and exercised control over its natural resources (Littlejohn 1928). Beals (1933) estimated that Nisenan tribelet territories averaged approximately 10 miles along each boundary, or 100 square miles, with foothill territories tending to encompass more area than mountain territories.

Nisenan practiced seasonal migration, a subsistence strategy involving moving from one area or elevation to another to harvest plants, fish, and game across contrasting ecosystems that were in relatively close proximity to each other. Valley Nisenan generally did not range beyond the valley and lower foothills, while foothill and mountain groups ranged across a more extensive area that included jointly shared territory whose entry was subject to traditional understandings of priority of ownership and current relations between the groups (d'Azevedo 1963).

Important food items included small and large game, fish, acorns, roots, pine nuts, and various hardwood nuts. Further resources were obtained from coastal groups and trans-Sierran groups through trade networks. Prescribed fire was used to maintain hunting and gathering grounds and to enhance opportunities to produce and gather acorns.

The Spanish arrived on the central California coast in 1769. Early contact with the first Spanish explorers to enter California was limited to the peripheries of Nisenan territory; they occurred mainly to the south on lands of the Miwok which had been explored by José Canizares in 1776, with only ephemeral explorations into Nisenan lands. There are no records of Nisenan groups being removed to the missions. They did, however, receive escapees from the missions, as well as pressure of displaced Miwok populations on their southern borders. The first known occupation by Euro-Americans was marked by American and Hudson Bay Company fur trappers in the late 1820s establishing camps in Nisenan territories. This occupation was thought to have been peaceful (Wilson and Towne 1978).

However, in the coming decades disease decimated the Nisenan of the Sacramento Valley, and many of the survivors retreated into the hills. Both they and mountain groups of Nisenan were met with persecution and attacks from settlers following the 1848 discovery of gold. The remaining Nisenan were relegated to working in agriculture, logging, ranching, or domestic pursuits (Wilson and Towne 1978). They and their descendants faced poor living and working conditions in the coming decades, although some customs and traditional practices have been preserved through the 21<sup>st</sup> century.

## **Regional History**

The first European to visit California was Spanish maritime explorer Juan Rodriguez Cabrillo in 1542. He visited San Diego Bay, Catalina Island, San Pedro Bay, and the northern Channel Islands. The English adventurer Francis Drake visited the Miwok Native American group at Drake's Bay or Bodega Bay in 1579.

Colonization of California began with the Spanish Portolá land expedition. The expedition, led by Captain Gaspar de Portolá of the Spanish army and Father Junipero Serra, a Franciscan missionary, explored the California coast from San Diego to the Monterey Bay Area in 1769. As a result of this expedition, Spanish missions to convert the native population, presidios (forts), and pueblos (towns) were established. The Franciscan missionary friars established 21 missions in Alta California (the area north of Baja California) beginning with Mission San Diego in 1769 and ending with the mission in Sonoma established in 1823. The purpose of the missions and presidios was to establish Spanish economic, military, political, and religious control over the Alta California territory. No missions were established in the Central Valley; the closest were in the Bay Area. The Spanish did not establish any settlements in the Central Valley.

After Mexico became independent from Spain in 1821, what is now California became the Mexican province of Alta California with its capital at Monterey. In 1827, American trapper Jedediah Smith traveled along the Sacramento River and into the San Joaquin Valley to meet other trappers of his company who were camped there, but no permanent settlements were established by the fur trappers (Thompson and West 1880).

The Mexican government closed the missions in the 1830s and former mission lands, as well as previously unoccupied areas, were granted to retired soldiers and other Mexican citizens for use as cattle ranches. Much of the land along the coast and in the interior valleys became part of Mexican land grants or "ranchos" (Robinson 1948).

John Sutter, a European immigrant, built a fort at the confluence of the Sacramento and American rivers in 1839 and petitioned the Mexican governor of Alta California for a land grant, which he received in 1841. Sutter built a flour mill and grew wheat near the fort (Bidwell 1971). Gold was discovered in the flume of Sutter's lumber mill at Coloma on the South Fork of the American River in January 1848 (Marshall 1971). The discovery of gold initiated the 1849 California Gold Rush, which brought thousands of miners and settlers to the Sierra foothills east and southeast of Sacramento.

The American period began when the Treaty of Guadalupe Hidalgo was signed between Mexico and the U.S. in 1848. As a result of the treaty, Alta California became part of the U.S. as the territory of California. Rapid population increase occasioned by the Gold Rush of 1849 allowed California to become a state in 1850. Most Mexican land grants were confirmed to the grantees by U.S. courts, but usually with more restricted boundaries.

## **Project Area History**

The project area is located within the northern portion of the former 35,521-acre Rio de los Americanos land grant, which stretches from Folsom Lake in the northeast to a southwestern point nearly reaching modern-day Florin Road, approximately 3.3 miles south of central Rosemont and 3.8 miles east of Florin. In 1848, Captain Joseph Folsom pursued ownership of the Rio de los Americanos. He died in 1855, and the land grant was subsequently sold, piecemeal, for developments in agriculture, mining endeavors,

and quarrying of granite. Originally named Granite City, the city of Folsom was named for the captain in the year he died.

### ***City of Folsom History***

The first railroad in California was built from Sacramento to Folsom in 1856 by the Sacramento Valley Railroad Company (Robertson 1998). Other railroads soon connected Folsom with additional communities in the Sacramento Valley and surrounding foothills. Folsom became a transportation hub and supply center for gold miners.

Folsom State Prison opened in 1880 on 40 acres of land (California Department of Corrections [CDCR] 2010a). When it opened, it housed 44 inmates in the State's first high-security prison. Although authorized by the State legislature in 1858, construction did not begin until 1878. A dam on the American River and a hydroelectric generation facility were built by inmates (CDCR 2010b). Electricity from the Folsom Powerhouse was transmitted 22 miles to Sacramento on July 13, 1895 (American Society of Mechanical Engineers 1976). Folsom was incorporated as a City in 1945. Folsom Dam was built in 1955, creating Folsom Lake. The dam was for flood control and to provide hydroelectricity. The largest employer in the area is Intel Corporation, which built a facility in the southern part of Folsom in 1984. Folsom continues to grow as an upscale community within the Sacramento Metropolitan Area.

### ***History of Folsom Mining***

The vicinity of the project area was used historically for mining, largely by the Natomas Company, who employed broad scale dredge mining in the first half of the twentieth century.

During the early mining period of the late 1840s and early 1850s, only the creeks and streams were mined, using pans, rockers, and hand-dug shallow diggings. Two historic gold mining districts were present in Sacramento County - the Folsom, or American River, District and the Michigan Bar District (Clark 2005). In 1853, the Natoma Water and Mining Company built a system of ditches, north of the current project area, to feed water from the American River and nearby creeks into the prairie and pasture lands that were known to have gold rich deposits. Most of the shallow gold deposits had been exhausted by 1865, and drift mining, which consisted of digging shafts down to depths of 20 feet and below, resumed until the late 1890s.

The project area itself is surrounded on the west and south by dredge mining tailings and the parcel is situated along a perennial waterway; these locations were appealing locations for miners to seek gold bearing deposits. All mining operations in the immediate vicinity of the project site had ceased by 1962.

### ***Chinese Influence on Folsom***

Chinese workers, some already present in California, greatly increased in numbers following the discovery of gold. Chinese miners often utilized their skills and diligence to successfully pursue mining claims that had been overlooked by white miners. Much of the money that was made from mining was sent in remittances to family members still in China. In 1878, there were over 3,500 Chinese mining in and around Folsom. When the gold began to run out, the Chinese worked at many other jobs, including such tasks as building the first Delta levees and constructing the transcontinental railroad. They also developed small businesses becoming laundrymen, cooks, storekeepers, farmers, and fishermen. Folsom once had a Chinese community numbering about 2,500 people, complete with businesses and community institutions. The Chung Wah Chinese Cemetery is listed on the National Register of Historic

Places and is a state registered landmark. It is adjacent to the project area (PAR Environmental Services, Inc. 1995).

### ***History of Lakeside Memorial Lawn***

Not much information in academic or gray literature exists on the history of the Lakeside Memorial Lawn Cemetery. The oldest section of the Cemetery evolved from the Negro Bar mining camp internments, with the first internment being in 1849 or shortly thereafter. The Cemetery is associated with the Miller Family. Jacob Miller, a German immigrant, opened a furniture and casket shop at 709 Sutter Street in 1869 and then transitioned the business into caskets and undertaking by the early 1880s. After his passing in 1905, ownership of the business transferred first to his son, Oscar Miller, then to longtime employee Robert Claney in 1962 (Scott 2020).

The cemetery represents a combination of several old Folsom cemeteries, including the Masonic, Odd Fellows, Jewish, Citizen's, and Cook's cemeteries. Lakeside Memorial Lawn is Folsom's only active historic cemetery.

### **Cultural Resources Surveys**

The Area of Potential Effects (APE) consists of the horizontal and vertical limits of a project and includes the area within which significant impacts or adverse effects to Historical Resources or Historic Properties could occur as a result of the project. The APE is defined for projects subject to regulations implementing Section 106 (federal law and regulations). For projects subject to the CEQA, the term project area is used rather than APE. For the purpose of this document, the terms "project area" and APE are interchangeable. When referring to the larger Lakeside Memorial Lawn facility, within which the project area is situated, the term property is used.

### ***Records Searches***

ECORP requested a records search for the property from the North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS) at California State University-Sacramento on October 30, 2020 (NCIC search #SAC-20-152). The purpose of the records search was to determine the extent of previous surveys within a 0.25-mile (400-meter) radius of the property, and whether previously documented pre-contact or historic archaeological sites, architectural resources, or traditional cultural properties exist within this area.

In addition to the official records and maps for archaeological sites and surveys in Sacramento County, the following historic references were also reviewed: *Historic Property Data File for Sacramento County* (OHP 2012); *The National Register Information System* (National Park Service [NPS] 2020); *Office of Historic Preservation, California Historical Landmarks* (OHP 2019); *California Historical Landmarks* (OHP 1996 and updates); *California Points of Historical Interest* (OHP 1992 and updates); *Directory of Properties in the Historical Resources Inventory* (1999); *Caltrans Local Bridge Survey* (Caltrans 2019); *Caltrans State Bridge Survey* (Caltrans 2018); and *Historic Spots in California* (Kyle 2002).

Other references examined include a RealQuest Property Search and historic General Land Office (GLO) land patent records (Bureau of Land Management [BLM] 2020). Several historic maps and historic and recent aerial photographs were also reviewed.

The results of the records search indicate that the property has been previously surveyed for cultural resources, but the survey was performed 25 years ago under obsolete standards, and long prior to the

consideration of the type of project activity being currently proposed. Therefore, a pedestrian survey of the property was conducted for the current project under current protocols.

#### ***Native American Heritage Commission Sacred Lands File Coordination***

ECORP contacted the California Native American Heritage Commission (NAHC) on October 26, 2020 to request a search of the Sacred Lands File for the property. This search was to determine whether or not Sacred Lands have been recorded by California Native American tribes within the property, because the Sacred Lands File is populated by members of the Native American community who have knowledge about the locations of tribal resources. In requesting a search of the Sacred Lands File, ECORP solicited information from the Native American community regarding tribal cultural resources, but the responsibility to formally consult with the Native American community lies exclusively with the federal and local agencies under applicable State and federal law. Results of the search were received on November 10, 2020. The search failed to reveal the presence of Native American cultural resources in the project area. For more information, including a description of official consultation with Native tribes, see Section 9.0.XVIII, Tribal Cultural Resources.

#### ***Other Interested Party Consultation***

ECORP mailed letters to the Sacramento County Historical Society and the Folsom Historical Society on October 26, 2020 to solicit comments or obtain historical information that the repository might have regarding events, people, or resources of historical significance in the area. No responses to the letters sent to the Folsom Historical Society or the Sacramento County Historical Society have been received as of the preparation of this document.

#### ***Pedestrian Survey***

On November 2, 2020, ECORP subjected the property to pedestrian survey under the guidance of the *Secretary of the Interior's Standards for the Identification of Historic Properties* (NPS 1983) using transects spaced 15 meters apart. ECORP expended less than half of one person-day in the field. At that time, the ground surface was examined for indications of surface or subsurface cultural resources. The general morphological characteristics of the ground surface were inspected for indications of subsurface deposits that may be manifested on the surface, such as circular depressions or ditches. Whenever possible, the locations of subsurface exposures caused by such factors as rodent activity, water or soil erosion, or vegetation disturbances were examined for artifacts or for indications of buried deposits. No subsurface investigations or artifact collections were undertaken during the pedestrian survey. The project area was photographed, and survey coverage mapped using a handheld Global Positioning System receiver.

Ground visibility in the cemetery itself was very limited, as the entire area is either paved or covered in manicured lawn; the only visible soil was immediately surrounding headstones and in sparse patches at the edges of the lawn.

#### ***Built Environment Resources***

ECORP researched the shed itself to determine if it is old enough to warrant further evaluation as a cultural resource by an architectural historian. According to modern aerial photographs of the property, the shed was installed sometime between May 1993 and August 1998. As further supported by field inspection, the shed is not old enough to be considered a potential cultural resource, and therefore, it

was not recorded or considered further. Should the proposed project include demolition or remodeling of the shed, such activity would not have an impact on a cultural resource.

### **Evaluation of Cultural Resources**

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

**Less Than Significant Impact.** Historical resources are outside of the site of the proposed project. No precontact or historic resources were discovered during the pedestrian survey conducted by ECRP. The existing shed is not old enough to warrant consideration as a potential historic or cultural resource. Therefore, project impacts to historic resources would be less than significant.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

**Less Than Significant Impact with Mitigation.** In accordance with CEQA Guidelines, ECRP has assessed the project area for the presence of archaeological resources. The project site itself is not in an area otherwise suspected to contain unknown archaeological resources. The site survey and surveys of written records, historical maps and photographs, and outreach to groups with knowledge of the area's history all suggest that no known or previously unknown archaeological resources would be encountered or disturbed during construction. Ground disturbing activity would be limited to shallow ground clearing and site prep for the installation of a concrete pad to support two propane tanks. Still, the potential exists for inadvertent discovery of archaeological resources during project construction. The implementation of standard archaeological resource construction mitigation (Mitigation Measures CUL-01 and CUL-02) would ensure that potential impacts would be less than significant.

#### **Mitigation Measure CUL-01: Avoid impacts to previously unknown archaeological resources.**

Prior to the initiation of ground disturbing activity, a qualified professional archaeologist shall be retained to develop and deliver a contractor awareness training program to construction supervisors. The purpose of the training is to ensure that contractors are aware of the need to limit their activity, including equipment storage, staging, parking, and ground disturbance to only those locations identified as work areas on the official site plans.

Prior to the initiation of ground disturbing activity, a qualified professional archaeologist shall be retained to monitor the installation of temporary high-visibility exclusionary fencing along the toe of existing mine tailings features adjacent to the shed. The fencing shall remain in place until all project activities are completed. City inspectors shall include a verification of the fencing during all required inspections. In the event that exclusionary fencing has failed, the construction supervisor must re-install or repair the fence within 24 hours.

#### **Mitigation Measure CUL-02: Minimize impacts to any previously unknown archaeological resources discovered during construction.**

If subsurface deposits believed to be cultural in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to



modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the City to consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a historic property under Section 106 NHPA, if applicable. Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the site either: 1) is not an Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to its satisfaction.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

**Less Than Significant Impact with Mitigation.** Though the project site is located on the property of the Lakeside Memorial Lawn Cemetery, no human remains are known to exist in the immediate vicinity of the project site. No evidence of potential human remains outside of marked graves was found in the project area during the cultural resources site survey by ECORP's archaeologist. Ground disturbing activity would be limited to shallow ground clearing and site prep for the installation of a concrete pad to support two propane tanks. However, there is always the possibility that subsurface construction activities associated with the proposed project, specifically the preparation of the site for the small concrete pad, could potentially damage or destroy previously undiscovered human remains. This is a potentially significant impact. However, if human remains were discovered, implementation of Mitigation Measure CUL-03 would reduce this potential impact to a less than significant level.

**Mitigation Measure CUL-03: Avoid and minimize impacts related to accidental discovery of human remains.**

If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Sacramento County Coroner (per §7050.5 of the Health and Safety Code). The provisions of §7050.5 of the California Health and Safety Code, §5097.98 of the California PRC, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate

(§5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). If the Coroner determines that the remains are human but are not Native American, then the Coroner will direct subsequent steps to address the discovery. Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.

## VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

#### Electricity

California's electricity needs are satisfied by a variety of entities, including investor-owned utilities, publicly owned utilities, electric service providers and community choice aggregators. In 2019, the California power mix totaled 277,704 gigawatt hours (GWh). In-state generation accounted for 200,475 GWh, or 72 percent, of the state's power mix. The remaining electricity came from out-of-state imports (CEC 2020a). **Table 6** provides a summary of California's electricity sources as of 2019.

**Table 6. California Electricity Sources 2019**

Fuel Type	Percent of California Power
Coal	2.96%
Large Hydro	14.62%
Natural Gas	34.23%
Nuclear	8.98%
Oil	0.01%
Other (Petroleum Coke/Waste Heat)	0.15%
Renewables	31.70%

Source: CEC 2020a

#### Natural Gas

Natural gas provides the largest portion of the total in-state capacity and electricity generation in California, with nearly 45 percent of the natural gas burned in California used for electricity generation in a typical year. Much of the remainder was consumed in the residential, industrial, and commercial sectors for uses such as cooking, space heating, and as an alternative transportation fuel. In 2012, total natural gas demand in California for industrial, residential, commercial, and electric power generation was 2,313 billion cubic feet per year (bcf/year), up from 2,196 bcf/year in 2010 (CEC 2020b).

## Transportation Fuels

Transportation accounts for a major portion of California's energy budget. Automobiles and trucks consume gasoline and diesel fuel, which are nonrenewable energy products derived from crude oil. Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles (SUV). In 2015, 15.1 billion gallons of gasoline were sold in California (CEC 2020c). Diesel fuel is the second most consumed fuel in California, used by heavy-duty trucks, delivery vehicles, buses, trains, ships, boats, and farm and construction equipment. In 2015, 4.2 billion gallons of diesel were sold in California (CEC 2020d).

## Proposed Project

Potential energy use of the proposed crematory and cooler were estimated for the proposed project using assumptions provided by the manufacturer and the applicant. During projected operation, the crematory would use approximately 900.00 MMBTU (million British Thermal Units) of energy and 9,835.9 gallons of propane per year. The cooler would use approximately 15,000 kWhr (kilowatt hour) of electricity or 51.18 MMBTU of energy per year. The total energy use of the proposed crematory and cooler would be approximately 951 MMBTU per year. Additional minor increases in energy consumption may result from added time which would require lighting within and around the shed to accommodate any workers while operating the facility, and a minor increase in gasoline and/or diesel usage as remains are brought to/from the crematory and as workers drive to and from the site.

## **Regulatory Framework**

### ***State Regulations***

#### California Building Standards Code (California Code of Regulations, Title 24)

The 2019 Building Energy Efficiency Standards, comprising Title 24, Parts 1 and 6, of the California Code of Regulations, is mandatory statewide. Local government agencies may adopt and enforce energy efficiency standards for newly constructed buildings, additions, alterations, and repairs provided the California Energy Commission finds that the standards will require buildings to consume no more energy than permitted by Title 24, Part 6. Such local standards may include adopting the requirements of Title 24, Part 6 before their effective date, requiring additional energy conservation measures, or setting stricter energy budgets.

### ***Local Regulations***

#### City of Folsom General Plan

The City of Folsom 2035 General Plan Utilities Element provides the following goals and policies relative to energy.

Goal PFS 8.1: Provide for the energy and telecommunications needs of Folsom and decrease the dependence on nonrenewable energy sources through energy conservation, efficiency, and renewable resource strategies now and in the future.

- PFS 8.1.3 Renewable Energy: Promote efforts to increase the use of renewable energy resources such as wind, solar, hydropower, and biomass both in the community and in City operations, where feasible.
- PFS 8.1.4 Regional Energy Conservation: Partner with neighboring jurisdictions and local energy utilities (e.g., SMUD and PG&E) to develop, maintain, and implement energy conservation programs.
- PFS 8.1.5 PACE Program: Assist in implementing the Property Assessed Clean Energy (PACE) financing programs to provide residential and commercial property owners with energy efficiency and renewable energy financing opportunities.
- PFS 8.1.6 Energy-Efficient Lighting: Reduce the energy required to light Folsom's parks and public facilities by employing energy-efficient lighting technology.
- PFS 8.1.7 Energy Conservation in City Operations: Strive to achieve an overall 20 percent reduction in City facility energy usage by continuing to install energy efficiency upgrades in City facilities (buildings, parks, and infrastructure) and implementing programs to measure and track energy usage in City facilities.

#### Folsom Municipal Code

Chapter 14.19 of the City of Folsom Municipal Code, entitled ENERGY CODE, adopts by reference the California Energy Code, 2019 Edition, published as Part 6, Title 24, California Code of Regulations to require energy efficiency standards for structures.

#### **Evaluation of Energy**

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

**Less Than Significant Impact.** Construction of the project would involve the use of a crane for several hours to unload the chiller and crematory from the truck, and the use of a mini excavator or skid steer loader for a day and one truck load of concrete to install a small pad for the two propane tanks. Construction equipment would be relatively small, given the small size of the project, and construction would be of short duration. Construction equipment would require gasoline, diesel, and potentially other fuel sources to operate. Additionally, a small number of workers would need to drive to and from the site.

Construction of the project would incorporate on-site energy conservation features. The following practices would be implemented during project construction to reduce waste and energy consumption:

- Follow maintenance schedules to maintain equipment in optimal working order and rated energy efficiency, which would include, but not be limited to, regular replacement of filters, cleaning of compressor coils, burner tune-ups, lubrication of pumps and motors, proper vehicle maintenance, etc.;
- Reduce on-site vehicle idling; and,

- In accordance with CALGreen criteria as well as state and local laws, at least 50 percent of on-site construction waste and ongoing operational waste would be diverted from landfills through reuse and recycling.

The project's construction-related energy usage would not represent a significant demand on energy resources because it is temporary in nature and small in scale. Therefore, the project's construction-phase energy impacts would be less than significant.

Operation of the proposed project would increase the consumption of energy, primarily related to propane used to power the crematory and to a lesser extent from electricity used to power the cooler. During projected operation, the crematory would use approximately 900.00 MMBTU of energy and 9,835.9 gallons of propane per year. The cooler would use approximately 15,000 kWhr of electricity or 51.18 MMBTU of energy per year. The total energy use of the proposed crematory and cooler would be approximately 951 MMBTU per year. Additional minor increases in energy would include electricity to light the space when workers are present and a minor increase in worker vehicle trips to and from the site.

Additionally, adequate energy facilities are already located within and adjacent to the site serving the existing uses. The cemetery is currently served with an electricity supply from the Sacramento Municipal Utilities District (SMUD). Electrical connections already exist for the shed, and may be upgraded as needed as part of the proposed project. Thus, the incremental increase associated with implementation of the project would not require the construction of new energy facilities or sources of energy that would not otherwise be needed to serve the region. Therefore, energy impacts from project operation would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**No Impact.** The proposed project would not conflict with or obstruct a state or local plan for renewable energy efficiency. The project would conform to all applicable state, federal, and local laws and codes. Therefore, the proposed project would have no impact.

**VII. GEOLOGY AND SOILS**

<b>GEOLOGY AND SOILS:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct and indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

**Geology**

Information in the “Geology” subsection is derived from County of Sacramento’s General Plan Safety Element (2017) unless noted otherwise. The project site is located near the border of the Great Valley and the Sierra Nevada Geomorphic Provinces. Specifically, the site is located within the Alluvial Plain Geomorphic Subunit of the Great Valley Province, just southwest of the boundary marking the start of the Sierra Nevada Province. Quaternary deposits of up to two million years old make up the soil of this subunit, which overlies layers of clay hardpans.

The project site lies within a seismically active region, as California has numerous faults that are considered active. An active fault is defined by the State Mining and Geology Board as one that has had surface displacement within Holocene time (about the last 11,000 years). Alquist-Priolo Earthquake Fault Zones are regulatory zones, delineated by the State Geologist, within which site-specific geologic studies are required to identify and avoid fault rupture hazards prior to subdivision of land and/or construction of most structures for human occupancy. There are no Alquist-Priolo Earthquake Fault Zones within Sacramento County. The nearest faults of any type to the project site are part of the Foothills Fault Zone's North Central Reach Section, and range from about 1.6 million to 130,000 years in age. (USGS 2014). They run north/northwest from Shingle Springs (El Dorado County) to Auburn (Placer County) and continue northward. They are not likely to be active. The nearest faults with recent earthquake activity, which are the most likely to cause shaking felt in the project area, are the Green Valley Fault Zone and the Greenville Fault Zone. Some faults in this area have experienced displacement within the past 200 years and are likely to be active; the nearest faults in these zones run north/northwest from Mt. Diablo to the southern Napa Valley (CGS 2020) and are located approximately 60 miles to the southwest of the project site.

### Soils

The soil map unit for the project site is 245-Xerorthents, dredge tailings, 2 to 50 percent slopes. (NRCS 2020).

### City Regulation of Geology and Soils

The City of Folsom regulates the effects of soils and geological constraints on urban development primarily through enforcement of the California Building Code, which requires the implementation of engineering solutions for constraints to urban development posed by slopes, soils, and geology. The City has additionally adopted a Grading Code (Folsom Municipal Code Section 14.29) that regulates grading citywide to control erosion, storm water drainage, revegetation, and ground movement.

### Evaluation of Geology and Soils

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

**Less Than Significant Impact.** There are no known active faults crossing the property, and the project site is not located within an Alquist-Priolo Earthquake Fault Zone. Therefore, ground rupture is unlikely at the subject property, and impacts would be less than significant.

- ii. Strong seismic ground shaking?

**Less Than Significant Impact.** Though the project site is in an area of relatively low risk from most earthquakes, an earthquake of moderate to high magnitude generated within the region could still cause considerable ground shaking at the site (County of Sacramento 2017). To minimize potential ground shaking effects, crematory installation should be done in accordance with any relevant



provisions of the 2019 California Building Code, along with all safety recommendations from the manufacturer. Conformance to the current building code recommendations would minimize potential ground shaking impacts to a less-than-significant level.

iii. Seismic-related ground failure, including liquefaction?

**Less Than Significant Impact.** Soils most susceptible to liquefaction are clean, loose, saturated, uniformly graded, fine-grained sands. Soils at the project site are comprised of dredge tailings and other fill material; thus the soil is likely not loose nor uniformly graded. Further, only a small amount of superficial ground disturbance is proposed. Any impacts would be less than significant.

iv. Landslides?

**No impact.** The project site is generally flat, ranging in elevation from approximately 175 to 185 feet. The project is not located adjacent to any steep or unstable areas. No impact would occur.

b) Result in substantial soil erosion or the loss of topsoil?

**Less Than Significant Impact.** The only ground-disturbing work undertaken during this project would be the installation of two 250-gallon propane tanks and a concrete pad that would cover approximately 38.3 square feet of ground. All other work would take place inside an existing shed. Given the small area of soil disturbed, the short duration of the work to install the tanks, and the fact that the applicant is required to ensure that any relevant BMPs for soil conservation are adhered to, any impact is expected to be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

**Less Than Significant Impact.** The site is not unstable and the project area is nearly flat. Though the project is located in an area that has a medium to high potential for subsidence (County of Sacramento 2017), soil at the project site is generally comprised of dredge tailings and other fill material (NRCS 2020). Given that, the risk for future subsidence at the project site is low. Further, the project would not disturb significant areas of ground (disturbance would be limited to approximately 38.3 square feet), would take place mostly within an existing structure, and would not add an excessive amount of weight to the site. Therefore, potential impacts from project implementation would be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

**Less Than Significant Impact.** New ground disturbing activity and construction are not proposed as part of the project, with the exception of the construction of an approximately 38.3 square foot concrete pad to support two 250-gallon propane tanks. All other activity would take place within an existing shed. Given that no issues with expansive soils have been identified regarding the existing shed or its immediate surroundings, and that new foundation construction as part of the proposed project would be limited to a small concrete pad, any impacts would be less than significant.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

**No Impact.** Though no sanitary sewer line currently exists, there is no demand for one on the project site. No demand for the disposal of septic waste would be created as a result of this project. As no septic systems exist or are proposed, no impact would occur.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**No Impact.** The proposed project area is not located in an area that is considered likely to have paleontological resources present. Paleontological resources (fossils) are the remains and/or traces of prehistoric life. Fossils are typically preserved in layered sedimentary rocks, and the distribution of fossils is a result of the sedimentary history of the geologic units within which they occur. Vertebrate fossils have been documented in nine different locations within Sacramento County. The finds encompass several hundred specimens, all within the Riverbank Formation. Because of the large number of vertebrate fossils that have been recovered from the Riverbank Formation from Sacramento County and throughout the Central Valley, this formation is considered to have high sensitivity under criteria established by the Society of Vertebrate Paleontology (1995). Likewise, the Mehrten and Lone formations located within the 2035 Plan Evaluation Area may be considered to be sensitive for the presence of paleontological resources. Other geologic formations found in the 2035 Folsom Plan Evaluation Area, such as the Laguna Formation, mine/dredge tailings, and Holocene alluvium along local drainage features, would not be expected to contain fossils. The only type of soil found at the site is composed of dredge tailings and other urban fill material, and would not be expected to contain fossils. Further, very little ground disturbance is proposed.

Fossils of plants, animals, or other organisms of paleontological significance have not been discovered within the project area, nor has the project area been identified as being within any of the areas mentioned above where such discoveries are likely. Therefore, the project would not result in impacts to paleontological resources or unique geologic features.

**VIII. GREENHOUSE GAS EMISSIONS**

GREENHOUSE GAS EMISSIONS:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Greenhouse Gas Emissions section of this document is based upon the approach, methodology, results, and conclusions outlined in the project-specific Air Quality and Greenhouse Gas Assessment prepared by HELIX Environmental Planning (HELIX 2020). The Air Quality and Greenhouse Gas Assessment is included as **Appendix B**.

**Environmental Setting**

Global climate change refers to changes in average climatic conditions on Earth including temperature, wind patterns, precipitation, and storms. Global temperatures are moderated by atmospheric gases. These gases are commonly referred to as greenhouse gases (GHG) because they function like a greenhouse by letting sunlight in but preventing heat from escaping, thus warming the Earth’s atmosphere.

GHGs are emitted by natural processes and human (anthropogenic) activities. Anthropogenic GHG emissions are primarily associated with: the burning of fossil fuels during motorized transport; electricity generation; natural gas consumption; industrial activity; manufacturing; and other activities such as deforestation, agricultural activity, and solid waste decomposition.

The GHGs defined under California’s Assembly Bill (AB) 32, described below, include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF<sub>6</sub>). Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Estimates of GHG emissions are commonly presented in carbon dioxide equivalents (CO<sub>2</sub>e), which weigh each gas by its global warming potential (GWP). Expressing GHG emissions in CO<sub>2</sub>e takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO<sub>2</sub> were being emitted. GHG emissions quantities in this analysis are presented in metric tons (MT) of CO<sub>2</sub>e. For consistency with United Nations Standards, modeling and reporting of GHGs in California and the U.S. use the GWPs defined in the Intergovernmental Panel on Climate Change’s (IPCC) Fourth Assessment Report (IPCC 2007), as shown in **Table 7**.

**Table 7. Global Warming Potential and Atmospheric Lifetimes**

Greenhouse Gas	Atmospheric Lifetime (years)	GWP
Carbon Dioxide (CO <sub>2</sub> )	50-200	1
Methane (CH <sub>4</sub> )	12	25
Nitrous Oxide (N <sub>2</sub> O)	114	298
HFC-134a	14	1,430
PFC: Tetrafluoromethane (CF <sub>4</sub> )	50,000	7,390
PFC: Hexafluoroethane (C <sub>2</sub> F <sub>6</sub> )	10,000	12,200
Sulfur Hexafluoride (SF <sub>6</sub> )	3,200	22,800

Source: IPCC 2007.

HFC: hydrofluorocarbon; PFC: perfluorocarbon

## Regulatory Setting

The primary GHG reduction legislation and plans (applicable to the project) at the State, regional, and local levels are described below. Implementation of California's GHG reduction mandates is primarily under the authority of the California Air Resources Board (CARB) at the state level, SMAQMD and the Sacramento Area Council of Governments (SACOG) at the regional level, and the City at the local level.

### ***Executive Order S-3-05***

On June 1, 2005, Executive Order (EO) S-3-05 proclaimed that California is vulnerable to climate change impacts. It declared that increased temperatures could reduce snowpack in the Sierra Nevada, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To avoid or reduce climate change impacts, EO S-3-05 calls for a reduction in GHG emissions to the year 2000 level by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. Executive Orders are not laws and can only provide the governor's direction to state agencies to act within their authority to reinforce existing laws.

### ***Assembly Bill 32 – Global Warming Solutions Act of 2006***

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires that CARB develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed by AB 32 to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

### ***Executive Order B-30-15***

On April 29, 2015, EO B-30-15 established a California GHG emission reduction target of 40 percent below 1990 levels by 2030. The EO aligns California's GHG emission reduction targets with those of leading international governments, including the 28 nation European Union. California is on track to meet or exceed the target of reducing GHGs emissions to 1990 levels by 2020, as established in AB 32. California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the goal established by EO S-3-05 of reducing emissions 80 percent under 1990 levels by 2050.

### ***Senate Bill 32***

Signed into law by Governor Brown on September 8, 2016, Senate Bill (SB) 32 (Amendments to the California Global Warming Solutions Action of 2006) extends California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in EO B-30-15 of 80 percent below 1990 emissions levels by 2050.

### ***California Air Resources Board***

On December 11, 2008, the CARB adopted the Climate Change Scoping Plan (Scoping Plan) as directed by AB 32. The Scoping Plan proposes a set of actions designed to reduce overall GHG emissions in California to the levels required by AB 32. Measures applicable to development projects include those related to energy-efficiency building and appliance standards, the use of renewable sources for electricity generation, regional transportation targets, and green building strategy. Relative to transportation, the Scoping Plan includes nine measures or recommended actions related to reducing vehicle miles traveled (VMT) and vehicle GHGs through fuel and efficiency measures. These measures would be implemented statewide rather than on a project-by-project basis (CARB 2008).

In response to EO B-30-15 and SB 32, all state agencies with jurisdiction over sources of GHG emissions were directed to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 targets. The mid-term target is critical to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue driving down emissions (CARB 2014). In December 2017, CARB adopted the 2017 Climate Change Scoping Plan Update, the Strategy for Achieving California's 2030 Greenhouse Gas Target, to reflect the 2030 target set by EO B 30 15 and codified by SB 32 (CARB 2017).

### ***Sacramento Metropolitan Air Quality Management District***

The SMAQMD provides direction and recommendations for the analysis of GHG impacts of a project and approach to mitigation measures in its CEQA Air Quality Guidelines (SMAQMD 2020a).

### ***Sacramento Area Council of Governments***

As required by the Sustainable Communities and Climate Protection Act of 2008 (SB 375), SACOG has developed the 2020 Metropolitan Transportation Plan and Sustainable Communities Strategy. This plan seeks to reduce GHG and other mobile source emissions through coordinated transportation and land use planning to reduce VMT.

### ***City of Folsom***

As part of the 2035 General Plan, the City of Folsom prepared an integrated Greenhouse Gas Emissions Reduction Strategy (GHG Strategy) to identify and reduce current and future community GHG emissions and those associated with the City's municipal operations. Adopted on August 28, 2018, the GHG Strategy also serves as the City's "plan for the reduction of greenhouse gases", per Section 15183.5 of the CEQA Guidelines, which provides the opportunity for tiering and streamlining of project-level emissions for certain types of discretionary projects subject to CEQA review that are consistent with the

General Plan. The GHG Strategy includes goals and strategies to reduce community and municipal GHG emissions, compared to the 2005 baseline year, by 15 percent in 2020, 51 percent in 2035, and 80 percent in 2050 (City of Folsom 2018a; City of Folsom 2018c).

### Significance Criteria

The following potential air quality impacts are based on Appendix G of the CEQA Guidelines, a significant impact is identified if the project would result in any of the following:

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b) *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

In accordance with CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of a qualified plan for the reduction of greenhouse gases. The City General Plan Policy NCR 3.2.8 provides criteria for project-level streamlining and tiering (City of Folsom 2018a):

Projects subject to environmental review under CEQA may be eligible for tiering and streamlining the analysis of GHG emissions, provided they are consistent with the GHG reduction measures included in the GHG Strategy contained in the General Plan and EIR. The City may review such projects to determine whether the following criteria are met:

- Proposed project is consistent with the current general plan land use designation for the project site;
- Proposed project incorporates all applicable GHG reduction measures (as documented in the Climate Change Technical Appendix to the General Plan EIR) as mitigation measures in the CEQA document prepared for the project; and,
- Proposed project clearly demonstrates the method, timing and process for which the project will comply with applicable GHG reduction measures and/or conditions of approval, (e.g., using a CAP/GHG reduction measures consistency checklist, mitigation monitoring and reporting plan, or other mechanism for monitoring and enforcement as appropriate).

### Evaluation of Greenhouse Gas Emissions

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**Less Than Significant Impact.** To determine consistency with the City's GHG Strategy, the criteria outlined in the Greenhouse Gas Reduction Strategy Consistency Checklist are shown and discussed in **Table 8**.

Table 8. GHG Reduction Strategy Consistency Checklist

Checklist Item	Consistent?	Discussion
<b>Part 1: Land Use Consistency</b>		
A. The proposed project is consistent with the City's 2035 General Plan land use and zoning designations. If "Yes," proceed to Part 2 of the Checklist.	Yes	The project would be located within the footprint of an existing building in an existing cemetery in an area designated Open Space in the General Plan and zoned Open Space/Public (OS/P) Primary Area of the Historic District with underlying zoning of Open Space and Conservation District (OSC). According to the City Zoning Code Chapter 17.52.550 and Chapter 17.39, a cemetery is an allowed use in both the OS/P Primary Area and OSC zone with a use permit. While the project may require a new conditional use permit, the project would not require a General Plan amendment or rezone. The project would be consistent with existing project site use and land use designation the General Plan.
<b>Part 2: GHG Reduction Measures Consistency</b>		
E-1: Improve Building Energy Efficiency in New Development	Not Applicable	The project does not propose new buildings or substantial modifications to existing buildings.
E-2: Water Heater Replacement in Existing Residential Development	Not Applicable	The project is not an existing residential development.
E-3: Improve Building Energy Efficiency in Existing Development	Not Applicable	The project's proposed equipment would be installed within an existing metal shed and would not include any conditioned or occupied building space.
E-4: Increase Use of Renewable Energy in Existing Development	Not Applicable	The project's proposed equipment would be installed within an existing metal shed. No expansion or retrofit of existing buildings are proposed.
T-1: Reduce VMT Through Mixed and High-Density Land Use	Not Applicable	The project does not propose, and the project site open space land use designation and zoning does not permit, high density development and mixed uses.
T-2: Improve Streets and Intersections for Multi-Modal Use and Access	Not Applicable	The project does not include construction of new streets or improvement to existing streets.
T-3: Adopt Citywide TDM Program	Not Applicable	The project is not a residential, office, commercial retail, public facility or school development. The project would not include new parking spaces.
T-5: Reduce Minimum Parking Standards	Not Applicable	The project would not include new parking spaces.
T-6: Require the Use of High-Performance Renewable Diesel in Construction Equipment	Not Applicable	The project would require minimal off-road diesel construction equipment. At most, a small excavator or skid steer loader may be used for a few hours to prepare an area for a small concrete pad.
T-8: Install Electric Vehicle Charging Stations	Not Applicable	The project is not a residential development, does not propose new parking spaces, and existing parking spaces at the project building are less than 10.
SW-1: Increase Solid Waste Diversion	Not Applicable	The project would involve minimal construction activity and would not result in substantial construction waste which could be diverted.

W-1: Increase Water Efficiency in New Residential Development	Not Applicable	The project is not a new residential development and the project does not propose new indoor or outdoor water uses.
W-2: Reduce Outdoor Water Use	Not Applicable	The project does not propose substantial addition, alteration, or expansion to existing facilities or new outdoor water uses.

Source: City of Folsom 2018d

As presented in **Table 8**, the project would be consistent with the project site general plan land use designation and none of the GHG reduction measures listed in the GHG Strategy are applicable to the project. Therefore, the project would be consistent with the City’s GHG Strategy and the project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The impact would be less than significant.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less Than Significant Impact.** As discussed in criterion a), above, the project would be consistent with the City’s integrated General Plan and GHG Strategy. The GHG strategy was developed to meet the City’s GHG reduction targets which were formulated to meet the statewide GHG mandates of AB 32 and SB 32. Therefore, the project would not conflict with an applicable plan adopted for the purposes of reducing GHG emissions and the impact would be less than significant.



**IX. HAZARDS AND HAZARDOUS MATERIALS**

<b>HAZARDS AND HAZARDOUS MATERIALS:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The project property is currently developed as a cemetery; the project site is within and immediately adjacent to an existing maintenance shed. The project site has no known past land uses associated with potentially hazardous sites.

The proposed project would include the installation of two 250-gallon propane tanks immediately adjacent to the existing shed. Propane is considered a hazardous material in that is extremely flammable and may cause burns, irritations, and/or asphyxiation if humans come into direct contact with significant quantities of it (USDOT 2016). Federal and state laws include provisions for the safe handling of hazardous substances. The federal Occupational Safety and Health Administration (OSHA) administers requirements to ensure worker safety. Construction activity must also be in compliance with California OSHA regulations (Occupational Safety and Health Act of 1970).

Nearby schools include the Golden Valley Charter River School (approximately 2.7 miles west of the project site<sup>2</sup>), Folsom Montessori School (0.6 miles east), Sutter Middle School (1.0 mile east), Folsom Lake High School (0.9 miles east) and Folsom Middle School (2.5 miles east).

The following databases were reviewed for the project site and surrounding area to identify potential hazardous contamination sites: the USEPA's Envirofacts online database (USEPA 2020a); California Department of Toxic Substance Control's EnviroStor online database (DTSC 2020); and the USEPA's Superfund National Priorities List (USEPA 2020c). Based on the results of the databases reviewed, the project site is not listed as a hazardous waste site. No Superfund sites are located on or near the project site. According to the EnviroStor database, there are two potentially hazardous sites near the project site:

- City of Folsom Corporate Yard Landfill. Located approximately 0.3 miles north of the project site. Underwent voluntary cleanup. No further action required.
- A&S Custom Plating Co. Located 0.6 miles northeast of the project site. Underwent evaluation. No further action required.

No private or public airports are located within the City of Folsom. The nearest public airfield is Mather Airport, located approximately 11.7 miles southwest of the project site. Cameron Airpark is a public use airport located approximately 13 miles northeast of the project site, and McClellan Airport is a privately-owned public use airport located approximately 17 miles west of the project site.

The City of Folsom Fire Department provides fire protection services. There are four fire stations providing fire/rescue and emergency medical services within the City of Folsom with a fifth station planned near the eastern city limits. Station 35 is the nearest station to the project site and is located at 535 Glenn Drive, approximately 1.5 miles east of the project site. Station 36 is second nearest to the project site and is located at 9700 Oak Avenue, approximately 2.3 miles north of the project site. The Fire Department responds to over 6,000 requests for service annually with an average of 16.4 per day (City of Folsom 2020). The project site is easily accessible to fire service personnel. Consistent with the City's Multi-Hazard Emergency Management Plan, the City of Folsom maintains pre-designated emergency evacuation routes along major streets and thoroughfares (City of Folsom 2005).

The project is not located in or near a State Responsibility Area or in a Very High Fire Hazard Severity Zone (CAL FIRE 2020; CSG 2020). Vegetation on the property is irrigated and includes maintained lawns and well-spaced trees with a generally open canopy and limbs pruned near ground level.

### **Evaluation of Hazards and Hazardous Materials**

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Less Than Significant Impact.** The project would involve the installation of two 250-gallon propane tanks

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<sup>2</sup> The school is located across Lake Natoma from the project site and, though it is approximately 2.7 miles away by car, its physical location is about 3,000 feet (just over one-half mile) northwest of the project site.

immediately adjacent to the existing maintenance shed to power the crematory. Propane is flammable and has the potential to negatively impact human health if people are directly exposed to the liquid, gas, and/or vapors in the cases of large leaks or spills (USDOT 2016). Further, significant damage to the tanks, failure of safety mechanisms, and/or the presence of an ignition source may make the tanks an explosion hazard. However, this is very unlikely for a number of reasons. The tanks would be secured in place on a concrete pad, marked conspicuously, and placed in an area at low risk of impact from any vehicle or piece of equipment. They would not be located in an area of the cemetery frequented by the public. All installation, maintenance, and operations would be done by trained individuals in accordance with the manufacturer's recommendations and state regulations. The tanks would be regularly inspected to ensure soundness and proper function. Delivery of propane and filling of the tanks would be done only by licensed professionals following all applicable regulations and best practices.

No existing hazardous materials have been identified on the project site, and the site has no known history of past land uses associated with potentially hazardous sites. Construction of the proposed project would result in a small increase in the generation, storage, and disposal of hazardous wastes. During project construction, oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials may be used. If spilled, these substances could pose a risk to the environment and to human health.

Following construction, household hazardous materials (such as various cleansers, paints, solvents, pesticides, and automobile fluids) may occasionally be used or brought into the vicinity of the site as part of routine maintenance. The routine transport, use, and disposal of hazardous materials are subject to local, state, and federal regulations to minimize risk and exposure.

Further, the City has set forth its hazardous materials goals and policies in the Hazardous Materials Element of the General Plan. The preventative policies protect the health and welfare of residents of Folsom through management and regulation of hazardous materials. Consequently, use of the listed materials above for their intended purpose would not pose a significant risk to the public or environment, and impacts would be less than significant for questions a) and b).

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**No impact.** The project site is not located within one-quarter mile of an existing or proposed school.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**No Impact.** The project site is not listed as a hazardous waste site on Envirofacts (USEPA 2020a), EnviroStor (DTSC 2020), or the EPA's Superfund National Priorities List (USEPA 2020c). Therefore, project implementation would have no impact for question d).

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

**No Impact.** The project site is not located within an Airport Land Use Plan area, and no public or private airfields are within two miles of the project site. Therefore, the proposed project would not result in a

safety hazard or excessive noise for people residing or working in the project area, and no impact would occur.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Less Than Significant Impact.** Consistent with the City's Multi-Hazard Emergency Management Plan, the City of Folsom maintains pre-designated emergency evacuation routes along major streets and thoroughfares (City of Folsom 2005). The proposed project would not modify any pre-designated emergency evacuation route or preclude their continued use as an emergency evacuation route. Emergency vehicle access would be maintained throughout the project site to meet the Fire Department standards for fire engine maneuvering, location of fire engine to fight a fire, rescue access to the units, and fire hose access to all sides of the building. Therefore, project impacts to the City's adopted emergency plans would be less than significant.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

**Less Than Significant Impact.** The project site is located in an urbanized area in the City of Folsom and is provided urban levels of fire protection by the City. Landscaping on the property is well-irrigated, well-spaced, trimmed, pruned, and generally maintained. To the north of the site is a residential neighborhood, to the east is gravel/rock cover and Folsom Boulevard, and to the south and west is a greenbelt that runs parallel to Lake Natoma on a north/south axis. The natural spaces are small, with a relatively open and discontinuous canopy. The project is not likely to cause any ignition, given that the crematory will not emit sparks, and any ignition caused by other factors could be quickly controlled by the City of Folsom Fire Department and would not spread great distances given the land use and vegetation surrounding and occupying the site. As an existing facility, Lakeside Memorial Lawn maintains adequate fire response infrastructure for both current operations and the proposed project. The City of Folsom Fire Department reviewed the project application and did not raise any concerns regarding the adequacy of water supply or site access. Therefore, the proposed project would not expose people or structures to a significant risk of loss due to wildland fires, and impacts would be less than significant.

**X. HYDROLOGY AND WATER QUALITY**

<b>HYDROLOGY AND WATER QUALITY:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

The project site is currently a small cemetery, with associated landscaping, outbuildings, and access roads. Lands to the south and west contain woodland habitat typical of riparian communities in the Sierra Nevada foothills. To the west is also the Jedidiah Smith Memorial Trail that runs along the eastern shore of Lake Natoma. The trail, also known as the American River Bike Trail, connects Folsom Lake (north of the project site) to the confluence of the American and Sacramento Rivers in Downtown Sacramento. It is a part of the American River Parkway that is operated by the California Department of Parks and Recreation. To the north of the project site is a small residential neighborhood with single-family dwellings. Folsom Boulevard runs in a north/south line just east of the property. East of Folsom Boulevard is a large, developed area containing single-family homes, apartment complexes, a mobile home park, and some small businesses. The more regional setting is primarily characterized by residential development with a commercial shopping center to the east.

The project site is generally flat, ranging from about 175 to 185 feet in elevation throughout. Precipitation is the only apparent source of surface water as there are no wetlands or streams located on the project site.

The project site currently retains stormwater onsite and then discharges it into Lake Natoma. There is no connection with a City sewer system. Demand for water disposal, of either sanitary waste or stormwater, is projected to be unchanged by the proposed action.

Construction of the proposed project would disturb only the amount of soil required to install a concrete pad of approximately 38.3 square feet to secure two 250-gallon propane tanks adjacent to the existing shed.

Federal Emergency Management Agency (FEMA) flood insurance rate maps were reviewed for the project's proximity to a 100-year floodplain. The proposed project is on FEMA panel 06067C0116H, effective August 16, 2012. The project site is not located within a 100-year floodplain (FEMA 2020). The project is not located in a tsunami inundation zone (CDC 2020a).

The site is not located in an area of important groundwater recharge. Domestic water in the City is provided solely by surface water sources, and the City is the purveyor of water to the project area.

### **Regulatory Framework Relating to Hydrology and Water Quality**

The City is a signatory to the Sacramento Countywide NPDES permit for the control of pollutants in urban stormwater. Since 1990, the City has been a partner in the Sacramento Stormwater Quality Partnership, along with the County of Sacramento and the Cities of Sacramento, Citrus Heights, Elk Grove, Galt, and Rancho Cordova. These agencies are implementing a comprehensive program involving public outreach, construction and industrial controls (i.e., BMPs), water quality monitoring, and other activities designed to protect area creeks and rivers. This program would be unchanged by the proposed project, and the project would be required to implement all appropriate program requirements.

In addition to these activities, the City maintains the following requirements and programs to reduce the potential impacts of urban development on stormwater quality and quantity, erosion and sediment control, flood protection, and water use. These regulations and requirements would be unchanged by the proposed project.

Standard construction conditions required by the City include:

- *Water Pollution* – requires compliance with City water pollution regulations, including NPDES provisions.
- *Clearing and Grubbing* – specifies protection standards for signs, mailboxes, underground structures, drainage facilities, sprinklers and lights, trees and shrubbery, and fencing. Also requires the preparation of a SWPPP to control erosion and siltation of receiving waters.
- *Reseeding* – specifies seed mixes and methods for reseeding of graded areas.

Additionally, the City enforces the following requirements of the Folsom Municipal Code as presented in **Table 9**.

**Table 9. City of Folsom Municipal Code Sections Regulating the Effects on Hydrology and Water Quality from Urban Development**

CODE SECTION	CODE NAME	EFFECT OF CODE
8.70	Stormwater Management and Discharge Control	Establishes conditions and requirements for the discharge of urban pollutants and sediments to the storm-drainage system; requires preparation and implementation of Stormwater Pollution Prevention Plans.
13.26	Water Conservation	Prohibits the wasteful use of water; establishes sustainable landscape requirements; defines water use restrictions.
14.20	Green Building Standards Code	Adopts by reference the California Green Building Standards Code (CALGreen Code), 2016 Edition, excluding Appendix Chapters A4, A5, and A6.1 published as Part 11, Title 24, C.C.R. Purpose of the Folsom Green Building Standards Code is to promote and require the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices.
14.29	Grading Code	Requires a grading permit prior to the initiation of any grading, excavation, fill or dredging; establishes standards, conditions, and requirements for grading, erosion control, stormwater drainage, and revegetation.
14.32	Flood Damage Prevention	Restricts or prohibits uses that cause water or erosion hazards, or that result in damaging increases in erosion or in flood heights; requires that uses vulnerable to floods be protected against flood damage; controls the modification of floodways; regulates activities that may increase flood damage or that could divert floodwaters.
14.33	Hillside Development Standards	Regulates urban development on hillsides and ridges to protect property against losses from erosion, ground movement and flooding; to protect significant natural features; and to provide for functional and visually pleasing development of the city's hillsides by establishing procedures and standards for the siting and design of physical improvements and site grading.

Source: City of Folsom 2018b.

### Evaluation of Hydrology and Water Quality

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

**Less Than Significant Impact.** No work would occur on the site outside of the existing shed with the exception of installing two 250-gallon propane tanks immediately adjacent to the existing shed. The tanks would cover an area of ground of approximately 38.3 square feet and thus may disturb 38.3 square feet of soil during installation. There would be an addition of approximately 38.3 square feet of impervious surface, following the completion of construction since the tanks would be built on a concrete foundation. No significant increase in wastewater or runoff is expected as a result of the project. The temporary disturbance of a small amount of soil and the potential addition of an impervious surface (approximately 38.3 square feet in both cases) would render any impacts less than significant.

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

**Less Than Significant Impact.** The project does not propose any new building construction or the addition of any impervious surfaces, except for up to 38.3 square feet to be covered by propane tanks' concrete foundation. No other soil disturbance and no grading or compaction are anticipated. The small change in impervious surfaces would render any impacts to infiltration at the site or groundwater recharge to be less than significant.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- i. Result in substantial erosion or siltation on- or off-site?

**Less Than Significant Impact.** Approximately 38.3 square feet of soil may be disturbed for a short time during construction. Any resulting erosion impact would be less than significant.

- ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?

**Less Than Significant Impact.** Approximately 38.3 square feet of impervious surfaces would be added during construction. There would be no other addition or expansion of impervious surfaces, and existing drainage patterns and systems would not be altered. Any impact would be less than significant.

- iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?

**Less Than Significant Impact.** Approximately 38.3 square feet of impervious surfaces would be added during construction. There would be no other addition or expansion of impervious surfaces, and existing drainage patterns and systems would not be altered. No additional wastewater is expected to be generated by the proposed action. Existing systems are adequate to deal with existing levels of runoff. Any impact would be less than significant.

- iv. Impede or redirect flood flows?

**No impact.** The proposal would not alter or block any existing watercourse or drainage feature, nor would it block or impede the drainage of any floodwater from the property during times of heavy rain. There would be no impact.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

**No impact.** The project site is not located within a 100-year floodplain nor in a tsunami inundation zone or seiche zone. No impact would occur.



- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

**Less Than Significant Impact.** The project would include the disturbance of up to approximately 38.3 square feet of soil and the installation of the same amount of impervious surfaces on the project site. All other work would be conducted inside of an established building. Given the small area of soil disturbed and impervious surfaces added, any impacts to groundwater infiltration rates or groundwater quality are expected to be less than significant.

**XI. LAND USE AND PLANNING**

LAND USE AND PLANNING:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

Land use in the project area is regulated by the City of Folsom through the various plans and ordinances adopted by the City. These include the City of Folsom General Plan and the City of Folsom Municipal Code, including the Zoning Code. The project site is designated as Open Space (OS) in the City of Folsom General Plan. The following General Plan policies apply to the Open Space designation:

LU-1.1.8: Preserve Natural Assets: Maintain the existing natural vegetation, landscape features, open space, and viewsheds in the design of new developments.

LU-1.1.9: Preserve Historic Resources: Recognize the importance of history in the City of Folsom, and preserve historic and cultural resources throughout the city, to the extent feasible.

LU-1.1.10: Network of Open Space: Ensure designated open space is connected whenever feasible with the larger community and regional network of natural systems, recreational assets, and viewsheds

The proposed action would not be in conflict with the OS designation or the above policies, as disturbances would be largely limited to an existing building and a small area of existing disturbance that is shielded from public view..

The project site is currently zoned Open Space/Public (OS/P) Primary Area of the Historic District with underlying zoning of Open Space and Conservation (OSC). The applicant is seeking a Conditional Use Permit from the City to authorize their installation of a crematory.

**Evaluation of Land Use and Planning**

a) Physically divide an established community?

**No Impact.** No new building or road construction is proposed. The project site is located within an existing cemetery outside of established residential communities. No impact would occur.

- b) Cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

**Less Than Significant Impact.** The project site is designated as OS in the City of Folsom General Plan. The proposed action would not conflict with the intended uses of that designation. The project site is currently zoned Open Space/Public (OS/P) Primary Area of the Historic District with underlying zoning of Open Space and Conservation District (OSC). . The applicant is seeking a Conditional Use Permit (CUP) from the City to authorize their installation of a crematory. Granting of the CUP from the City would render any impacts less than significant.

## XII. MINERAL RESOURCES

MINERAL RESOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The Folsom area regional geologic structure is defined by the predominantly northwest- to southeast-trending belt of metamorphic rocks and the strike-slip faults that bound them. The structural trend influences the orientation of the feeder canyons into the main canyons of the North and South Forks of the American River. This trend is interrupted where the granodiorite plutons outcrop (north and west of Folsom Lake) and where the metamorphic rocks are blanketed by younger sedimentary layers (west of Folsom Dam) (Wagner et al. 1981 in Geotechnical Consultants 2003). The four primary rock divisions found in the area are: ultramafic intrusive, metamorphic, granodiorite intrusive, and volcanic mud flows (Geotechnical Consultants 2003).

The presence of mineral resources within the City has led to a long history of gold extraction, primarily placer gold. No areas of the City are currently designated for mineral resource extraction (CDC 2020b).

### Evaluation of Mineral Resources

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

**No Impact.** The proposed project is not located in a zone of known mineral or aggregate resources. No active mining operations are present on or near the site. Implementation of the project would not interfere with the extraction of any known mineral resources. Thus, no impacts would result, and no mitigation would be necessary for questions a) and b).

**XIII. NOISE**

NOISE:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The project site is located southwest of the intersection of Forrest Street/Natoma Street and Folsom Boulevard, within an existing shed on the grounds of the Lakeside Memorial Lawn Cemetery. The proposed project would include the installation and operation of a crematory within the existing shed, and the installation of a small concrete pad and two propane tanks adjacent to the shed to power the crematory. According to the manufacturer, the crematory would generate approximately 60 decibels (dB) of noise during normal operation. Noise-sensitive land uses are land uses that may be subject to stress and/or interference from excessive noise, including residences, hospitals, schools, hotels, resorts, libraries, sensitive wildlife habitat, or similar facilities where quiet is an important attribute of the environment. Noise receptors (receivers) are individual locations that may be affected by noise. Noise-sensitive land uses in the project vicinity include nearby residences along Young Wo Circle, approximately 420 feet to the north/northwest, and the Folsom Village Mobile Home Park, located approximately 1,000 feet to the east across Folsom Boulevard.

**Noise Terminology and Metrics**

All noise level or sound level values presented herein are expressed in terms of decibels (dB), with A weighting (dBA) to approximate the hearing sensitivity of humans. Time-averaged noise levels are expressed by the symbol LEQ, with a specified duration.

The amplitude of pressure waves generated by a sound source determines the loudness of that source. Sound pressure amplitude is measured in micro-Pascals (mPa). One mPa is approximately one hundred billionth (0.0000000001) of normal atmospheric pressure. Sound pressure amplitudes for different kinds of noise environments can range from less than 100 to 100,000,000 mPa. Because of this wide range of values, sound is rarely expressed in terms of mPa. Instead, a logarithmic scale is used to

describe sound pressure level (SPL) in terms of dBA. The threshold of hearing for the human ear is about 0 dBA, which corresponds to 20 mPa.

Because decibels are logarithmic units, SPL cannot be added or subtracted through standard arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than from one source under the same conditions. For example, if one automobile produces an SPL of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dBA—rather, they would combine to produce 73 dBA. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dBA louder than one source.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1 dBA changes in sound levels, when exposed to steady, single-frequency (“pure-tone”) signals in the mid-frequency (1,000 Hz–8,000 Hz) range. In typical noisy environments, changes in noise of 1 to 2 dBA are generally not perceptible. It is widely accepted, however, that people begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dBA increase is generally perceived as a distinctly noticeable increase, and a 10 dBA increase is generally perceived as a doubling of loudness.

## Regulatory Framework

### City of Folsom General Plan

The City of Folsom 2035 General Plan Safety and Noise Element provides the following goals and policies relative to noise that are applicable to this project:

GOAL SN 6.1: Protect the citizens of Folsom from the harmful effects of exposure to excessive noise and to protect the economic base of Folsom by preventing the encroachment of incompatible land uses within areas affected by existing noise-producing uses.

- SN 6.1.1 Noise Mitigation Strategies: Develop, maintain, and implement strategies to abate and avoid excessive noise exposure in the city by requiring that effective noise mitigation measures be incorporated into the design of new noise-generating and noise-sensitive land uses.
- SN 6.1.2 Noise Mitigation Measures: Require effective noise mitigation for new development of residential or other noise sensitive land uses to reduce noise levels as follows:
  - 2. For non-transportation-related noise sources: achieve compliance with the performance standards contained within Table SN-1 [Table 10].

**Table 20. Noise Compatibility Standards**

Land Use	Exterior Noise Level Standard for Outdoor Activity Areas <sup>a</sup>	Interior Noise Level Standard	
	L <sub>dn</sub> /CNEL, dB	L <sub>dn</sub> /CNEL, dB	L <sub>eq</sub> , dB <sup>b</sup>
Residential (Low Density Residential, Duplex, Mobile Homes)	60 <sup>c</sup>	45	N/A
Residential (Multi Family)	65 <sup>d</sup>	45	N/A
Transient Lodging (Motels/Hotels)	65 <sup>d</sup>	45	N/A

Land Use	Exterior Noise Level Standard for Outdoor Activity Areas <sup>a</sup>	Interior Noise Level Standard	
	L <sub>dn</sub> /CNEL, dB	L <sub>dn</sub> /CNEL, dB	L <sub>eq</sub> , dB <sup>b</sup>
Mixed-Use Developments	70	45	N/A
Schools, Libraries, Churches, Hospitals, Nursing Homes, Museums	70	45	N/A
Theaters, Auditoriums	70	N/A	35
Playgrounds, Neighborhood Parks	70	N/A	N/A
Golf Courses, Riding Stables, Water Recreation, Cemeteries	75	N/A	N/A
Office Buildings, Business Commercial and Professional	70	N/A	45
Industrial, Manufacturing, and Utilities	75	N/A	45

Notes: Where a proposed use is not specifically listed on this table, the use shall comply with the noise exposure standards for the nearest similar use as determined by the Community Development Department.

- a. Outdoor activity areas for residential developments are considered to be the back yard patios or decks of single-family residential units, and the patios or common areas where people generally congregate for multifamily development. Outdoor activity areas for nonresidential developments are considered to be those common areas where people generally congregate, including outdoor seating areas. Where the location of outdoor activity areas is unknown, the exterior noise standard shall be applied to the property line of the receiving land use.
- b. As determined for a typical worst-case hour during periods of use.
- c. Where it is not possible to reduce noise in outdoor activity areas to 60 dB, L<sub>dn</sub>/CNEL or less using a practical application of the best-available noise reduction measures, an exterior level of up to 65 dB, L<sub>dn</sub>/CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.
- d. Where it is not possible to reduce noise in outdoor activity areas to 65 dB, L<sub>dn</sub>/CNEL or less using a practical application of the best-available noise reduction measures, an exterior level of up to 70 dB, L<sub>dn</sub>/CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.

### ***Folsom Municipal Code***

Chapter 8.42 of the City of Folsom Municipal Code, entitled Noise Control, provides exterior noise level performance standards for stationary noise sources. In addition, this chapter also provides noise source exemptions which are applicable to this project.

#### **8.42.040 Exterior noise standards.**

- A. It is unlawful for any person at any location within the incorporated area of the city to create any noise, or to allow the creation of any noise, on property owned, leased, occupied or otherwise controlled by such person which causes the exterior noise level when measured at any affected single- or multiple-family residence, school church, hospital or public library situated in either the incorporated or unincorporated area to exceed the noise level standards as set forth in **Table 11**.

**Table 11. Exterior Noise Level Standards**

Noise Level Category	Cumulative Number of minutes in any 1-hour time period	Daytime (dB) (7 a.m. – 10 p.m.)	Nighttime (dB) (10 p.m. – 7 a.m.)
1	30	50	45
2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65

Note: dB = A-weighted decibels

Source: City of Folsom Code, Noise Control 1993.

- B. In the event the measured ambient noise level exceeds the applicable noise level standard in any category above, the applicable standard shall be adjusted so as to equal the ambient noise level.
- C. Each of the noise level standards specified above shall be reduced by 5 dB for simple tone noises, noises consisting primarily of speech or music, or for recurring noises.
- D. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level can be measured, the noise level measured while the source is in operation shall be the noise level standards as specified above.

#### Noise Source Exemptions (Section 8.42.060)

Section 8.42.060 of the City of Folsom Municipal Code establishes the following activities that are considered exempt from the associated exterior noise provisions:

- A. Activities conducted in unlighted public parks, public playgrounds and public or private school grounds, during the hours of 7 a.m. to dusk, and in lighted public parks, public playgrounds and public or private school grounds, during the hours of 7 a.m. to 11 p.m., including but not limited to school athletic and school entertainment events;
- B. Any mechanical device, apparatus, or equipment used, related to or connected with emergency activities or emergency work;
- C. Noise sources associated with construction, provided such activities do not take place before 7 a.m. or after 6 p.m. on any day except Saturday or Sunday, or before 8 a.m. or after 5 p.m. on Saturday or Sunday;
- D. Noise sources associated with the maintenance of residential property provided such activities take place between the hours of seven a.m. to dusk on any day except Saturday or Sunday, between the hours of 8 a.m. to dusk on Saturday or Sunday;
- E. Noise sources associated with agricultural activities on agricultural property;
- F. (Section Expired)
- G. Noise sources associated with the collection of waste or garbage from property devoted to commercial or industrial uses;



H. Any activity to the extent regulation thereof has been preempted by state or Federal law.

### Evaluation of Noise

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**Less Than Significant Impact.** Construction of the project would involve the use of a crane for several hours to unload the chiller and crematory from the truck, and the use of a mini excavator or skid steer loader for a day and one truck load of concrete to install a small pad for the two propane tanks. Construction equipment would be relatively small, given the small size of the project, and construction would be of short duration. Noise generated by construction may exceed the levels permitted by section 8.42.040 of the Folsom Municipal Code; however, construction activities are exempt from those requirements provided that they take place between 7:00 a.m. and 6:00 p.m. on any day except Saturday or Sunday, or between 8:00 a.m. and 5:00 p.m. on Saturday or Sunday (Folsom Municipal Code 8.42.060). The project applicant is required to comply with these requirements and ensure that all construction activities were limited to those windows.

The crematory is expected to generate 60 dB of noise during normal operations, which is below the 75 dB level authorized for cemeteries under item SN 6.1.2 of the City of Folsom 2035 General Plan Safety and Noise Element. Operation would be limited to between the hours of 7:00 a.m. and 10:00 p.m., so 50 dB would be the lowest standard applied by Folsom Municipal Code Section 8.42.040 for noise reaching the nearest sensitive receptor for 30 cumulative minutes of any hour during that time frame. That standard would further be lowered to 45 dB for recurring noises. The nearest sensitive receptors to the project site are the residences located along Young Wo Circle, approximately 420 feet to the north/northwest of the proposed crematory. A rough estimate of noise levels reaching these receptors was calculated. This discussion assumes that the 60 dB measurement provided by the manufacturer refers to noise levels ten feet from the proposed crematory during operation, and assumes spherical spreading of sound from the source to the receiver (i.e., 6 decibel decrease for each doubling of distance from the noise source). An additional offset for atmospheric absorption of -1.5 dB per thousand feet was applied to the computations.

Noise from the proposed crematory's normal operations would attenuate to approximately 27.5 dB by the time it reached the nearest sensitive receptors. This does not account for the added muffling effect of the shed containing the crematory. Consequently, the proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of applicable standards, and impacts from the project would be less than significant.

- b) Generation of excessive groundborne vibration or groundborne noise levels?

**Less Than Significant Impact.** Construction of the project would involve the use of a crane for several hours to unload the chiller and crematory from the truck, and the use of a mini excavator or skid steer loader for a day and one truck load of concrete to install a small pad for the two propane tanks. Construction equipment would be relatively small, given the small size of the project, and construction would be for a short duration. Operation of the proposed crematory is not expected to create any new sources of vibration that could be felt outside of the immediate vicinity of the device. Therefore, any impacts would be less than significant.

- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact.** No public airports or private airstrips are located within two miles of the project site. Therefore, residents of the proposed project would not be exposed to excessive noise levels from air activity, and no impact would occur.

**XIV. POPULATION AND HOUSING**

POPULATION AND HOUSING:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The proposed project includes the installation of a crematory within an existing maintenance shed at an existing cemetery. It also involves the installation of two 250-gallon propane tanks adjacent to one side of the shed.

**Evaluation of Population and Housing**

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**No Impact.** The project would not expand any existing service apart from providing an opportunity to cremate deceased individuals within the City of Folsom. It would not expand or provide any public service nor alter public access to any site, nor create significant new employment opportunities. No impact would occur.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**No Impact.** This project does not involve the demolition, alteration, or replacement of any housing. It would not affect local conditions to the degree that any residents would be compelled to move away. Therefore, no impact would occur.

**XV. PUBLIC SERVICES**

<b>PUBLIC SERVICES:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The proposed project is in an area currently served by urban levels of utilities and services. Public services provided by the City of Folsom in the project area include fire, police, school, library, and park services. The site is served by all public utilities including domestic water, wastewater treatment, and storm water utilities.

The City of Folsom Fire Department provides fire protection services. There are four fire stations providing fire/rescue and emergency medical services within the City of Folsom with a fifth station planned near the eastern city limits. Station 35 is the nearest station to the project site and is located at 535 Glenn Drive, approximately 1.5 miles east of the project site. Station 36 is second nearest to the project site and is located at 9700 Oak Avenue, approximately 2.3 miles north of the project site. The Fire Department responds to over 6,000 requests for service annually with an average of 16.4 per day (City of Folsom 2020). The City of Folsom Police Department is located at 46 Natoma Street, approximately 1.5 miles northeast of the project site.

The project site is located within the Folsom Cordova Unified School District. Nearby schools include the Golden Valley Charter River School (approximately 2.7 miles west of the project site), Folsom Montessori School (0.6 miles east), Sutter Middle School (1.0 mile east), Folsom Lake High School (0.9 miles east) and Folsom Middle School (2.5 miles east). The nearest recreational feature to the site is the Jedediah Smith Memorial Trail which runs adjacent to the property near its west side. The trail runs along the shores of Lake Natoma and continues on to provide bike access to the City of Sacramento. The land to the south and west of the property, including the land surrounding the trail and the lake, is a part of the American River Parkway that is operated by the State of California Department of Parks and Recreation.

The Sacramento Municipal Utilities District (SMUD) would continue to supply electricity to the project site. The City of Folsom provides potable water and irrigation water to the site. The project site does not currently have a gas line; two 250-gallon propane tanks would be installed to provide fuel for the crematory. The project site does not currently have a sanitary sewer line.

The City of Folsom has a program of maintaining and upgrading existing utility and public services within the City. Similarly, all private utilities maintain and upgrade their systems as necessary for public convenience and necessity, and as technology changes.

### **Evaluation of Public Services**

a) Fire protection?

**Less Than Significant Impact.** The City of Folsom Fire Department is capable of responding to structure and wildland fires in addition to hazardous materials incidents. As a professionally staffed department with two stations nearby, they would be able to respond quickly and effectively in the unlikely event of a fire or hazardous materials incident at the project site. Emergency vehicle access would be maintained throughout the project site to meet the Fire Department standards for fire engine maneuvering, location of fire engine to fight a fire, rescue access, and fire hose access to all sides of the building. The proposed project would not significantly increase fire service demands or render the current service level to be inadequate, and impacts would be less than significant.

b) Police protection?

**Less Than Significant Impact.** The proposed project would not increase public access to the site and would only marginally increase the presence of workers at the site. As such, no increase in calls for service to the police department is expected under normal operating conditions. In the unlikely event of a fire or other emergency involving the crematory or the propane tanks, police would likely be called to assist with incident command and to control access to the site. The Folsom Police Department and other mutual aid departments would have sufficient resources and manpower to accommodate such an assignment, and a Less Than Significant Impact would occur.

c) Schools?

**No impact.** The project would not induce population growth and would not increase or decrease demand for any school facilities. No impact would occur.

d) Parks?

**No impact.** The project would not induce population growth and would not increase or decrease demand for any park facilities. No impact would occur.

e) Other public facilities?

**No impact.** The project would not induce population growth and would not significantly increase or decrease demand for any public services or utilities. No impact would occur.

**XVI. RECREATION**

RECREATION:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The nearest recreational opportunity to the project side is adjacent to the western boundary of the property. The Jedediah Smith Memorial Trail and Lake Natoma both run along a north/south axis just west of the project site. The open space surrounding the lake and trail in the project vicinity is comprised of oak/gray pine woodland typical of the Sierra Nevada Foothills. The trail continues to the City of Sacramento and allows bike and pedestrian access. It is part of the American River Parkway. The portion of the parkway nearest the project area is administered by the California Department of Parks and Recreation.

**Evaluation of Recreation**

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**No Impact.** The proposed project would not induce population growth or increase tourism or public access or demand to any recreational site. It would not impair the quality of any existing site. No impact would occur.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**No Impact.** The proposed project does not include any recreational facilities, nor would it induce demand for new recreational facilities. No impact would occur.

**XVII. TRANSPORTATION**

TRANSPORTATION:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

**Parking and Access**

The project site can be accessed from either northbound or southbound on Folsom Boulevard or from Westbound Natoma Street approaching this intersection with Folsom Boulevard. The site would be accessed by proceeding a very short distance west on Forrest Street to reach the entry gate to the cemetery and turning left onto Mormon Street.

Diagonal parking spaces can be found along both sides of Mormon Street. At the terminus of Mormon Street, members of the public may continue straight onto a main cemetery access road to find an additional parking lot. All existing parking spaces would be maintained. Access to the project site directly would continue to be provided by a smaller existing access road located at the southwestern terminus of Mormon Street. Both the smaller access road and the main access road can be reached at the terminus of Mormon Street, but the two roads do not form a continuous loop because of a fence line separating them. No new parking spaces or parking facilities would be constructed.

As the crematorium would not be located in or near a funeral home and would be separate from any funeral services or public gatherings provided by the project applicant, access would only need to accommodate a small number of staff members with business at the site.

**Roadway System**

Brief descriptions of the key roadways serving the project site are provided below.

*Folsom Boulevard* is a four-lane arterial (with additional turn lanes as needed) that operates at a posted speed limit of 50 mph within the project vicinity. It is non-divided south of the intersection with Natoma Street/Forrest Street and becomes divided north of the intersection. A light rail track runs parallel to Folsom Boulevard. The intersection of Folsom Boulevard and Natoma Street/Forrest Street is controlled by a traffic light. About five miles south of that intersection, Folsom Boulevard provides access to US

Route 50. Folsom Boulevard crosses Lake Natoma about one mile north of the intersection with Natoma Street/Forrest Street.

*Natoma Street* is a two-lane, non-divided road that operates at a posted speed limit of 25 mph within the project vicinity. It intersects with Folsom Boulevard on the eastern side of the intersection nearest the project site. On the western side, the road becomes known as *Forrest Street* and remains a non-divided, two lane road with turn lanes as needed. Natoma Street provides access to residential and mixed-use neighborhoods to the east, and Forrest Street provides access to the cemetery, a small number of residential neighborhoods, and additional parks and businesses.

#### **Transit, Light Rail, Bicycle, and Pedestrian Facilities**

Transit services in the City of Folsom are provided by the Folsom Stage Line bus service which, as of February 4, 2019, is now operated by Sacramento Regional Transit. The Folsom Stage Line bus service provides both Fixed-Route and Dial-A-Ride services exclusively within the Folsom city limits, Monday through Friday. The nearest bus stop is approximately 0.5 miles north of the project site on Folsom Boulevard and is served by the Route 10 bus. The next nearest stop is approximately 0.7 miles south of the project site along Folsom Boulevard and is served by the Route 30 bus.

Light rail access to the site is provided by the Sacramento Regional Transit District, Light Rail to Folsom (Gold Line). The nearest stations are approximately 0.5 miles north and 0.7 miles south of the project site, respectively. Both stations are along the eastern side of Folsom Boulevard.

Bicycles can access the site from either northbound or southbound on Folsom Boulevard, or westbound from Natoma Street. Additional bike access is provided by the Jedidiah Smith Memorial Trail, which can reach Forrest Street via Young Wo Circle just west of the project site.

Pedestrians can access the site through the same routes as described for bicycles. Crossing signals and crosswalks are provided at the intersection of Folsom Boulevard and Natoma Street/Forrest Street.

#### **Airports**

No private or public airports are located within the City of Folsom. The nearest public airfield is Mather Airport, located approximately 11.7 miles southwest of the project site. Cameron Airpark is a public use airport located approximately 13 miles northeast of the project site, and McClellan Airport is a privately-owned public use airport located approximately 17 miles west of the project site.

#### **Emergency Access**

The City of Folsom identifies most major streets in the City as emergency evacuation routes. The proposed project would not modify any major street and/or preclude their continued use as an emergency evacuation route.



## Evaluation of Transportation

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

**No Impact.** The project does not propose any alterations to any path of access for vehicle, transit, rail, bicycle, or pedestrian facilities. The project would not conflict with any plan, policy, or ordinance affecting the above categories. No impact would occur.

- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

**No Impact.** The proposed action would not be a destination accessible for members of the public and would only be visited by a small number of workers during construction and operation. The project would not result in a significant increase in vehicle miles traveled, and is located within one half mile of a major public transit stop (the Historic Folsom Station) which provides both bus and light rail service. No impact would occur.

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**No Impact.** The project does not propose any alterations to any access roads or other routes, and would not increase traffic to a point that additional risk on existing routes would be incurred. No impact would occur.

- d) Result in inadequate emergency access?

**No Impact.** No alterations to any access road or right of way are proposed. Emergency vehicle access would be maintained throughout the project site to meet the Fire Department standards for fire engine maneuvering, location of fire engine to fight a fire, rescue access, and fire hose access to all sides of the building. No impact would occur.

**XVIII. TRIBAL CULTURAL RESOURCES**

TRIBAL CULTURAL RESOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Environmental Setting**

For discussion of the history of Native American use of the project area, see Section 9.0.V., Cultural Resources. This section is based on the Tribal Consultation Record for Compliance with Assembly Bill (AB) 52 and CEQA for the Lakeside Memorial Lawn Storage Shed Project, City of Folsom (ECORP 2021). That document is included as **Appendix C**, and a summary is provided below.

**Regulatory Setting**

Tribal Cultural Resources are defined in Section 21074 of the California PRC as sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either included in or determined to be eligible for inclusion in the CRHR, or are included in a local register of historical resources as defined in subdivision (k) of Section 5020.1, or are a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. Section 1(b)(4) of AB 52 established that only California Native American tribes, as defined in Section 21073 of the California PRC, are experts in the identification of Tribal Cultural Resources and impacts thereto.

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

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

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

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

- a) Included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or
- b) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or
- c) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1, for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

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

CEQA requires that the City initiate consultation with tribes at the commencement of the CEQA process to identify TCRs. Furthermore, because a significant effect on a TCR is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures. Therefore, in accordance with the requirements summarized above, the City carried out, or attempted to carry out, tribal consultation for the project.

### **City Consultation**

Within 14 days of initiating CEQA review for the project, on November 25, 2020, the City sent project notification letters to the three California Native American tribes named above, which had previously submitted general consultation request letters pursuant to Section 21080.3.1(d) of the PRC. Each tribe

was provided a brief description of the project and its location, the contact information for the City's authorized representative, and a notification that the tribe has 30 days to request consultation.

The Lone Band of Miwok Indians did not respond to the City's notification letter, and therefore, the threshold for carrying out tribal consultation with that tribe under PRC 21080.3.1(e) was not met.

On December 11, 2020, and within the 30-day response timeframe, the City received an automated email from UAIC that acknowledged receipt of the City's notification letter, thanked the City for consulting with UAIC, and attached the tribe's consultation record for the project. The response did not include any information on TCRs and indicated that the Tribal Historic Preservation Department would review the project and respond; however, no further communication was received from UAIC. Because the tribe failed to provide comments or engage with the City pursuant to PRC 21082.3(d)(2), the City considers this consultation requirement complete.

On December 1, 2020, and within the 30-day response timeframe, a Wilton Rancheria representative responded by email to the City's initial notification letter and requested to formally initiate consultation under AB 52. She requested additional information regarding the project's environmental review process and provided Wilton Rancheria's recommended mitigation measures for TCRs, though she did not indicate that there were known TCRs within the project area. City staff shared additional details with the representative, including the Cultural Resources Inventory Report (ECORP 2020). Despite several attempts by the City to schedule a meeting with tribal representatives, the representatives did not engage with the City at any of these meeting times. Because the tribe failed to engage meaningfully with the City after a reasonable and good-faith effort composed of multiple attempts to meet with the tribe, pursuant to PRC 21082.3(d)(2), the City considers this consultation requirement complete.

All information relevant to the City's AB 52 consultation process is documented in Appendix C.

Should Wilton Rancheria, or any other culturally affiliated tribe, submit public comments, the City will consider them in accordance with Section 11(b) of AB 52; however, after completing the required notification and consultation procedures specified in AB 52 and the PRC, the City has not been provided any information about TCRs that could be affected by the proposed project. Therefore, the determination of impacts to TCRs is drawn from other lines of evidence, as summarized below.

Information about potential impacts to TCRs was drawn from the ethnographic context, the results of a search of the Sacred Lands File of the Native American Heritage Commission (NAHC), and the results of a cultural resources inventory prepared by ECORP (2020). The methods and results of these efforts are provided in ECORP (2020) and are hereby incorporated by reference (see summary in Section V, Cultural Resources).

### **Evaluation of Tribal Cultural Resources**

- a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
  - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?
  - ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources

Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

**Less Than Significant with Mitigation.**

The ethnographic information reviewed for the project, including ethnographic maps, does not identify any villages, occupational areas, or resource procurement locations in or around the current project area. In addition, the Sacred Lands File failed to identify any sacred lands or tribal resources in or near the project area. The cultural resources survey did not reveal any Native American archaeological sites within or adjacent to the proposed project area. Finally, as summarized above, two of the three tribes notified of the project responded to the City's offer to consult; however, none provided any information about TCRs in the project area. This is not unexpected, as the project is in a highly disturbed environment and does not involve substantial ground disturbance.

In reviewing the lines of evidence summarized above, this project would not have an impact on known TCRs. There exists an extremely low potential for the discovery of previously unknown TCRs during project construction, but if TCRs were to be encountered, the project activity could result in a significant impact. Implementation of unanticipated discovery procedures, as provided in mitigation measure TCR-1 below, would reduce that impact to less than significant.

**Mitigation Measure TCR-01: Unanticipated Discovery of Tribal Cultural Resources.**

If potentially significant TCRs are discovered during ground disturbing construction activities, all work shall cease within 50 feet of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.

**XIX. UTILITIES AND SERVICE SYSTEMS**

UTILITIES AND SERVICE SYSTEMS:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new water or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The cemetery is currently serviced with potable water and irrigation water from the City of Folsom. There is no need to seek a "will serve" letter as the City currently provides water and the crematory will not substantially increase flow demand. The City also provides solid waste collection and disposal services; the project is not expected to result in a significantly increased demand for solid waste removal.

The cemetery is currently served with an electricity supply from SMUD. Electrical connections already exist for the shed, and may be upgraded as needed as part of the proposed project. Installation and operation of the crematory would not result in a significant increase in demand for electricity on the project site.

The cemetery, including the shed, does not have an existing sewer line. This project would not require access to, nor construction of, a sewer line. Two 250-gallon propane tanks would be constructed along the northern edge of the shed to provide power for the crematorium.

Stormwater flows on the site are retained and drained to Lake Natoma. There would be no change in the hydrologic regime of the project site due to the installation or operation of the proposed project.

The City of Folsom employs a design process that includes coordination with potentially affected utilities as part of project development. The City of Folsom coordinates with the appropriate utility companies to plan and potentially expand existing utilities in the project area, including water, sewer, telephone, gas, and electricity. All utility services should be able to accommodate the proposed project as no increased demand is expected except for propane, which the applicant will purchase.

### **Evaluation of Utilities and Service Systems**

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

**Less Than Significant Impact.** Existing levels of service are expected to be adequate for most utilities, as the project applicant does not predict a significant increase in demand. The only exception is propane. The site does not currently have a gas line, so the applicant is proposing to construct two 250-gallon propane tanks adjacent to the shed to power the crematory.

Since existing levels of service are adequate for all requirements except gas, and the applicant would supply the only additional utility requirement (propane) independently of utility companies and in accordance with all manufacturer's recommendations and safety practices, any impact would be less than significant.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

**Less Than Significant Impact.** The applicant does not predict a significantly increased demand for water as a result of this project. The project consists solely of the installation of a crematory and supporting systems, and would not require significantly increased water for sanitation, irrigation, consumption, or any other uses. Any impacts would be less than significant.

- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**No Impact.** The site does not currently have any sewer lines. No need for a sanitary sewer would arise as a result of this project. Any stormwater that accumulates onsite is disposed of locally into the adjacent Lake Natoma. There would not be an increase in the amount of impervious surfaces on the site apart from the addition of two 250-gallon propane tanks and a 38.3 square foot concrete foundation to support them immediately adjacent to one of the buildings. There are no foreseeable changes to the hydrologic regime or to stormwater quality or quantity. No impact would occur.

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

**No Impact.** No increase in solid waste generation is expected as a result of this project apart from potentially a small and temporary increase during construction; any waste generated would be removed and disposed of by the contractor or the applicant. No impact would occur.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

**No Impact.** No change to the amount of solid waste generated on the property or its disposal is anticipated as a result of this project. The City of Folsom provides solid waste, recycling, and hazardous materials collection services to its residential and business communities. In order to meet the State mandated 50 percent landfill diversion requirements stipulated under AB 939, the City has instituted several community-based programs. The City offers a door-to-door collection program for household hazardous and electronic waste, in addition to six “drop-off” recycling locations within the City.

After processing, solid waste is taken to the Kiefer Landfill, the primary municipal solid waste disposal facility in Sacramento County. The landfill facility sits on a 1,084-acre site in the community of Sloughhouse and has a remaining capacity of 112.9 million cubic yards. The estimated cease operation date for the landfill is January 1, 2064 (CalRecycle 2018). Kiefer Landfill has sufficient capacity to accommodate the solid waste disposal needs of the City of Folsom. No impact would occur.



**XX. WILDFIRE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Environmental Setting**

The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones (CAL FIRE 2020; CSG 2020).

**Evaluation of Wildfire**

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**No Impact.** The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. Therefore, no impact would occur for questions a) through d).

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

MANDATORY FINDINGS OF SIGNIFICANCE:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Evaluation of Mandatory Findings of Significance**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

**Less Than Significant Impact with Mitigation.** The preceding analysis indicates that the proposed project has the potential to adversely affect air quality, cultural resources, and tribal cultural resources. See Sections 9.III, 9.V, and 9.XVIII of this Initial Study for discussion of the proposed project’s potential impacts on these environmental issue areas. With implementation of the mitigation measures identified in those Sections and reiterated below, and compliance with City programs and requirements identified in this report, impacts would be reduced to a less than significant level. No significant or potentially significant impacts would remain.

*Evaluation of air quality impacts:* Construction of the project would involve short-term/temporary emissions via the use of a crane for several hours to unload the chiller and crematory from the truck, and the use of a mini excavator or skid steer loader for a one day and one truck load of concrete to install a small pad for the two propane tanks.

According to the SMAQMD’s CEQA Guide, projects that are 35 acres or less in size generally will not exceed the SMAQMD’s construction NOX or PM thresholds of significance. However, all construction

projects regardless of the screening level are required to implement the SMAQMD's Basic Construction Emission Control Practices (also known as Best Management Practices [BMP]; SMAQMD 2020b). The BMPs satisfy the requirements of SMAQMD's Rule 403, Fugitive Dust, which requires every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates. Construction of the project would not result in a considerable net increase of any criteria pollutant and the impact would be less than significant with implementation of **Mitigation Measure AIR-01**.

***Evaluation of cultural resources impacts:*** A database records search was conducted for the project site, including a 0.25-mile buffer area, at the North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS) at California State University-Sacramento. Additionally, a pedestrian survey of the project site was conducted by ECORP Staff Archaeologist Laurel Zickler-Martin, RPA. Although no evidence of cultural resources of significance were noted on project site, the City recognizes that sensitive and/or protected resources could be unintentionally discovered during project construction. Further, workers must be aware of sensitive cultural resources in the vicinity of the project area (but not on the project site) that must be protected. With implementation of **Mitigation Measures CUL-01, CUL-02, and CUL-03**, the impacts would be reduced to a less than significant level and potentially cumulative impacts would be avoided.

***Evaluation of tribal cultural resources impacts:*** The City of Folsom sent project notification letters to three California Native American tribes. One tribe did not respond, one responded but did not provide any information regarding TCRs, and one requested additional information and discussion but, following a good faith effort by the City, did not meet with staff and did not provide information regarding TCRs. The City relied on other methods, including those outlined in the Cultural Resources report (ECORP 2020, see Section 9.V and 9.XVIII), to evaluate the potential presence of TCRs. Although there is no evidence of tribal cultural resources occurring or having the potential to occur on the project site, the City recognizes that sensitive and/or protected resources could be unintentionally discovered during project construction. With implementation of **Mitigation Measure TCR-01**, the impacts would be reduced to a less than significant level and potentially cumulative impacts would be avoided.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?

**Less Than Significant Impact with Mitigation.** While the project would indirectly contribute to cumulative impacts associated with increased urban development in the City and region, these impacts have previously been evaluated by the City and considered in development of the City's General Plan as set forth in this Initial Study. Key areas of concern are discussed in detail below.

***Evaluation of air quality impacts:*** Construction of the project would involve short-term/temporary emissions via the use of a crane for several hours to unload the chiller and crematory from the truck, and the use of a mini excavator or skid steer loader for a one day and one truck load of concrete to install a small pad for the two propane tanks.

According to the SMAQMD's CEQA Guide, projects that are 35 acres or less in size generally will not exceed the SMAQMD's construction NOX or PM thresholds of significance. However, all construction projects regardless of the screening level are required to implement the SMAQMD's Basic Construction Emission Control Practices (also known as Best Management Practices [BMP]; SMAQMD 2020b). The

BMPs satisfy the requirements of SMAQMD's Rule 403, Fugitive Dust, which requires every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates. Construction of the project would not result in a cumulatively considerable net increase of any criteria pollutant and the impact would be less than significant with implementation of **Mitigation Measure AIR-01**.

*Evaluation of cumulative cultural resources impacts:* A database records search was conducted for the project site, including a 0.25-mile buffer area, at the North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS) at California State University-Sacramento. Additionally, a pedestrian survey of the project site was conducted by ECORP Staff Archaeologist Laurel Zickler-Martin, RPA. Although no evidence of cultural resources of significance were noted on project site, the City recognizes that sensitive and/or protected resources could be unintentionally discovered during project construction. Further, workers must be aware of sensitive cultural resources in the vicinity of the project area (but not on the project site) that must be protected. With implementation of **Mitigation Measures CUL-01, CUL-02, and CUL-03**, the impacts would be reduced to a less than significant level and potentially cumulative impacts would be avoided.

*Evaluation of cumulative tribal cultural resources impacts:* The City of Folsom sent project notification letters to three California Native American tribes. One tribe did not respond, one responded but did not provide any information regarding TCRs, and one requested additional information and discussion but, following a good faith effort by the City, did not meet with staff and did not provide information regarding TCRs. The City relied on other methods, including those outlined in the Cultural Resources report (ECORP 2020, see Section 9.V and 9.XVIII), to evaluate the potential presence of TCRs. Although there is no evidence of tribal cultural resources occurring or having the potential to occur on the project site, the City recognizes that sensitive and/or protected resources could be unintentionally discovered during project construction. With implementation of **Mitigation Measure TCR-01**, the impacts would be reduced to a less than significant level and potentially cumulative impacts would be avoided.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**Less Than Significant Impact.** Because of site conditions, existing City regulations, and regulation of potential environmental impacts by other agencies, the proposed project would not have the potential to cause substantial adverse effects on human beings as demonstrated in the evaluation contained in this Initial Study. Therefore, impacts would be less than significant.

## 10.0 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared by the City per Section 15097 of the CEQA Guidelines and is presented in **Appendix D**.

## 11.0 INITIAL STUDY PREPARERS

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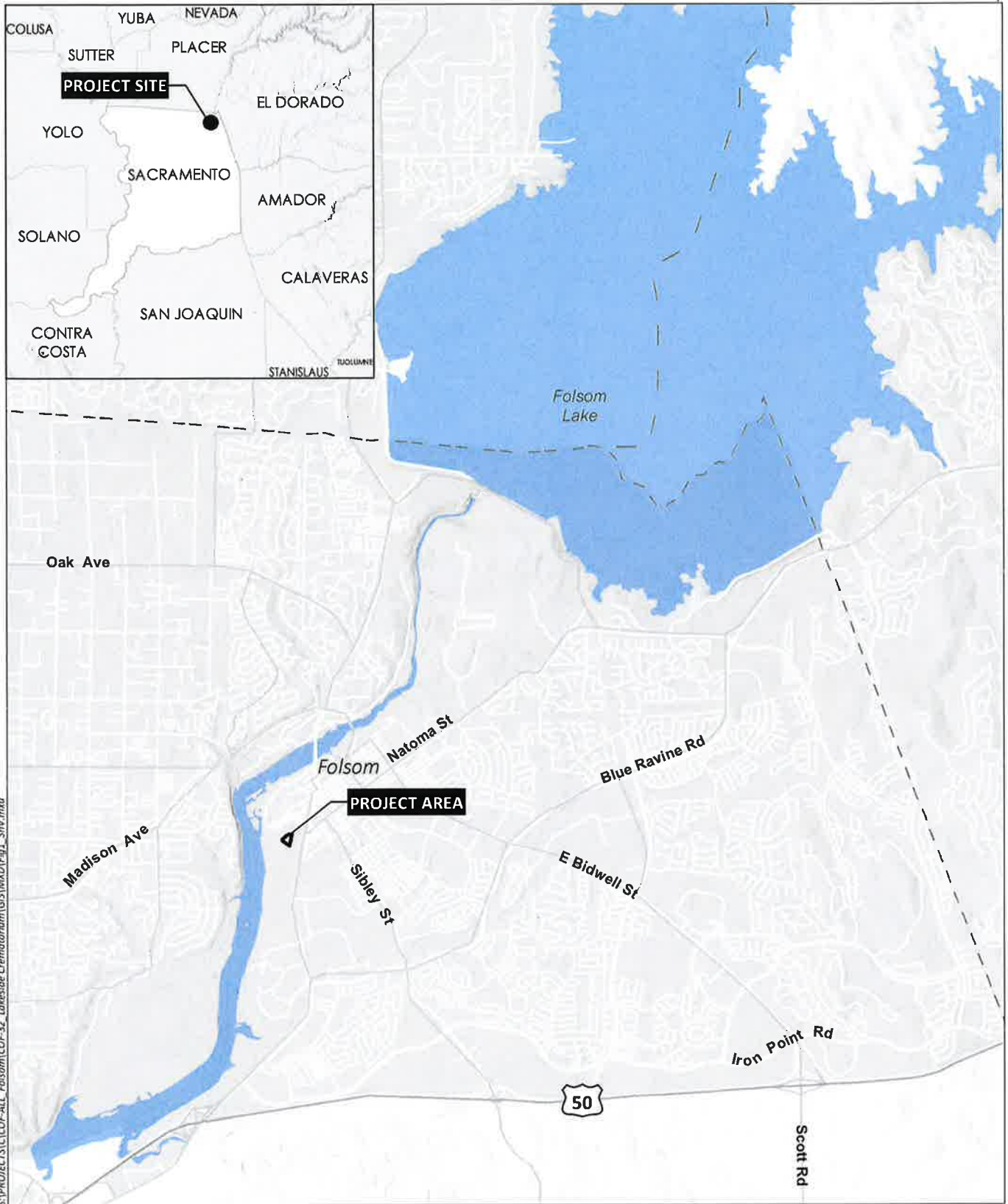
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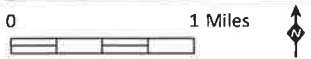
# Appendix A

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Figures



S:\PROJECTS\COF-ALL\_Folsom\COF-32\_Lakeside Crematorium\GIS\MMO\Fig1\_SnV.mxd



Source: Base Map Layers (Esri, USGS, NGA, NASA); Data (Sacramento County 2018)



VADIM ZANKO  
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LAKESIDE MEMORIAL  
LAWN CEMETERY

1201 FORREST ST,  
FOLSOM  
CA 95630

07002600010000

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DATE: 07/14/2020  
DRAWN BY: VADIM ZANKO  
CHECKED BY: VADIM ZANKO  
PROJECT NO.: 07002600010000  
SHEET NO.: 1  
TOTAL SHEETS: 1

PATCH

EXISTING WALKWAY/DRIVEWAY  
STOODLANDING

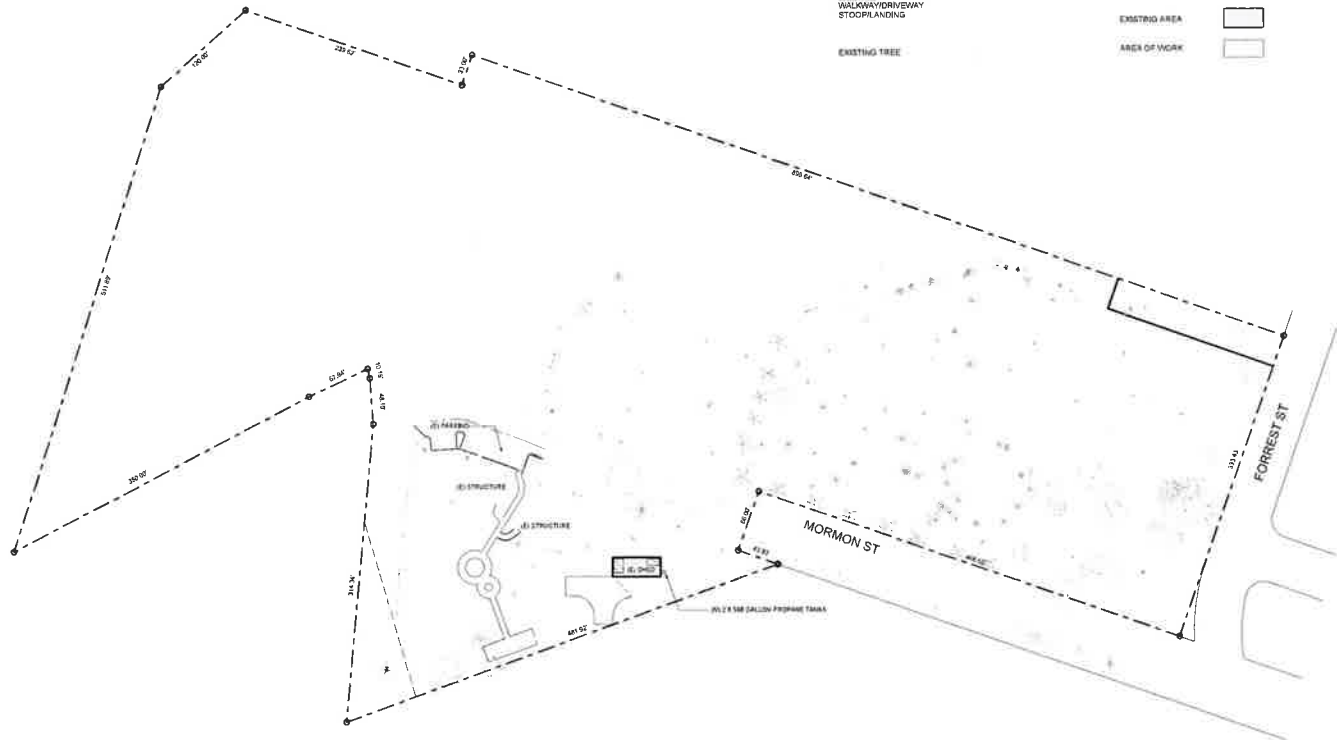
EXISTING TREE

LEGEND:

PROPERTY LINE

EXISTING AREA

AREA OF WORK



OVERALL SITE PLAN

1" = 50'



Source: LEV Designs 2020



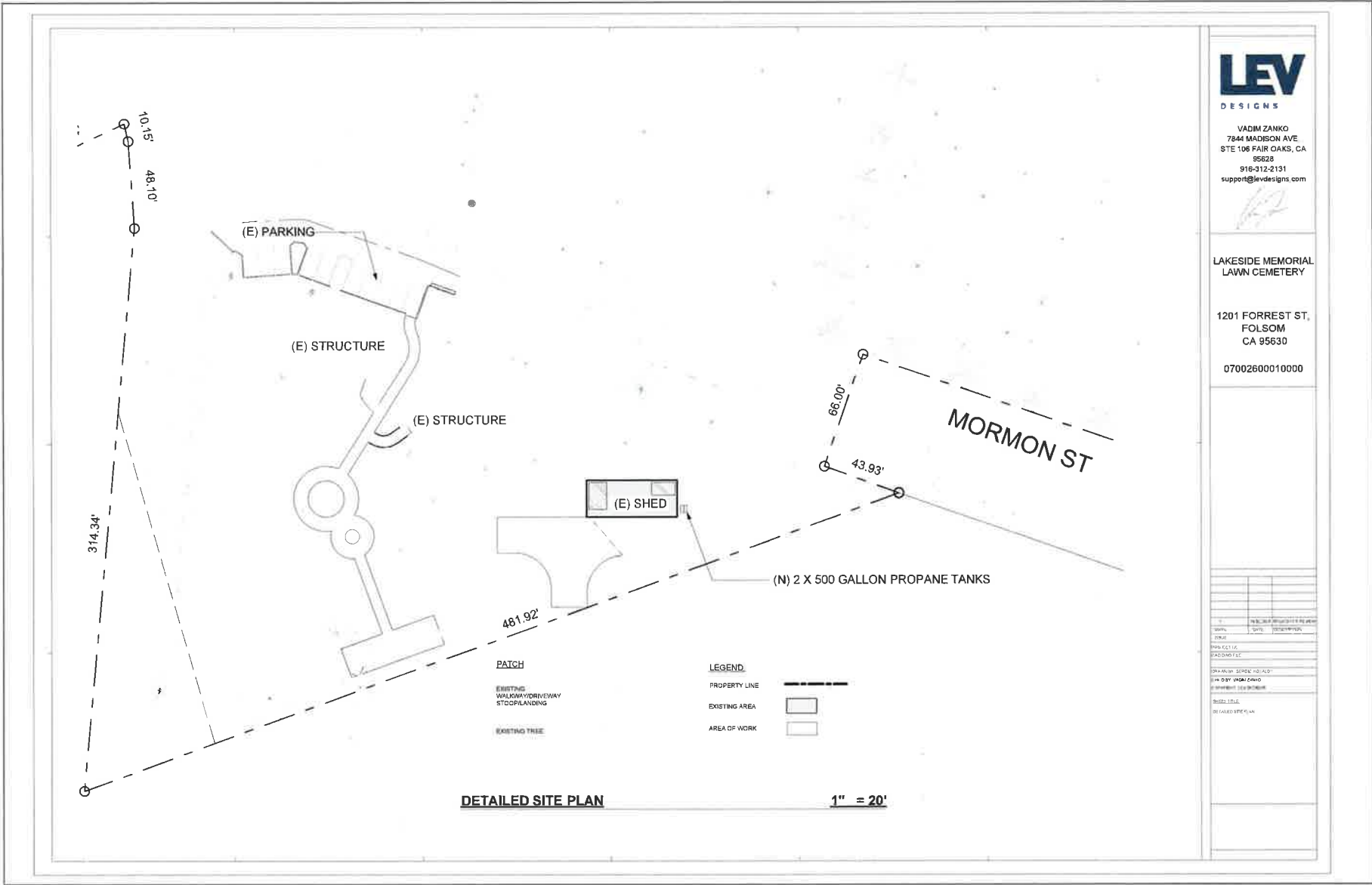
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07002600010000

NO.	DATE	DESCRIPTION
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Source: LEV Designs 2020

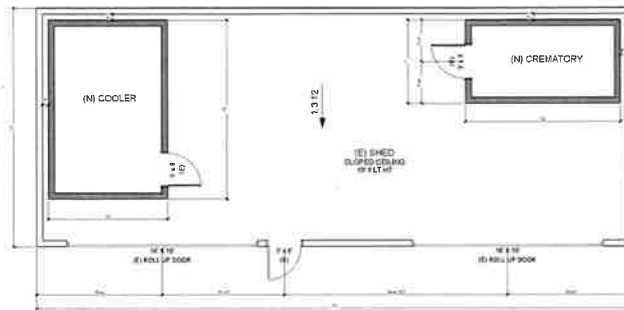


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07002600010000



**EXISTING FLOOR PLAN**

**1/4" = 1'-0"**

**FLOOR PLAN NOTES:**

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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**LEGEND**

- (E) EXISTING
- (N) NEW

**WALL LEGEND**

- EXISTING WALL
- NEW WALL

**PLAN AREA SQUARE FOOTAGE BREAKDOWN:**

EXISTING SHED AREA 1,071 SQ. FT.

NO.	DESCRIPTION	DATE
1	PROJECT APPROVAL	
2	DESIGN DEVELOPMENT	
3	PERMITTING	
4	CONSTRUCTION	
5	CLOSURE	

Source: LEV Designs 2020



## Appendix B

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### Air Quality and Greenhouse Gas Emissions Assessment

HELIX Environmental Planning, Inc.  
11 Natoma Street, Suite 150  
Folsom, CA 95630  
916.365.8700 tel  
619.462.0552 fax  
[www.helixepi.com](http://www.helixepi.com)



December 4, 2020

Project # COF-32

Mr. Scott Johnson, AICP  
Planning Manager  
City of Folsom, Community Development Department  
50 Natoma Street  
Folsom, CA 95630

**Subject: Folsom Lakeside Crematorium Project Air Quality and Greenhouse Gas Emissions Assessment**

Dear Mr. Johnson:

HELIX Environmental Planning, Inc. (HELIX) has assessed the air quality and greenhouse gas (GHG) emissions associated with the construction and operation of the proposed Folsom Lakeside Crematorium Project (project), including a health risk assessment (HRA) to evaluate potential community health risks from the project's emissions. The analysis has been prepared to support environmental review under the California Environmental Quality Act (CEQA).

## **PROJECT LOCATION**

The project would be constructed within an approximately 12-acre parcel in the City of Folsom (City) in Sacramento County, California. The project site is located west of the intersection of Forrest Street/Natoma Street with Folsom Boulevard, within the existing Lakeside Memorial Lawn Cemetery (See Figure 1, *Regional Location*, attached to this letter report).

## **PROJECT DESCRIPTION**

The project would consist of installation of an HCT Apex-250 crematory, a 10-foot by 15-foot cooler, and associated electrical and propane improvements in an existing metal shed on the grounds of the existing Lakeside Memorial Lawn Cemetery. The shed would be modified to accommodate the equipment, but the shed would not be expanded beyond the existing 1,071 square feet footprint. Two 250-gallon propane tanks would be installed on a small concrete pad along the northern side of the shed to provide power for the crematory (see Figure 2, *Detailed Site Plan*, attached to this letter report).

## **AIR QUALITY ANALYSIS**

### **Environmental Setting**

The City of Folsom lies within the Sacramento Valley Air Basin (SVAB), near the southeastern edge. The SVAB consists of all or parts of eleven counties spanning from Solano and Sacramento counties to the south, and Shasta County to the north. The Sacramento Metropolitan Air Quality Management District (SMAQMD) is responsible for implementing emissions standards and other requirements of federal and state laws for Sacramento County, including the project area.

The climate of the SVAB is characterized by hot dry summers and mild rainy winters. During the year the temperature may range from 20 to 115 degrees Fahrenheit with summer highs usually in the 90s and winter lows occasionally below freezing. Average annual rainfall is about 20 inches with snowfall being very rare. The prevailing winds are moderate in strength and vary from moist breezes from the south to dry land flows from the north. The mountains surrounding the Sacramento Valley create a barrier to airflow, which can trap air pollutants in the valley when certain meteorological conditions are right and a temperature inversion (areas of warm air overlying areas of cooler air) exists. Air stagnation in the autumn and early winter occurs when large high-pressure cells lie over the valley. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows pollutants to become concentrated in the air. The surface concentrations of pollutants are highest when these conditions are combined with increased levels of smoke or when temperature inversions trap cool air, fog and pollutants near the ground. The ozone season (May through October) in the SVAB is characterized by stagnant morning air or light winds with the breeze arriving in the afternoon out of the southwest from the San Francisco Bay. Usually the evening breeze transports the airborne pollutants to the north out of the SVAB. During about half of the days from July to September, however, a phenomenon called the "Schultz Eddy" prevents this from occurring. Instead of allowing for the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern and pollutants to circle back southward. This phenomenon's effect exacerbates the pollution levels in the area and increases the likelihood of violating the federal and state air quality standards (SMAQMD 2020a).

### **Regulatory Setting**

#### Criteria Pollutants

Ambient air quality is described in terms of compliance with state and national standards, and the levels of air pollutant concentrations considered safe, to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. The U.S. Environmental Protection Agency (USEPA), the federal agency that administrates the Federal Clean Air Act of 1970, as amended in 1990, has established national ambient air quality standards (NAAQS) for several air pollution constituents known as criteria pollutants, including: ozone (O<sub>3</sub>); carbon monoxide (CO); coarse particulate matter (PM<sub>10</sub>; particles 10 microns or less) and fine particulate matter (PM<sub>2.5</sub>; particles 2.5 microns or less); sulfur dioxide (SO<sub>2</sub>); and lead (Pb). As permitted by the Clean Air Act, California has adopted the more stringent California ambient air quality standards (CAAQS) and expanded the number of regulated air constituents. Ground-level ozone is not emitted directly into the environment but is generated from complex chemical and photochemical

reactions between precursor pollutants, primarily reactive organic gases (ROGs; also known as volatile organic compounds [VOCs]),<sup>1</sup> and oxides of nitrogen (NO<sub>x</sub>). PM<sub>10</sub> and PM<sub>2.5</sub> are generated from a variety of sources, including road dust, diesel exhaust, fuel combustion, tire and brake wear, construction operations and windblown dust. In addition, PM<sub>10</sub> and PM<sub>2.5</sub> can also be formed through chemical and photochemical reactions of precursor pollutants in the atmosphere.

The California Air Resources Board (CARB) is required to designate areas of the state as attainment, nonattainment, or unclassified for the ambient air quality standards. An “attainment” designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A “nonattainment” designation indicates that a pollutant concentration violated the standard at least once. An “unclassified” designation indicates that insufficient data was available to determine the status. The air quality attainment status of Sacramento County is shown in Table 1, *Sacramento County Attainment Status*.

**Table 1**  
**SACRAMENTO COUNTY ATTAINMENT STATUS**

Pollutant	State of California Attainment Status	Federal Attainment Status
Ozone (1-hour)	Nonattainment	No Federal Standard
Ozone (8-hour)	Nonattainment	Nonattainment
Coarse Particulate Matter (PM <sub>10</sub> )	Nonattainment	Attainment
Fine Particulate Matter (PM <sub>2.5</sub> )	Attainment	Nonattainment
Carbon Monoxide (CO)	Attainment	Attainment
Nitrogen Dioxide (NO <sub>2</sub> )	Attainment	Attainment
Lead	Attainment	Attainment
Sulfur Dioxide (SO <sub>2</sub> )	Attainment	Attainment
Sulfates	Attainment	No Federal Standard
Hydrogen Sulfide	Unclassified	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard

Sources: SMAQMD 2020a.

Sacramento County is designated as nonattainment for the state and federal ozone standards, the state PM<sub>10</sub> standards, and the federal PM<sub>2.5</sub> standards. The SMAQMD is responsible for implementing emissions standards and other requirements of federal and state laws in Sacramento County. Attainment plans for meeting the federal air quality standards are incorporated into the State Implementation Plan (SIP), which is subsequently submitted to the USEPA, the federal agency that administrates the Federal CAA of 1970, as amended in 1990. The current air quality plan applicable to the project, the *Sacramento Regional 2008 NAAQS 8-Hour Ozone Attainment and Reasonable Further Progress Plan* (Regional Ozone Plan), was developed by the SMAQMD and adjacent air district to describe how the air districts in and near the Sacramento metropolitan area will continue the progress toward attaining state and national ozone air quality standards (SMAQMD 2017).

<sup>1</sup> CARB defines and uses the term ROGs while the USEPA defines and uses the term VOCs. The compounds included in the lists of ROGs and VOCs and the methods of calculation are slightly different. However, for the purposes of estimating criteria pollutant precursor emissions, the two terms are often used interchangeably.

## Toxic Air Contaminants

Toxic air contaminants (TACs) are a diverse group of air pollutants that may cause or contribute to an increase in deaths or in serious illness or that may pose a present or potential hazard to human health. TACs can cause long-term chronic health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute effects such as eye watering, respiratory irritation (a cough), runny nose, throat pain, and headaches. TACs are considered either carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For carcinogenic TACs, there is no level of exposure that is considered safe and impacts are evaluated in terms of overall relative risk expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

The Health and Safety Code (§39655[a]) defines TAC as “an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health.” All substances that are listed as hazardous air pollutants pursuant to subsection (b) of Section 112 of the CAA (42 United States Code Sec. 7412[b]) are designated as TACs. Under State law, the California Environmental Protection Agency (CalEPA), acting through CARB, is authorized to identify a substance as a TAC if it determines the substance is an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or that may pose a present or potential hazard to human health.

Crematories are a potential source of TACs as a result of trace metals and organic compounds that accumulate in the body throughout a person’s life and are released during combustion of human remains, and as a result of trace organic compounds that are formed in the combustion process. These TACs include: metals and inorganics (i.e., arsenic, beryllium, cadmium, chromium, copper, hydrogen fluoride, lead, mercury, nickel, selenium, zinc); VOCs (i.e., benzene, toluene, xylenes, vinyl chloride); aldehydes (i.e., acetaldehyde, formaldehyde); polyaromatic hydrocarbons (PAHs); polychlorinated dibenzodioxins (dioxins; PCDDs); and polychlorinated dibenzofurans (furans; PCDFs). Prolonged exposure to significant concentrations of these TACS can result in a variety of adverse health effects including cancers, chronic conditions, and/or acute conditions, depending on the substance and level of exposure. Based on the results of the HRA, described below, hexavalent chromium and mercury are the primary drivers of the health risks from crematory emissions because the health risks from crematory emissions of these substances are one or more orders of magnitude greater than the health risks from other TACs in crematory emissions.

**Increased Cancer Risks – Hexavalent Chromium.** Hexavalent chromium is a toxic form of the element chromium. Hexavalent chromium compounds are man-made and widely used in many different industries. Prolonged exposure to airborne hexavalent chromium may result in lung cancer. Although exposure to high levels of airborne hexavalent chromium may result in irritation or damage to the nose, throat, and lungs, breathing small amounts of hexavalent chromium even for long periods does not cause respiratory tract irritation in most people (Occupational Safety and Health Administration [OSHA] 2006).

**Non-Cancer Chronic and Acute Health Risks – Mercury.** Mercury is a naturally occurring element that is found in its elemental form (commonly known as quicksilver), in organic compounds which accumulate

in fish and shellfish, and in inorganic compounds mainly occurring in contaminated drinking water. Mercury is a neurotoxin that can result in a range of chronic neurological disorders and developmental issues. The specific health effects of mercury are dependent on the form and amount of mercury in the exposure, the duration of the exposure, and the age of the individual (USEPA 2020).

## **Sensitive Receptors**

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved and are referred to as sensitive receptors. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB and the Office of Environmental Health Hazard Assessment (OEHHA) have identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis (CARB 2005; OEHHA 2015).

Residential areas are considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Children and infants are considered more susceptible to health effects of air pollution due to their immature immune systems, developing organs, and higher breathing rates. As such, schools are also considered sensitive receptors, as children are present for extended durations and engage in regular outdoor activities.

The closest existing sensitive receptors to the project site are multiple single-family residences adjacent to the cemetery to the north, between 450 and 750 feet from the proposed crematory location, and mobile homes across Folsom Boulevard to the east, approximately 700 feet from the proposed crematory location, see Figure 3, *Receptor Locations*, attached to this letter report. The closest school to the project site is the Folsom Montessori School approximately 3,200 feet (0.6 miles) to the northeast.

## **Methods**

### Criteria Pollutant Emissions

Criteria pollutant and precursor emissions for long-term operation of the proposed crematory were calculated using propane combustion emissions factors from the USEPA AP-42 Compilation of Emissions Factors Chapter 1.5 (USEPA 2008), and crematory emissions factors provided by the SMAQMD, which combined USEPA AP-42 data and the USEPA Factor Information Retrieval Program (SMAQMD 2020b).

### Crematory Health Risks

Potential health risks to nearby sensitive receptors from the emission of TACs during operation of the proposed crematory were analyzed after consultation with the SMAQMD and in accordance with the OEHHA Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA 2015).

### TAC Emissions

Toxic emissions from the cremation process were estimated based on emissions factors provided by the SMAQMD and on maximum cremation process rates provided by Caring Service Group of 200 pounds per hour and 100,000 pounds per year. The TAC emissions factors provided by SMAQMD were based on a data in a test report from CARB that measured emissions from two propane-fires crematories (SMAQMD 2020b)

### Dispersion Modeling

Localized concentrations of TACs were modeled using Lakes AERMOD View version 9.8.3. The Lakes program utilizes USEPA's AERMOD gaussian air dispersion model version 19191. Plot files from AERMOD using unitized emissions (one gram per second) from the crematory stack were imported into CARB's Hotspots Analysis and Reporting Program (HARP), Air Dispersion Modeling and Risk Tool (ADMRT) version 19121. The ADMRT calculated ground-level concentrations of TACs utilizing the imported plot files and the annual and hourly emissions inventory (provided in detail in Attachment A to this letter report).

### *Source Parameters*

Based on data provided by the crematory manufacturer, emissions from the crematory were modeled as a point source emitting from the exhaust stack at 19.5 feet above the ground. The stack diameter was set at 20 inches, the exhaust gas temperature was set to 1080 degrees Fahrenheit (°F), the gas exit velocity was set to 14.7 feet per second, and the stack was assumed to have a rain cap resulting in a near-zero initial vertical gas velocity. Downwash from the existing shed housing the proposed crematory was modeled using the Building Profile Input Program (BPIP – a building preprocessing program for AERMOD).

### *Meteorological Data*

SMAQMD provides pre-processed meteorological data suitable for use with AERMOD (SMAQMD 2014) for projects within Sacramento County. The available data set most representative of conditions in the project vicinity was from the Sacramento Executive Airport station, approximately 19 miles southwest of the project site. The Sacramento Executive Airport set includes 5 years of data collected between 2010 to 2014. Rural dispersion coefficients were selected in the model to reflect the existing undeveloped and open nature of the immediate project vicinity. A wind rose for the Sacramento Executive Airport shows an average speed of 6.6 miles per hour from the south (Iowa Environmental Mesonet 2019). The wind rose graphic is included in Attachment B to this letter.

### *Terrain Data*

United States Geological Survey (USGS) National Elevation Dataset (NED) files with a 10-meter resolution covering an area approximately 500 meters (1,640 feet) around the project site were used in the model to cover the analysis area. Terrain data was imported to the model using AERMAP (a terrain preprocessing program for AERMOD).

### *Receptor Modeling*

To develop risk isopleths (linear contours showing equal level of risk) and ensure that the area of maximum impact was captured, receptors were placed in a cartesian grid 690 meters by 490 meters (approximately 2,264 feet by 1,608 feet), centered on the proposed crematory with a grid spacing of 10 meters (33 feet) and a receptor height (flagpole height) of 1.2 meters (4 feet) above the ground. Additional discrete receptors were placed at the residential property line of the 37 closest identified sensitive receptors and the 4 closest off-site worker buildings. See Figure 3 for the discrete receptor locations relative to the TAC source.

### Risk Determination

Health risks resulting from localized concentration of TACs emitted by the proposed crematory were estimated using the ADMRT. The latest cancer slope factors, chronic Recommended Exposure Limits (RELs), acute RELs and exposure paths for all TACs, as designated by CARB, are included in the ADMRT. For the residential cancer risk, an exposure duration of 30 years was selected in accordance with the OEHHA (2015) guidelines. In accordance with OEHHA guidelines, the model conservatively assumes that residents would be standing and breathing outdoors at the location of the property line closest to the crematory every day between 17 and 21 hours per day (depending on the age group, starting with infants in utero in the third trimester of pregnancy) for 30 years. For off-site worker cancer risk, an exposure duration of 25 years was selected with an assumption of 8 hours per day, 5 days per week of exposure while standing outside. The mandatory minimum exposure pathways and the OEHHA derived breathing intake rate percentile method were selected.

### **Significance Criteria**

The following potential air quality impacts are based on Appendix G of the State CEQA Guidelines, a significant impact is identified if the project would result in any of the following:

- a) *Conflict with or obstruct implementation of the applicable air quality plan?*
- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*
- c) *Expose sensitive receptors to substantial pollutant concentrations?*
- d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

While the final determination of whether or not a project has a significant effect is within the purview of the lead agency pursuant to CEQA Guidelines Section 15064(b), the SMAQMD has adopted screening tables and thresholds which lead agencies can use to determine the significance of a development project's short-term construction and long-term operational pollutant emissions. The SMAQMD's project-level thresholds of significance for mass emissions of criteria pollutant and precursors and exposure to TACs are shown in Table 2, *SMAQMD Significance Thresholds* (SMAQMD 2020c).



**Table 2**  
**SMAQMD SIGNIFICANCE THRESHOLDS**

Pollutant	Operational Emissions Threshold
ROG	65 pounds per day
NO <sub>x</sub>	65 pound per day
PM10	80 pounds per day/14.6 tons per year <sup>1</sup>
PM2.5	82 pounds per day/15 tons per year <sup>1</sup>
TAC Exposure Incremental Increased Cancer Risk	10 in 1 million
TAC Exposure Non-Cancer Hazard Index	1

Source: SMAQMD 2020c

<sup>1</sup> Thresholds for PM is zero unless all feasible best available control technology/best management practices (BACT/BMPs) are applied.

### Air Quality Impact Analysis

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

**Less than significant.** Consistency with the air quality plan is determined by whether the project would hinder implementation of control measures identified in the air quality plan or would result in growth of population or employment that is not accounted for in local and regional planning. The SMAQMD's Regional Ozone Plan and the SIP are the applicable air quality plans for the projects developed within Sacramento County.

The project would be consistent with the General Plan land use designation of Open Space, but the project would require a conditional use permit to install and operate a crematory in the Open Space and Conservation zoning designation of the project site. The project would not result in population growth in the City and employment growth would be limited to a few personnel to operate the crematory. Therefore, the project would be consistent with the local and regional growth assumptions used in developing the Regional Ozone Plan and the SIP. In addition, as described in impact discussion b), below, the project would not result in a cumulatively considerable increase of any criteria pollutant. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan and the impact would be less than significant.

b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

### Construction (Short-Term) Emissions

**Less than Significant.** Construction of the project would involve the use of a crane for several hours to unload the chiller and crematory from the truck, and the use of a mini excavator or skid steer loader for a day and one truck load of concrete to install a small pad for the two propane tanks.

According to the SMAQMD's CEQA Guide, projects that are 35 acres or less in size generally will not exceed the SMAQMD's construction NO<sub>x</sub> or PM thresholds of significance. However, all construction projects regardless of the screening level are required to implement the SMAQMD's Basic Construction Emission Control Practices (also known as Best Management Practices [BMPs]; SMAQMD 2020b). The BMPs satisfy the requirements of SMAQMD's Rule 403, *Fugitive Dust*, which requires every reasonable

precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates. ROG emissions during construction are generally associated with the application of architectural coatings. The project does not propose any new structures and would not require substantial amounts of painting and would not result in significant emissions of ROGs. Therefore, construction of the project would not result in a cumulatively considerable net increase of any criteria pollutant and the impact would be less than significant.

**Operation (Long-Term) Emissions**

**Less than Significant.** The project would result in long-term operational emissions from vehicles that drive to and from the project and from operation of the crematory.

Because there are no crematoriums currently operating in Folsom, demand for cremation services is filled by transporting the deceased to facilities outside of the City. Therefore, operations of the project would not result in new vehicle trips (nor the associated emissions in the region). Instead, the project would replace existing regional vehicle trips with shorter trips (and reduced associated emissions).

Operation of a propane-fired crematory would be considered a new stationary source of emissions. The project may be subject to SMAQMD’s Rule 201, *General Permit Requirements*, and Rule 202, *New Source Review*. The project would be required to implement best available control technology (BACT) for the minimization of emissions. BACT for crematories is incorporated into the product design in the form of controls which ensure maintenance of the correct temperatures and cycle times, and a secondary combustion chamber which ensures oxygenation and complete combustions of all fuels. As described in the Methods sections, above, Criteria pollutant and precursor emissions for long-term operation of the proposed crematory were calculated using propane combustion emissions factors from AP-42 and crematory emissions factors provided by SMAQMD. The project’s calculated criteria and precursors operational emissions are compared to the SMAQMD thresholds in Table 3, *Operational Criteria Pollutant and Precursor Emissions*, a printout of the calculation sheets is included in Attachment A to this letter.

**Table 3  
OPERATIONAL CRITERIA POLLUTANT AND PRECURSOR EMISSIONS**

Pollutant	Project Emissions	SMAQMD Threshold	Exceed Threshold?
<b>Daily Emissions (pounds per day)</b>			
ROG	0.1	65	No
NO <sub>x</sub>	1.2	65	No
CO	0.9	None	No
SO <sub>x</sub>	0.4	None	No
PM <sub>10</sub>	0.3	80	No
PM <sub>2.5</sub>	0.3	82	No
<b>Annual Emissions (tons per year)</b>			
ROG	0.01	None	No
NO <sub>x</sub>	0.15	None	No
CO	0.11	None	No
SO <sub>x</sub>	0.05	None	No

Pollutant	Project Emissions	SMAQMD Threshold	Exceed Threshold?
PM <sub>10</sub>	0.03	14.6	No
PM <sub>2.5</sub>	0.03	15	No

Source: SMAQMD 2020b; SMAQMD 2020c

As shown in Table 3, the project’s operational emissions of criteria pollutants and precursors would not exceed the SMAQMD daily or annual thresholds. Therefore, the project’s operational emissions would not result in a cumulatively considerable net increase of any criteria pollutant and impacts would be less than significant.

*c) Expose sensitive receptors to substantial pollutant concentrations?*

**Less than Significant.** Crematories are a potential source of TACs as a result of trace metals and organic compounds that accumulate in the body and are released during combustion, and trace organic compounds that are formed in the combustion process. An HRA was conducted to determine potential community health risks from exposure to TACs emitted from the proposed crematory, as described in the Methods section above.

Health risks associated with cancer from development projects are estimated using the incremental excess cancer risk expressed as cancer cases per one million exposed individuals. The incremental excess cancer risk is an estimate of the chance a person exposed to specific sources of a TACs may have of developing cancer from that exposure beyond the individual’s risk of developing cancer from existing background levels of pollutants in the ambient air. For context, the average cancer risk from TACs in the ambient air for an individual living in an urban area of California is 830 in 1 million (CARB 2015). Cancer risk estimates do not mean, and should not be interpreted to mean, that a person will develop cancer from estimated exposures to toxic air pollutants.

Health risks associated with chronic and acute effects from a development project are quantified using the maximum hazard index. A hazard index is the potential exposure to a substance divided by the reference exposure level (the level at which no adverse effects are expected). A hazard index of less than one indicates no adverse health effects are expected from the potential exposure to the substance. The maximum hazard index is the sum of hazard indices for pollutants with non-cancer health effects that have the same or similar adverse health effects.

The modeled point of maximum impact for the project (geographic point outside of the project site with the highest estimated incremental cancer risk and maximum hazard index) would be a point near the project boundary approximately 96 feet southeast of the proposed crematory exhaust stack, at approximately Universal Transverse Mercator (UTM) coordinates Zone 10, 657982 meters east, 4281757 meters north. The maximum health risk exposure at this point would be a residential incremental cancer risk of 3.2 in 1 million and a residential non-cancer chronic hazard index of 0.09. This point of maximum impact is in an area zoned as Open Space Conservation District containing dredge tailings from past gold mining. No residents or workers are anticipated to be at the point of maximum impact for prolonged periods.

The maximum estimated community incremental excess cancer, chronic and acute health risks due to exposure to the project TAC emissions from long term operation of the proposed crematory are

presented in Table 4, *Maximum Exposed Individual Incremental Cancer Health Risk and Hazard Index*. These estimates are conservative (health protective) and assume that the resident or worker is outdoors for the entire exposure period. The modeled locations of the Maximum Exposed Individual Resident (MEIR) and the point of maximum impact, along with the residential cancer risk isopleths (contours of equal risk), are shown in Figure 4, *Cancer Risks*. The complete HRA model output, including tables of health risks for all modeled discrete receptors and isopleth figures for incremental cancer risk, non-cancer chronic hazard index and acute hazard index are included as Attachment B to this letter report.

**Table 4**  
**MAXIMUM EXPOSED INDIVIDUAL INCREMENTAL CANCER RISK AND HAZARD INDEX**

	MEI Resident Cancer Risk	MEI Worker Cancer Risk	MEI Resident Chronic Hazard Index	MEI Worker Chronic Hazard Index	MEI Acute Hazard Index
Results	0.6 in 1 million	<0.1 in 1 million	0.02	0.02	0.20
Threshold	10 in 1 million	10 in 1 million	1	1	1
Exceed Threshold?	No	No	No	No	No

Source: Lakes AERMOD View version 9.8.3 and CARB ADMRT version 19121. See Attachment B for model inputs, outputs, and risk isopleths.

MEI = Maximum Exposed Individual.

As shown in Table 4, the maximum incremental increased cancer risks and maximum non-cancer chronic and acute hazard index due to exposure to TACs from long term operation of the proposed crematory would not exceed the SMAQMD thresholds. Therefore, operation of the project would not result in the exposure of sensitive receptors to substantial TAC concentrations and the impact would be less than significant.

*d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Diesel equipment could generate diesel exhaust odors during construction activities. The generation of odors during the construction period would be temporary, would last for a few days and would be dispersed within a short distance from the active work area. Once operational, potential odors from human remains prior to cremation would be minimized by either by immediately processing remains or by temporarily storing remains in the proposed refrigeration chiller. Operation of the crematory would not be a significant source odors or other emissions because the BACT features of the crematory, including process temperature and cycle time controls, and secondary combustion chambers which ensure the complete combustion of all solids, liquids, and gaseous fuels. Therefore, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people and the impact would be less than significant.

## **GREENHOUSE GAS EMISSIONS**

### **Environmental Setting**

Global climate change refers to changes in average climatic conditions on Earth including temperature, wind patterns, precipitation, and storms. Global temperatures are moderated by atmospheric gases.

These gases are commonly referred to as greenhouse gasses (GHGs) because they function like a greenhouse by letting sunlight in but preventing heat from escaping, thus warming the Earth's atmosphere.

GHGs are emitted by natural processes and human (anthropogenic) activities. Anthropogenic GHG emissions are primarily associated with: the burning of fossil fuels during motorized transport; electricity generation; natural gas consumption; industrial activity; manufacturing; and other activities such as deforestation, agricultural activity, and solid waste decomposition.

The GHGs defined under California's Assembly Bill (AB) 32, described below, include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. Estimates of GHG emissions are commonly presented in carbon dioxide equivalents (CO<sub>2</sub>e), which weigh each gas by its global warming potential (GWP). Expressing GHG emissions in CO<sub>2</sub>e takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO<sub>2</sub> were being emitted. GHG emissions quantities in this analysis are presented in metric tons (MT) of CO<sub>2</sub>e. For consistency with United Nations Standards, modeling and reporting of GHGs in California and the U.S. use the GWPs defined in the Intergovernmental Panel on Climate Change's (IPCC) Fourth Assessment Report (IPCC 2007), as shown in Table 5, *Global Warming Potential and Atmospheric Lifetimes*.

**Table 5**  
**GLOBAL WARMING POTENTIAL AND ATMOSPHERIC LIFETIMES**

Greenhouse Gas	Atmospheric Lifetime (years)	GWP
Carbon Dioxide (CO <sub>2</sub> )	50-200	1
Methane (CH <sub>4</sub> )	12	25
Nitrous Oxide (N <sub>2</sub> O)	114	298
HFC-134a	14	1,430
PFC: Tetrafluoromethane (CF <sub>4</sub> )	50,000	7,390
PFC: Hexafluoroethane (C <sub>2</sub> F <sub>6</sub> )	10,000	12,200
Sulfur Hexafluoride (SF <sub>6</sub> )	3,200	22,800

Source: IPCC 2007.

HFC: hydrofluorocarbon; PFC: perfluorocarbon

## Regulatory Setting

The primary GHG reduction regulatory legislation and plans (applicable to the project) at the State, regional, and local levels are described below. Implementation of California's GHG reduction mandates is primarily under the authority of the California Air Resources Board (CARB) at the state level, SMAQMD and the Sacramento Area Council of Governments (SACOG) at the regional level, and the City at the local level.

#### Executive Order S-3-05

On June 1, 2005, Executive Order (EO) S-3-05 proclaimed that California is vulnerable to climate change impacts. It declared that increased temperatures could reduce snowpack in the Sierra Nevada, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To avoid or reduce climate change impacts, EO S-3-05 calls for a reduction in GHG emissions to the year 2000 level by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. Executive Orders are not laws and can only provide the governor's direction to state agencies to act within their authority to reinforce existing laws.

#### Assembly Bill 32 – Global Warming Solution Act of 2006

The California Global Warming Solutions Act of 2006, widely known as AB 32, requires that CARB develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB is directed by AB 32 to set a GHG emission limit, based on 1990 levels, to be achieved by 2020. The bill requires CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG emission reductions.

#### Executive Order B-30-15

On April 29, 2015, EO B-30-15 established a California GHG emission reduction target of 40 percent below 1990 levels by 2030. The EO aligns California's GHG emission reduction targets with those of leading international governments, including the 28 nation European Union. California is on track to meet or exceed the target of reducing GHGs emissions to 1990 levels by 2020, as established in AB 32. California's new emission reduction target of 40 percent below 1990 levels by 2030 will make it possible to reach the goal established by EO S-3-05 of reducing emissions 80 percent under 1990 levels by 2050.

#### Senate Bill 32

Signed into law by Governor Brown on September 8, 2016, Senate Bill (SB) 32 (Amendments to the California Global Warming Solutions Action of 2006) extends California's GHG reduction programs beyond 2020. SB 32 amended the Health and Safety Code to include Section 38566, which contains language to authorize CARB to achieve a statewide GHG emission reduction of at least 40 percent below 1990 levels by no later than December 31, 2030. SB 32 codified the targets established by EO B-30-15 for 2030, which set the next interim step in the State's continuing efforts to pursue the long-term target expressed in EO B-30-15 of 80 percent below 1990 emissions levels by 2050.

#### California Air Resources Board

On December 11, 2008, the CARB adopted the Climate Change Scoping Plan (Scoping Plan) as directed by AB 32. The Scoping Plan proposes a set of actions designed to reduce overall GHG emissions in California to the levels required by AB 32. Measures applicable to development projects include those related to energy-efficiency building and appliance standards, the use of renewable sources for electricity generation, regional transportation targets, and green building strategy. Relative to transportation, the Scoping Plan includes nine measures or recommended actions related to reducing vehicle miles traveled (VMT) and vehicle GHGs through fuel and efficiency measures. These measures would be implemented statewide rather than on a project by project basis (CARB 2008).

In response to EO B-30-15 and SB 32, all state agencies with jurisdiction over sources of GHG emissions were directed to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 targets. The mid-term target is critical to help frame the suite of policy measures, regulations, planning efforts, and investments in clean technologies and infrastructure needed to continue driving down emissions (CARB 2014). In December 2017, CARB adopted the 2017 Climate Change Scoping Plan Update, the Strategy for Achieving California's 2030 Greenhouse Gas Target, to reflect the 2030 target set by EO B 30 15 and codified by SB 32 (CARB 2017).

#### Sacramento Metropolitan Air Quality Management District

The SMAQMD provides direction and recommendations for the analysis of GHG impacts of a project and approach to mitigation measures in its CEQA Air Quality Guidelines (SMAQMD 2020a).

#### Sacramento Area Council of Governments

As required by the Sustainable Communities and Climate Protection Act of 2008 (SB 375), SACOG has developed the 2020 Metropolitan Transportation Plan and Sustainable Communities Strategy. This plan seeks to reduce GHG and other mobile source emissions through coordinated transportation and land use planning to reduce VMT.

#### City of Folsom

As part of the 2035 General Plan, the City of Folsom prepared an integrated Greenhouse Gas Emissions Reduction Strategy (GHG Strategy) to identify and reduce current and future community GHG emissions and those associated with the City's municipal operations. Adopted on August 28, 2018, the GHG Strategy also serves as the City's "plan for the reduction of greenhouse gases", per Section 15183.5 of the CEQA Guidelines, which provides the opportunity for tiering and streamlining of project-level emissions for certain types of discretionary projects subject to CEQA review that are consistent with the General Plan. The GHG Strategy includes goals and strategies to reduce community and municipal GHG emissions, compared to the 2005 baseline year, by 15 percent in 2020, 51 percent in 2035, and 80 percent in 2050 (City 2018a; City 2018b).

### **Significance Criteria**

The following potential air quality impacts are based on Appendix G of the State CEQA Guidelines, a significant impact is identified if the project would result in any of the following:

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b) *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

In accordance with CEQA Guidelines Sections 15064(h)(3), 15130(d), and 15183(b), a project's incremental contribution to a cumulative GHG emissions effect may be determined not to be cumulatively considerable if it complies with the requirements of a qualified plan for the reduction of

greenhouse gases. The City General Plan Policy NCR 3.2.8 provides criteria for project-level streamlining and tiering (City 2018a):

Projects subject to environmental review under CEQA may be eligible for tiering and streamlining the analysis of GHG emissions, provided they are consistent with the GHG reduction measures included in the GHG Strategy contained in the General Plan and EIR. The City may review such projects to determine whether the following criteria are met:

- Proposed project is consistent with the current general plan land use designation for the project site;
- Proposed project incorporates all applicable GHG reduction measures (as documented in the Climate Change Technical Appendix to the General Plan EIR) as mitigation measures in the CEQA document prepared for the project; and,
- Proposed project clearly demonstrates the method, timing and process for which the project will comply with applicable GHG reduction measures and/or conditions of approval, (e.g., using a CAP/GHG reduction measures consistency checklist, mitigation monitoring and reporting plan, or other mechanism for monitoring and enforcement as appropriate).

### Greenhouse Gas Emissions Impact Analysis

a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

**Less than significant.** To determine consistency with the City’s GHG Strategy the criteria outlined in the Greenhouse Gas Reduction Strategy Consistency Checklist are shown and discussed in Table 6, *GHG Strategy Checklist* (City 2018c).

**Table 6  
GHG STRATEGY CONSISTENCY CHECLIST**

Checklist Item	Consistent?	Discussion
<b>Part 1: Land Use Consistency</b>		
A. The proposed project is consistent with the City’s 2035 General Plan land use and zoning designations. If “Yes,” proceed to Part 2 of the Checklist.	Yes	The project would be located within the footprint of an existing building in an existing cemetery in an area designated Open Space in the General Plan and zoned Open Space and Conservation District (OSC). According to the City Zoning Code Chapter 17.39, a cemetery is an allowed use in the OSC zone with a use permit. While the project may require a new conditional use permit, the project would not require a General Plan amendment or rezone. The project would be consistent with existing project site use and land use designation the General Plan.



Checklist Item	Consistent?	Discussion
<b>Part 2: GHG Reduction Measures Consistency</b>		
E-1: Improve Building Energy Efficiency in New Development	Not Applicable	The project does not propose new buildings or substantial modifications to existing buildings.
E-2: Water Heater Replacement in Existing Residential Development	Not Applicable	The project is not an existing residential development.
E-3: Improve Building Energy Efficiency in Existing Development	Not Applicable	The project's proposed equipment would be installed within an existing metal shed and would not include any conditioned or occupied building space.
E-4: Increase Use of Renewable Energy in Existing Development	Not Applicable	The project's proposed equipment would be installed within an existing metal shed. No expansion or retrofit of existing buildings are proposed.
T-1: Reduce VMT Through Mixed and High-Density Land Use	Not Applicable	The project does not propose, and the project site open space land use designation and zoning does not permit, high density development and mixed uses.
T-2: Improve Streets and Intersections for Multi-Modal Use and Access	Not Applicable	The project does not include construction of new streets or improvement to existing streets.
T-3: Adopt Citywide TDM Program	Not Applicable	The project is not a residential, office, commercial retail, public facility or school development. The project would not include new parking spaces.
T-5: Reduce Minimum Parking Standards	Not Applicable	The project would not include new parking spaces.
T-6: Require the Use of High-Performance Renewable Diesel in Construction Equipment	Not Applicable	The project would require minimal off-road diesel construction equipment. At most, a small excavator or skid steer loader may be used for a few hours to prepare an area for a small concrete pad.
T-8: Install Electric Vehicle Charging Stations	Not Applicable	The project is not a residential development, does not propose new parking spaces, and existing parking spaces at the project building are less than 10.
SW-1: Increase Solid Waste Diversion	Not Applicable	The project would involve minimal construction activity and would not result in substantial construction waste which could be diverted.
W-1: Increase Water Efficiency in New Residential Development	Not Applicable	The project is not a new residential development and the project does not propose new indoor or outdoor water uses.
W-2: Reduce Outdoor Water Use	Not Applicable	The project does not propose substantial addition, alteration, or expansion to existing facilities or new outdoor water uses.

Source: City 2018c

As discussed in Table 6, the project would be consistent with the project site general plan land use designation and none of the GHG reduction measures listed in the GHG Strategy are applicable to the project. Therefore, the project would be consistent with the City's GHG Strategy and the project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The impact would be less than significant.

- b) *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Less Than Significant.** As discussed in criterion a), above, the project would be consistent with the City's integrated General Plan and GHG Strategy. The GHG strategy was developed to meet the City's GHG reduction targets which were formulated to meet the statewide GHG mandates of AB 32 and SB 32. Therefore, the project would not conflict with an applicable plan adopted for the purposes of reducing GHG emissions and the impact would be less than significant.

## SUMMARY

The project's emissions of criteria pollutants and precursors would be below SMAQMD thresholds and would result in a less than significant impact. Community health risks resulting from emissions of TACs from the project's operation of a crematory were evaluated in an HRA following OEHHA guidelines. Project TAC emissions would not result in increased health risks beyond the SMAQMD thresholds and the impact would be less than significant. The project would not be a substantial source of objectional odors and odor impacts would be less than significant. The project would be consistent with the City's integrated General Plan and GHG Strategy and GHG emissions impacts would be less than significant. The project would not conflict an applicable plan adopted for the purposes of reducing GHG emissions and the impact would be less than significant.

Sincerely,



Martin Rolph  
Air Quality Specialist



Victor Ortiz  
Senior Air Quality Specialist

## Attachments:

- Figure 1: Regional Location
- Figure 2: Detailed Site Plan
- Figure 3: Receptor Locations
- Figure 4: Cancer Risk
- Attachment A: Emissions Calculation Sheets
- Attachment B: HRA Model Output
- Attachment C: Addendum to the Folsom Lakeside Crematorium Project Air Quality and Greenhouse Gas Emissions Assessment

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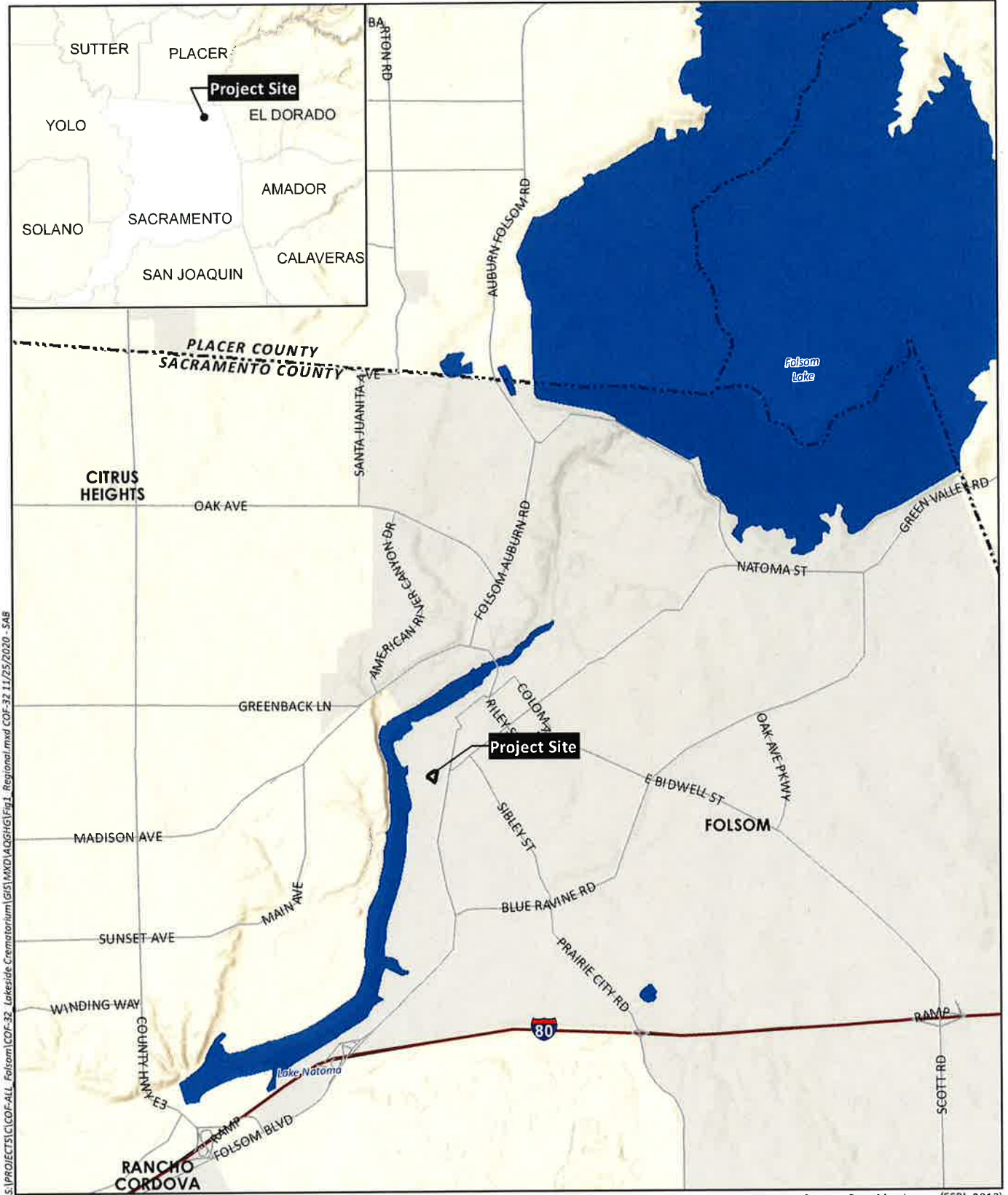
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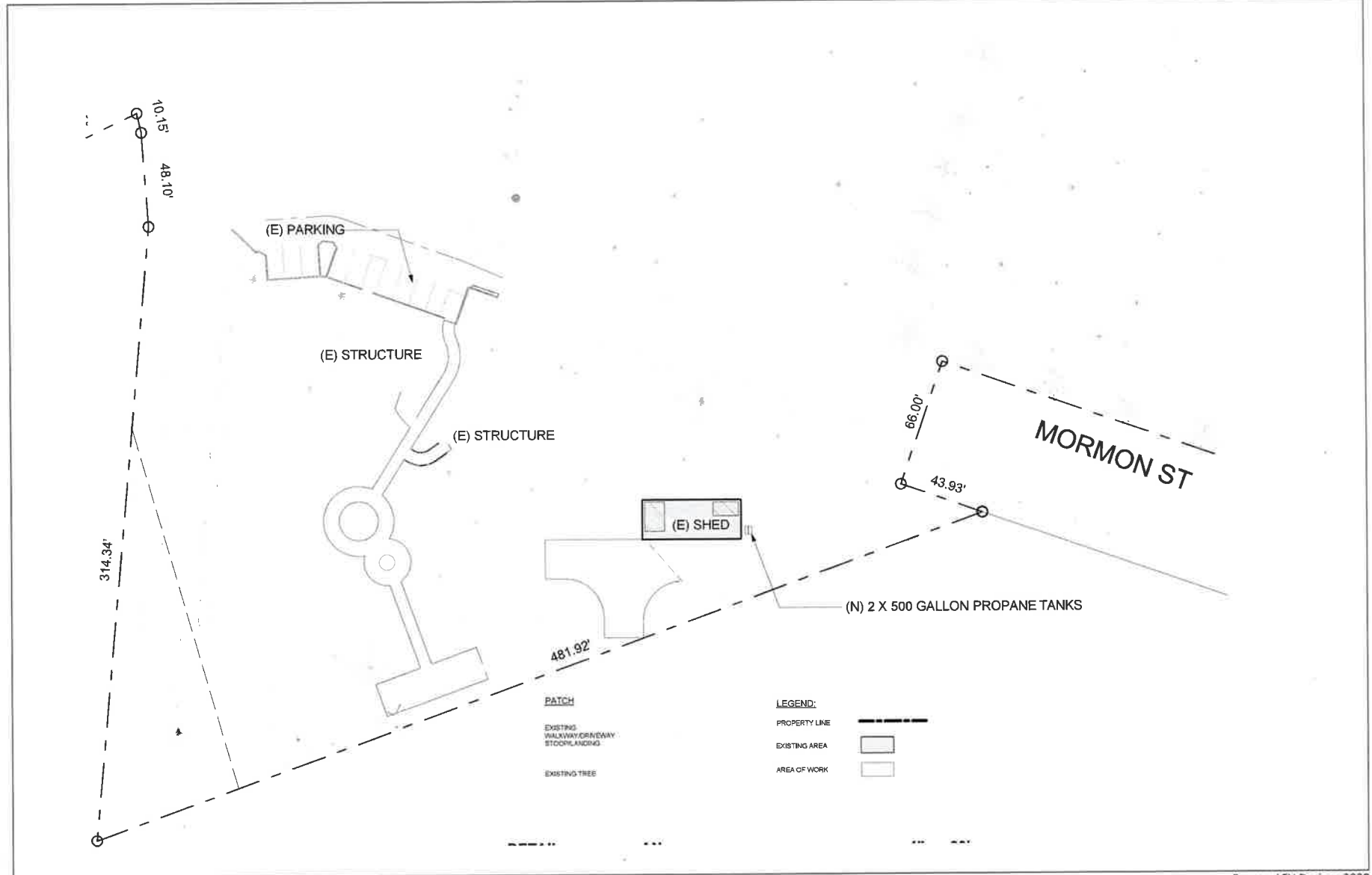
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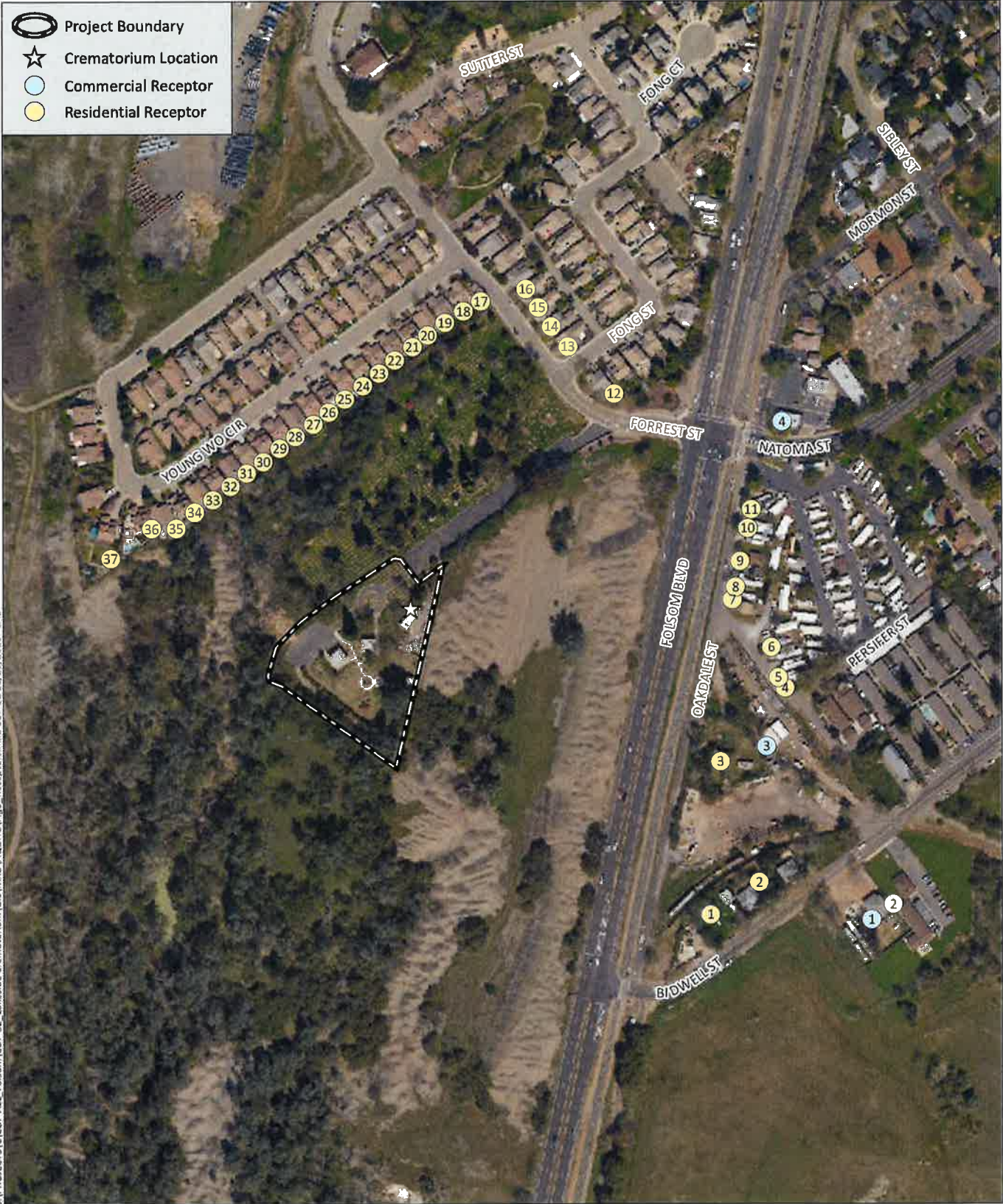


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Source: LEV Designs 2020

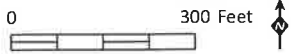


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Source: Aerial (Maxar, 2019)



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Source: Aerial (Maxar, 2019)



# Attachment A

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## Emissions Calculation Sheets

# Crematory Criteria Pollutant Emissions

## Emissions from Propane Combustion

KBTU/Cycle	1,800
KBTU/Gallon	91.502
Gallons/Cycle	19.672
Cycles/Day	2
Cycles/Year	500

Pollutant	Emission Factor (lbs/1000 gal) <sup>1</sup>	Emissions (lbs/day)	Emissions (tons/year)
ROG <sup>3</sup>	1	0.04	0.005
NOx	13	0.51	0.064
SOx	0.054	0.00	0.000
PM10	0.7	0.03	0.003
PM2.5 <sup>4</sup>	0.7	0.03	0.003
CO	7.5	0.30	0.037

## Emissions from Combustion of Human Remains

	lbs/day	lbs/yr
Maximum Throughput	400	100,000

Pollutant	Emission Factor (lbs/ton) <sup>2</sup>	Emissions (lbs/day)	Emissions (tons/year)
ROG	0.299	0.06	0.007
NOx	3.560	0.71	0.089
SOx	2.170	0.43	0.054
PM10	1.130	0.23	0.028
PM2.5 <sup>4</sup>	1.130	0.23	0.028
CO	2.950	0.59	0.074

## Total Emissions

Pollutant	Emissions (lbs/day)	Emissions (tons/year)
ROG	0.1	0.01
NOx	1.2	0.15
SOx	0.4	0.05
PM10	0.3	0.03
PM2.5	0.3	0.03
CO	0.9	0.11

### Notes:

1. Emissions factors for propane from USEPA AP-42 Chapter 1, External Combustion Sources, Section 1.5 Liquefied Petroleum Gas Combustion, Table 1.5-1.
2. Emissions from combustion of human remains provided by SMAQMD and are from USEPA Factor Information REtrieval (FIRE) Program Data System (3/08).
3. ROG fraction of TOC for propane combustion unavailable, ROG assumed to be equal to TOC.

## CREMATORY TAC EMISSIONS

Max hourly throughput (lbs)	200
Max annual throughput (lbs)	100,000

Substance	Test Results (in lbs/lbs charge) <sup>1</sup>	lbs/hr	lbs/year
Acetaldehyde	3.64E-07	7.27E-05	3.64E-02
Arsenic	2.52E-07	5.04E-05	2.52E-02
Benzene	1.77E-07	3.54E-05	1.77E-02
Beryllium	1.14E-08	2.28E-06	1.14E-03
Cadmium	8.59E-08	1.72E-05	8.59E-03
Chromium (Hex)	9.57E-08	1.91E-05	9.57E-03
Copper	2.17E-07	4.34E-05	2.17E-02
Formaldehyde	9.50E-08	1.90E-05	9.50E-03
Hydrogen Fluoride	4.01E-06	8.02E-04	4.01E-01
Lead	5.17E-07	1.03E-04	5.17E-02
Mercury <sup>2</sup>	2.77E-05	4.16E-03	2.77E+00
Nickel	2.99E-07	5.98E-05	2.99E-02
Selenium	1.72E-07	3.44E-05	1.72E-02
Toluene	5.73E-06	1.15E-03	5.73E-01
Vinyl Chloride	1.85E-08	3.70E-06	1.85E-03
Xylenes	9.63E-08	1.93E-05	9.63E-03
Zinc	2.76E-06	5.51E-04	2.76E-01
Total PAHs	2.64E-08	5.28E-06	2.64E-03
Benzo[a]anthracene	6.67E-11	1.33E-08	6.67E-06
Benzo[a]pyrene	2.45E-10	4.90E-08	2.45E-05
Benzo[b]fluoranthene	5.61E-11	1.12E-08	5.61E-06
Benzo[k]fluoranthene	5.06E-11	1.01E-08	5.06E-06
Chrysene	3.49E-10	6.98E-08	3.49E-05
Dibenzo[a,h]anthracene	4.52E-11	9.04E-09	4.52E-06
Ideno[1,2,3,-cd]pyrene	5.39E-11	1.08E-08	5.39E-06
Total PCDDs	1.50E-10	3.00E-08	1.50E-05
2,3,7,8-TCDD	5.11E-13	1.02E-10	5.11E-08
1,2,3,7,8-PeCDD	1.49E-12	2.98E-10	1.49E-07
1,2,3,4,7,8-HxCDD	1.77E-12	3.54E-10	1.77E-07
1,2,3,6,7,8-HxCDD	2.55E-12	5.10E-10	2.55E-07
1,2,3,7,8,9-HxCDD	3.16E-12	6.32E-10	3.16E-07
1,2,3,4,6,7,8-HpCDD	2.42E-11	4.84E-09	2.42E-06
Total PCDFs	2.31E-10	4.61E-08	2.31E-05
2,3,7,8-TCDF	3.43E-12	6.86E-10	3.43E-07
1,2,3,7,8-PeCDF	1.91E-12	3.81E-10	1.91E-07
2,3,4,7,8-PeCDF	5.82E-12	1.16E-09	5.82E-07
1,2,3,4,7,8-HxCDF	6.18E-12	1.24E-09	6.18E-07
1,2,3,6,7,8-HxCDF	5.49E-12	1.10E-09	5.49E-07
1,2,3,7,8,9-HxCDF	1.07E-11	2.15E-09	1.07E-06
2,3,4,6,7,8-HxCDF	2.23E-12	4.45E-10	2.23E-07
1,2,3,4,6,7,8-HpCDF	2.94E-11	5.89E-09	2.94E-06
1,2,3,4,7,8,9-HpCDF	1.79E-12	3.58E-10	1.79E-07

**Notes:**

1. Emissions factors provided by SMAQMD and are from CARB Test Report No. C-90-004, Evaluation Test on Two Propane-Fired Crematories at Camellia Memorial Lawn Cemetery (Oct. 29, 1992).

# Attachment B

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HRA Model Output

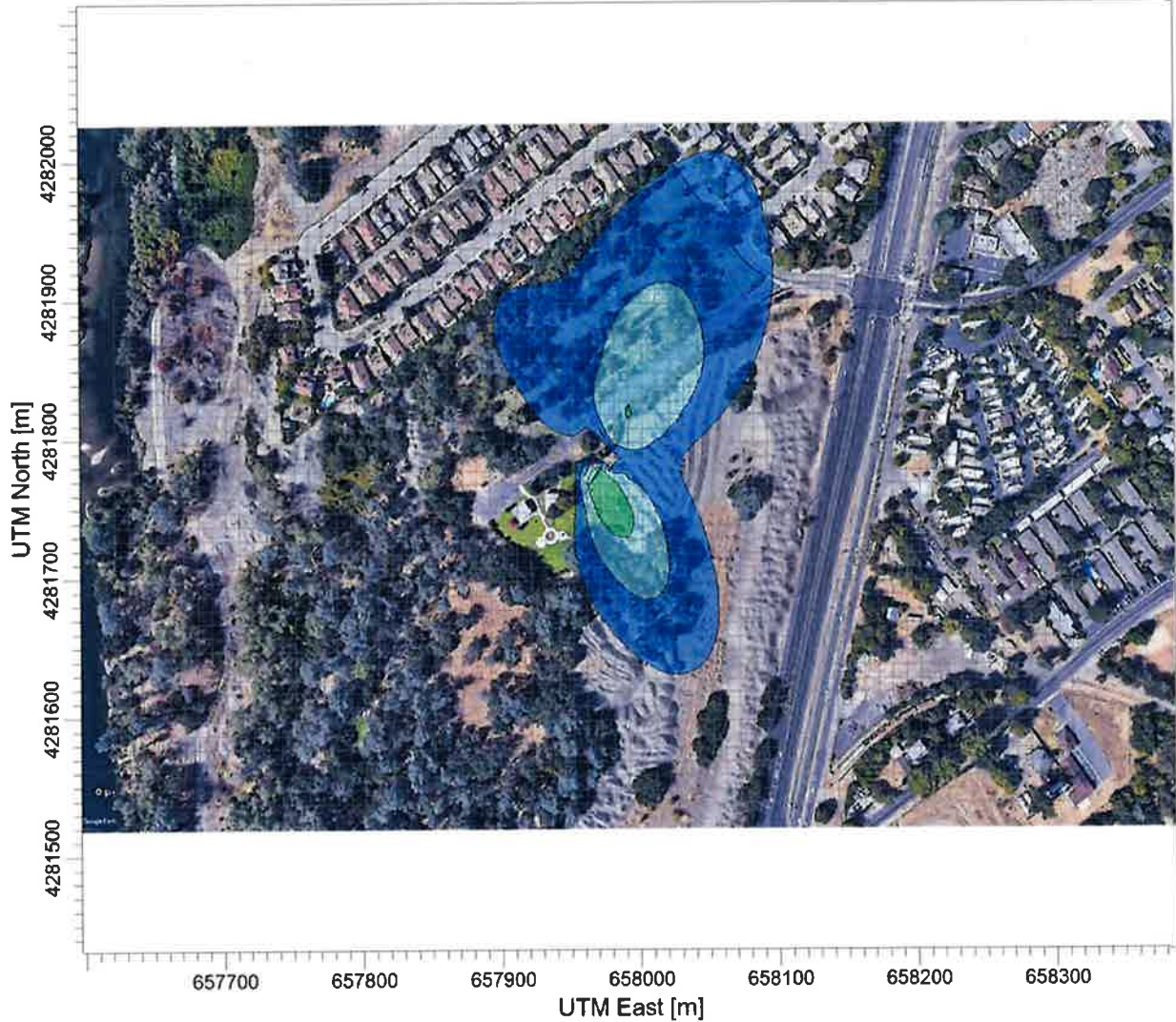
Residential Cancer Risk


\*HARP - HRACalc v19044 11/20/2020 9:17:07 AM - Cancer Risk

REC	GRP	NETID	X	Y	RISK_SUM	SCENARIO
R1	ALL		658172	4281577	1.30E-07	30YrCancerDerived_Inh_FAH3to70
R2	ALL		658204.3	4281599	9.77E-08	30YrCancerDerived_Inh_FAH3to70
R3	ALL		658177.6	4281681	1.02E-07	30YrCancerDerived_Inh_FAH3to70
R4	ALL		658221	4281731	6.16E-08	30YrCancerDerived_Inh_FAH3to70
R5	ALL		658216.2	4281738	6.25E-08	30YrCancerDerived_Inh_FAH3to70
R6	ALL		658211.2	4281758	6.15E-08	30YrCancerDerived_Inh_FAH3to70
R7	ALL		658184.6	4281790	7.50E-08	30YrCancerDerived_Inh_FAH3to70
R8	ALL		658186.7	4281798	7.55E-08	30YrCancerDerived_Inh_FAH3to70
R9	ALL		658189.5	4281816	7.98E-08	30YrCancerDerived_Inh_FAH3to70
R10	ALL		658194.3	4281838	8.82E-08	30YrCancerDerived_Inh_FAH3to70
R11	ALL		658196.8	4281851	9.45E-08	30YrCancerDerived_Inh_FAH3to70
R12	ALL		658103.2	4281928	4.65E-07	30YrCancerDerived_Inh_FAH3to70
R13	ALL		658071.8	4281960	5.80E-07	30YrCancerDerived_Inh_FAH3to70
R14	ALL		658060.4	4281973	5.87E-07	30YrCancerDerived_Inh_FAH3to70
R15	ALL		658051.7	4281986	5.62E-07	30YrCancerDerived_Inh_FAH3to70
R16	ALL		658043.1	4281998	5.21E-07	30YrCancerDerived_Inh_FAH3to70
R17	ALL		658012.3	4281990	4.88E-07	30YrCancerDerived_Inh_FAH3to70
R17	ALL		658000.9	4281983	4.77E-07	30YrCancerDerived_Inh_FAH3to70
R19	ALL		657988.3	4281975	4.58E-07	30YrCancerDerived_Inh_FAH3to70
R20	ALL		657977	4281966	4.42E-07	30YrCancerDerived_Inh_FAH3to70
R21	ALL		657966.5	4281958	4.25E-07	30YrCancerDerived_Inh_FAH3to70
R22	ALL		657954.9	4281949	4.10E-07	30YrCancerDerived_Inh_FAH3to70
R23	ALL		657944.2	4281940	4.07E-07	30YrCancerDerived_Inh_FAH3to70
R24	ALL		657933.3	4281932	4.17E-07	30YrCancerDerived_Inh_FAH3to70
R25	ALL		657921.4	4281923	4.44E-07	30YrCancerDerived_Inh_FAH3to70
R26	ALL		657910.8	4281914	4.80E-07	30YrCancerDerived_Inh_FAH3to70
R27	ALL		657900.6	4281906	4.93E-07	30YrCancerDerived_Inh_FAH3to70
R28	ALL		657888.2	4281897	4.44E-07	30YrCancerDerived_Inh_FAH3to70
R29	ALL		657877.8	4281889	3.79E-07	30YrCancerDerived_Inh_FAH3to70
R30	ALL		657866.5	4281880	2.97E-07	30YrCancerDerived_Inh_FAH3to70
R31	ALL		657855.3	4281872	2.28E-07	30YrCancerDerived_Inh_FAH3to70
R32	ALL		657844.1	4281863	1.73E-07	30YrCancerDerived_Inh_FAH3to70
R33	ALL		657832.5	4281854	1.34E-07	30YrCancerDerived_Inh_FAH3to70
R34	ALL		657820.3	4281845	1.06E-07	30YrCancerDerived_Inh_FAH3to70
R35	ALL		657808	4281834	8.38E-08	30YrCancerDerived_Inh_FAH3to70
R36	ALL		657791.5	4281834	6.80E-08	30YrCancerDerived_Inh_FAH3to70
R37	ALL		657764	4281814	4.64E-08	30YrCancerDerived_Inh_FAH3to70

PROJECT TITLE:

**Residential Incremental Cancer Risk**



<p>COMMENTS:</p> <p>Risk in chances per million</p>	<p>SOURCES:</p> <p><b>1</b></p>	<p>COMPANY NAME:</p> <p><b>HELIX Environmental Planning</b></p>	
	<p>RECEPTORS:</p> <p><b>3541</b></p>		
	<p>OUTPUT TYPE:</p> <p><b>Risk</b></p>	<p>SCALE: <b>1:4,963</b></p> <p>0  0.1 km</p>	
	<p>MAX:</p>	<p>DATE:</p> <p><b>11/21/2020</b></p>	<p>PROJECT NO.:</p> <p><b>COF-32</b></p>

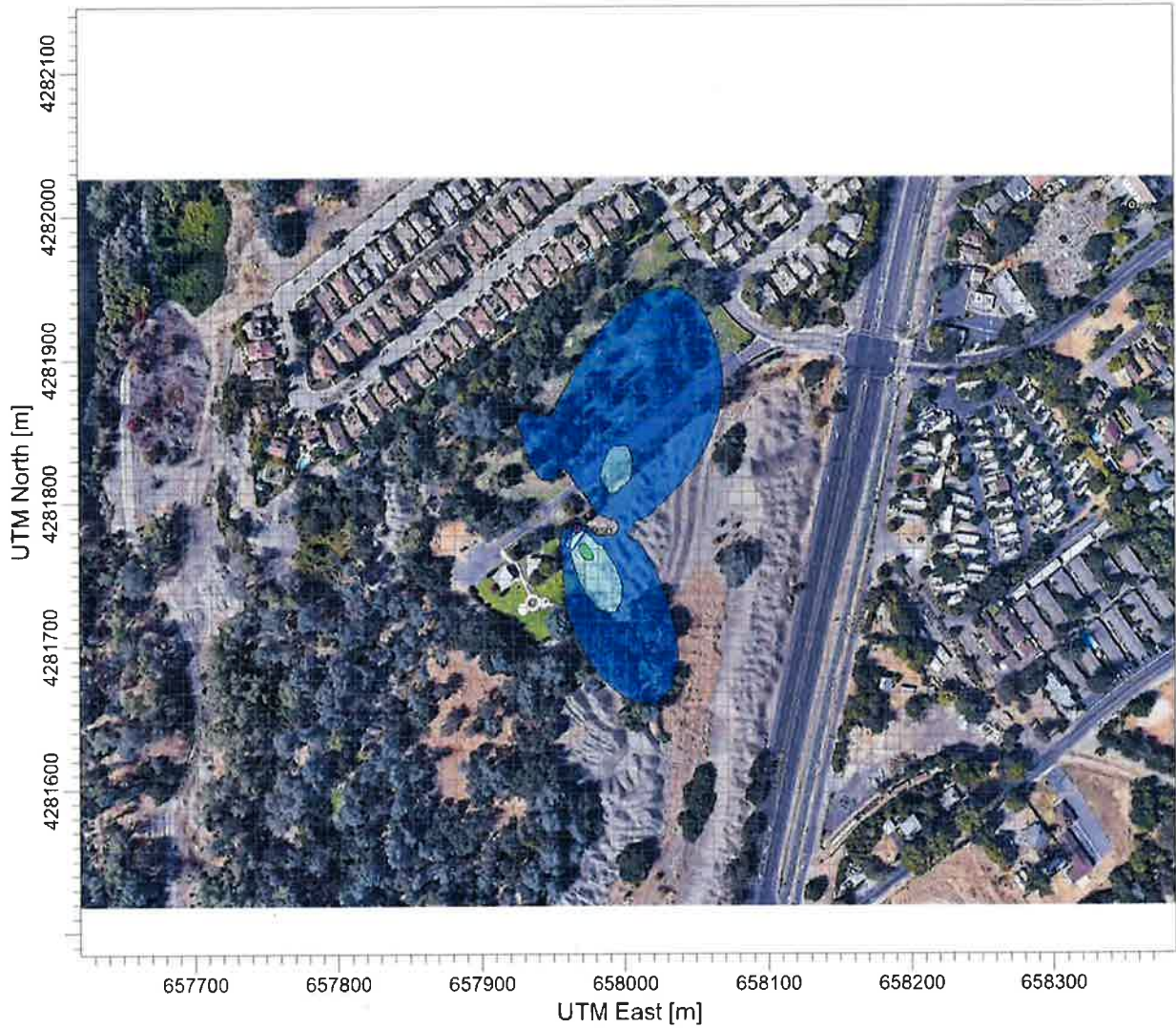
Residential Chronic Risk

\*HARP - HRACalc v19044 11/20/2020 9:18:14 AM - Chronic Risk

REC	GRP	NETID	X	Y	SCENARIO	MAXHI
R1	ALL		658172	4281577	NonCancerChronicDerived_Inh	3.62E-03
R2	ALL		658204.3	4281599	NonCancerChronicDerived_Inh	2.72E-03
R3	ALL		658177.6	4281681	NonCancerChronicDerived_Inh	2.85E-03
R4	ALL		658221	4281731	NonCancerChronicDerived_Inh	1.71E-03
R5	ALL		658216.2	4281738	NonCancerChronicDerived_Inh	1.74E-03
R6	ALL		658211.2	4281758	NonCancerChronicDerived_Inh	1.71E-03
R7	ALL		658184.6	4281790	NonCancerChronicDerived_Inh	2.08E-03
R8	ALL		658186.7	4281798	NonCancerChronicDerived_Inh	2.10E-03
R9	ALL		658189.5	4281816	NonCancerChronicDerived_Inh	2.22E-03
R10	ALL		658194.3	4281838	NonCancerChronicDerived_Inh	2.45E-03
R11	ALL		658196.8	4281851	NonCancerChronicDerived_Inh	2.63E-03
R12	ALL		658103.2	4281928	NonCancerChronicDerived_Inh	1.29E-02
R13	ALL		658071.8	4281960	NonCancerChronicDerived_Inh	1.61E-02
R14	ALL		658060.4	4281973	NonCancerChronicDerived_Inh	1.63E-02
R15	ALL		658051.7	4281986	NonCancerChronicDerived_Inh	1.56E-02
R16	ALL		658043.1	4281998	NonCancerChronicDerived_Inh	1.45E-02
R17	ALL		658012.3	4281990	NonCancerChronicDerived_Inh	1.36E-02
R17	ALL		658000.9	4281983	NonCancerChronicDerived_Inh	1.33E-02
R19	ALL		657988.3	4281975	NonCancerChronicDerived_Inh	1.27E-02
R20	ALL		657977	4281966	NonCancerChronicDerived_Inh	1.23E-02
R21	ALL		657966.5	4281958	NonCancerChronicDerived_Inh	1.18E-02
R22	ALL		657954.9	4281949	NonCancerChronicDerived_Inh	1.14E-02
R23	ALL		657944.2	4281940	NonCancerChronicDerived_Inh	1.13E-02
R24	ALL		657933.3	4281932	NonCancerChronicDerived_Inh	1.16E-02
R25	ALL		657921.4	4281923	NonCancerChronicDerived_Inh	1.23E-02
R26	ALL		657910.8	4281914	NonCancerChronicDerived_Inh	1.34E-02
R27	ALL		657900.6	4281906	NonCancerChronicDerived_Inh	1.37E-02
R28	ALL		657888.2	4281897	NonCancerChronicDerived_Inh	1.23E-02
R29	ALL		657877.8	4281889	NonCancerChronicDerived_Inh	1.05E-02
R30	ALL		657866.5	4281880	NonCancerChronicDerived_Inh	8.27E-03
R31	ALL		657855.3	4281872	NonCancerChronicDerived_Inh	6.34E-03
R32	ALL		657844.1	4281863	NonCancerChronicDerived_Inh	4.81E-03
R33	ALL		657832.5	4281854	NonCancerChronicDerived_Inh	3.72E-03
R34	ALL		657820.3	4281845	NonCancerChronicDerived_Inh	2.95E-03
R35	ALL		657808	4281834	NonCancerChronicDerived_Inh	2.33E-03
R36	ALL		657791.5	4281834	NonCancerChronicDerived_Inh	1.89E-03
R37	ALL		657764	4281814	NonCancerChronicDerived_Inh	1.29E-03

PROJECT TITLE:

**Residential Maximum Non-Cancer Chronic Hazard Index**



COMMENTS: Risk in maximum hazard index	SOURCES: <b>1</b>	COMPANY NAME: <b>HELIX Environmental Planning</b>	
	RECEPTORS: <b>3541</b>	SCALE: 1:4,808 0  0.1 km	
	OUTPUT TYPE: <b>Hazard Index</b>		
	MAX:	DATE: <b>11/21/2020</b>	PROJECT NO.: <b>COF-32</b>



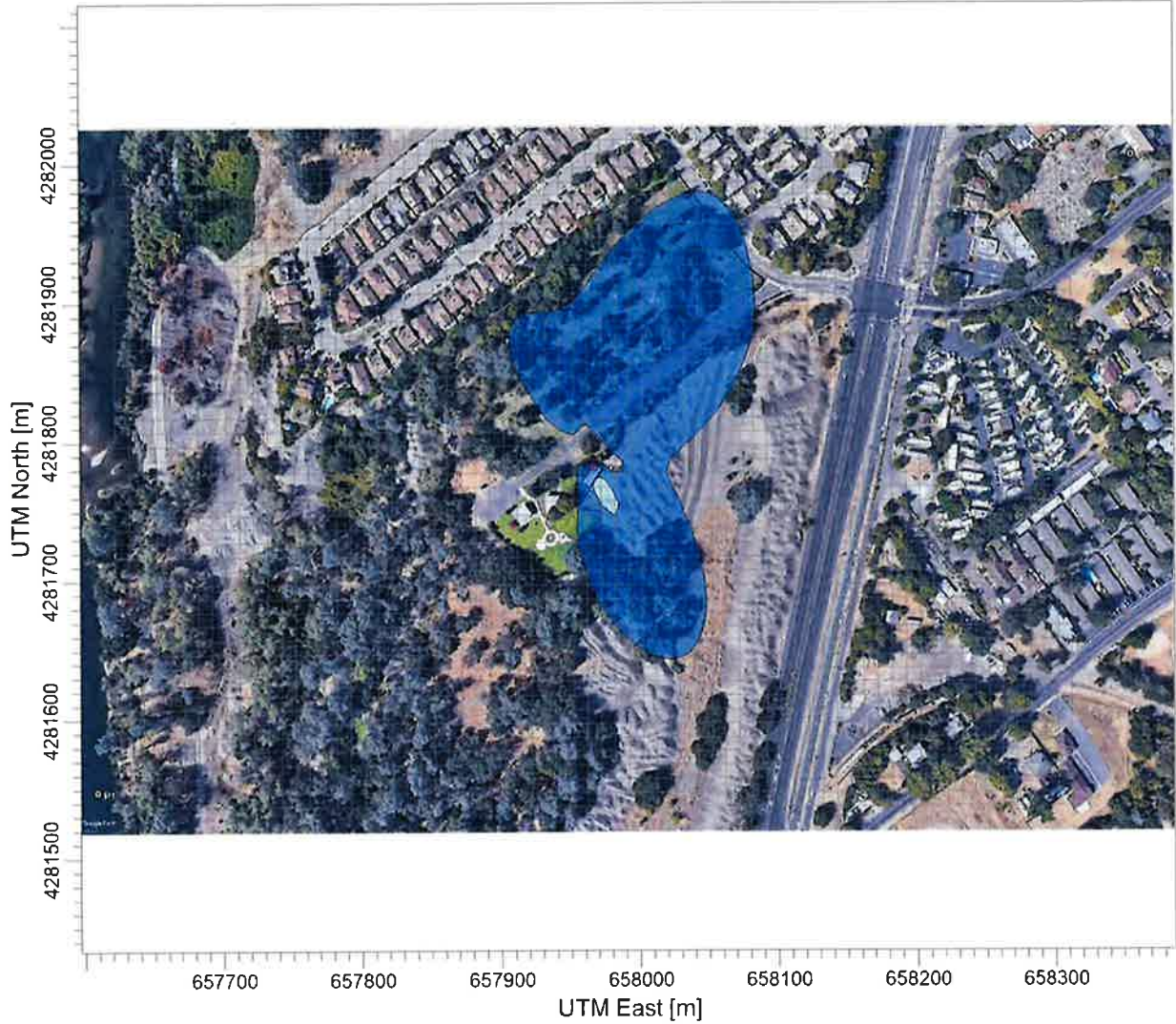
Worker Cancer Risk


\*HARP - HRACalc v19044 11/20/2020 8:51:22 AM - Cancer Risk

REC	GRP	NETID	X	Y	RISK_SUM	SCENARIO
C1	ALL		658281.4	4281574	1.04E-08	25YrCancerDerived_InhSoilDerm
C2	ALL		658296.2	4281585	9.41E-09	25YrCancerDerived_InhSoilDerm
C2	ALL		658208.6	4281691	1.30E-08	25YrCancerDerived_InhSoilDerm
C4	ALL		658217.1	4281910	2.02E-08	25YrCancerDerived_InhSoilDerm

PROJECT TITLE:

**Worker Incremental Cancer Risk**



COMMENTS: Risk in chances per million	SOURCES: <b>1</b>	COMPANY NAME: <b>HELIX Environmental Planning</b>	
	RECEPTORS: <b>3541</b>		
	OUTPUT TYPE: <b>Risk</b>	SCALE: 1:4,963 0  0.1 km	
	MAX:	DATE: <b>11/21/2020</b>	PROJECT NO.: <b>COF-32</b>

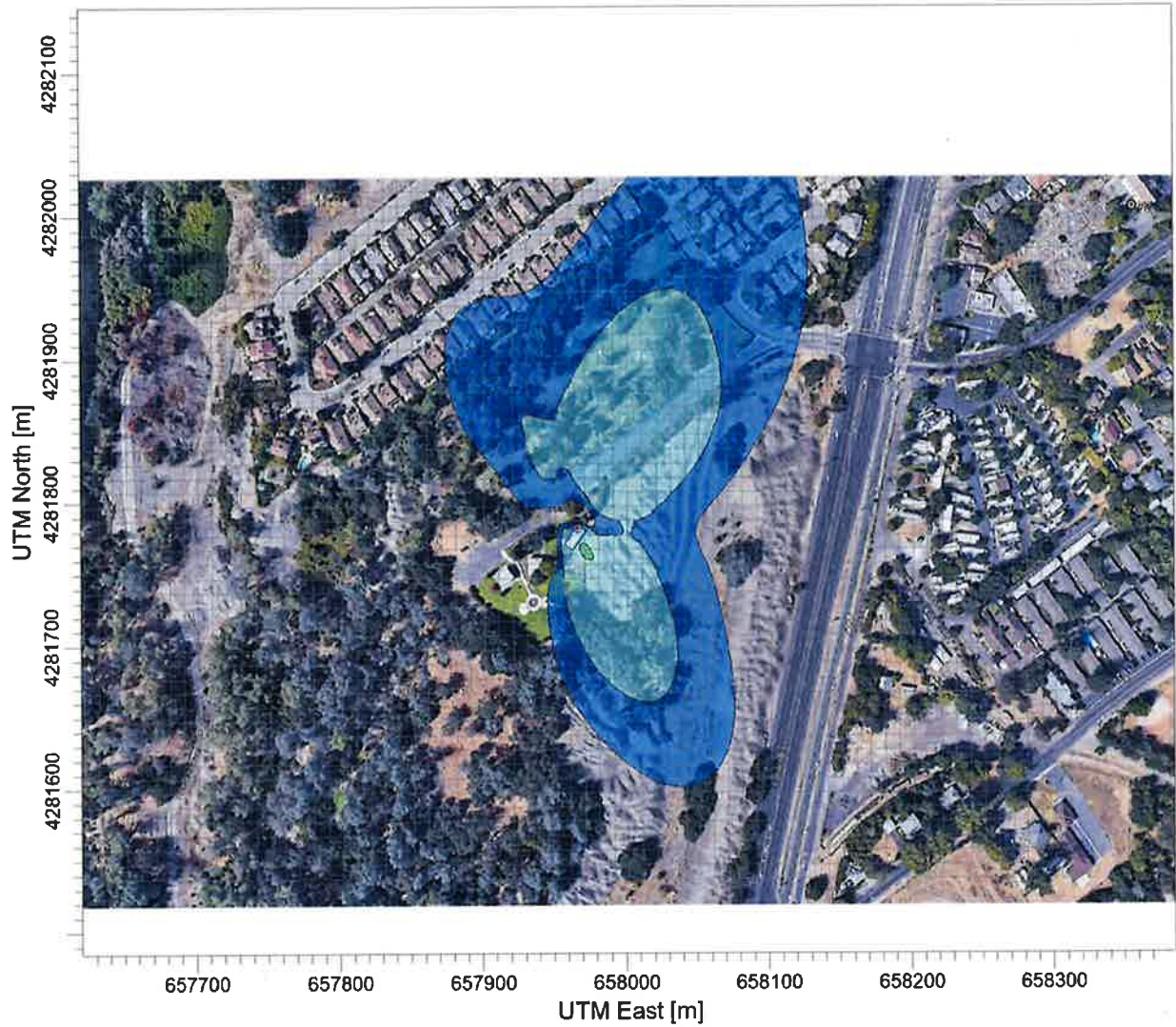
Worker Chronic Risk

\*HARP - HRACalc v19044 11/20/2020 8:52:49 AM - Chronic Risk

REC	GRP	NETID	X	Y	SCENARIO	MAXHI
C1	ALL		658281.4	4281574	NonCancerChronicDerived_InhSoilDerm	8.37E-03
C2	ALL		658296.2	4281585	NonCancerChronicDerived_InhSoilDerm	7.57E-03
C2	ALL		658208.6	4281691	NonCancerChronicDerived_InhSoilDerm	1.05E-02
C4	ALL		658217.1	4281910	NonCancerChronicDerived_InhSoilDerm	1.62E-02

PROJECT TITLE:

**Worker Maximum Non-Cancer Chronic Hazard Index**



COMMENTS: Risk in maximum hazard index	SOURCES: <b>1</b>	COMPANY NAME: <b>HELIX Environmental Planning</b>	
	RECEPTORS: <b>3541</b>		
	OUTPUT TYPE: <b>Hazard Index</b>	SCALE: 1:4,808 0  0.1 km	
	MAX:	DATE: <b>11/21/2020</b>	PROJECT NO.: <b>COF-32</b>

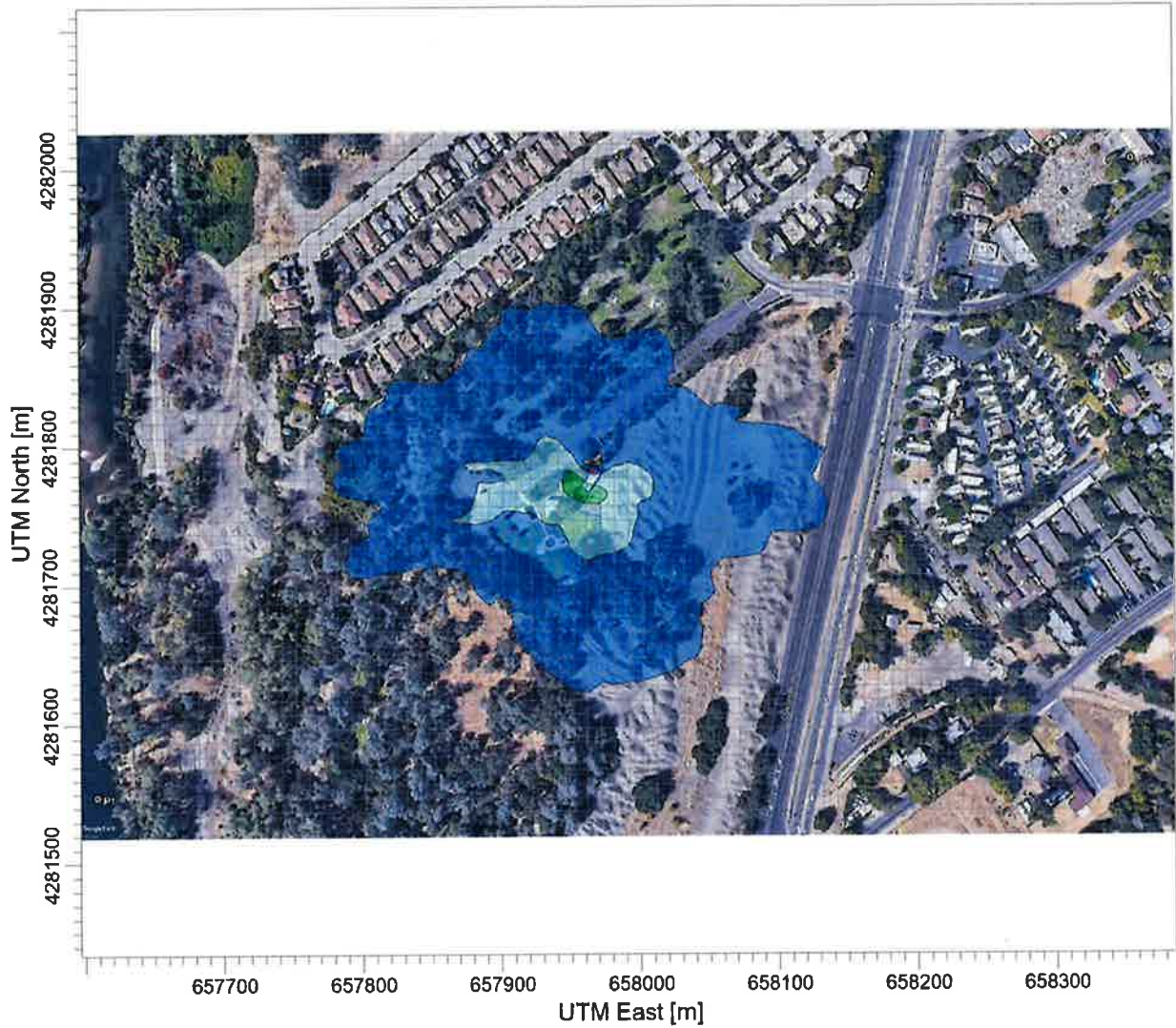
Acute Risk

\*HARP - HRACalc v19044 11/20/2020 8:38:30 AM - Acute Risk

REC	GRP	NETID	X	Y	SCENARIO	MAXHI
R1	ALL		658172	4281577	NonCancerAcute	7.21E-02
R2	ALL		658204.3	4281599	NonCancerAcute	6.97E-02
R3	ALL		658177.6	4281681	NonCancerAcute	9.60E-02
R4	ALL		658221	4281731	NonCancerAcute	8.54E-02
R5	ALL		658216.2	4281738	NonCancerAcute	8.64E-02
R6	ALL		658211.2	4281758	NonCancerAcute	8.93E-02
R7	ALL		658184.6	4281790	NonCancerAcute	1.03E-01
R8	ALL		658186.7	4281798	NonCancerAcute	1.06E-01
R9	ALL		658189.5	4281816	NonCancerAcute	9.65E-02
R10	ALL		658194.3	4281838	NonCancerAcute	9.39E-02
R11	ALL		658196.8	4281851	NonCancerAcute	9.03E-02
R12	ALL		658103.2	4281928	NonCancerAcute	1.08E-01
R13	ALL		658071.8	4281960	NonCancerAcute	1.16E-01
R14	ALL		658060.4	4281973	NonCancerAcute	1.14E-01
R15	ALL		658051.7	4281986	NonCancerAcute	1.11E-01
R16	ALL		658043.1	4281998	NonCancerAcute	1.07E-01
R17	ALL		658012.3	4281990	NonCancerAcute	1.15E-01
R17	ALL		658000.9	4281983	NonCancerAcute	1.21E-01
R19	ALL		657988.3	4281975	NonCancerAcute	1.25E-01
R20	ALL		657977	4281966	NonCancerAcute	1.33E-01
R21	ALL		657966.5	4281958	NonCancerAcute	1.44E-01
R22	ALL		657954.9	4281949	NonCancerAcute	1.53E-01
R23	ALL		657944.2	4281940	NonCancerAcute	1.59E-01
R24	ALL		657933.3	4281932	NonCancerAcute	1.72E-01
R25	ALL		657921.4	4281923	NonCancerAcute	1.74E-01
R26	ALL		657910.8	4281914	NonCancerAcute	1.82E-01
R27	ALL		657900.6	4281906	NonCancerAcute	1.92E-01
R28	ALL		657888.2	4281897	NonCancerAcute	1.79E-01
R29	ALL		657877.8	4281889	NonCancerAcute	1.79E-01
R30	ALL		657866.5	4281880	NonCancerAcute	1.79E-01
R31	ALL		657855.3	4281872	NonCancerAcute	1.67E-01
R32	ALL		657844.1	4281863	NonCancerAcute	1.66E-01
R33	ALL		657832.5	4281854	NonCancerAcute	1.62E-01
R34	ALL		657820.3	4281845	NonCancerAcute	1.98E-01
R35	ALL		657808	4281834	NonCancerAcute	1.78E-01
R36	ALL		657791.5	4281834	NonCancerAcute	1.57E-01
R37	ALL		657764	4281814	NonCancerAcute	1.17E-01
C1	ALL		658281.4	4281574	NonCancerAcute	5.58E-02
C2	ALL		658296.2	4281585	NonCancerAcute	5.51E-02
C2	ALL		658208.6	4281691	NonCancerAcute	8.41E-02
C4	ALL		658217.1	4281910	NonCancerAcute	7.37E-02

PROJECT TITLE:

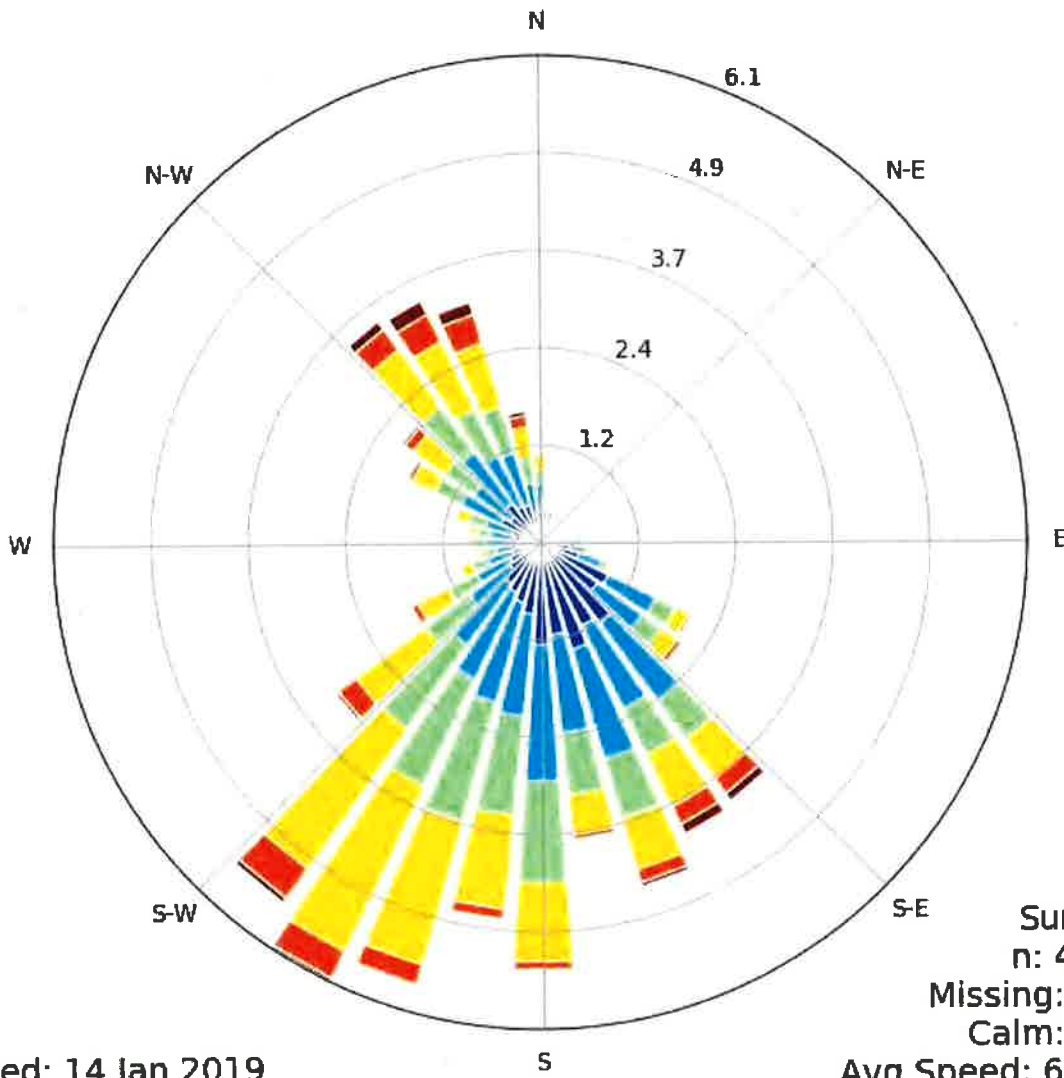
**Non-Cancer Acute Maximum Hazard Index**



COMMENTS: Risk in maximum hazard index	SOURCES: <b>1</b>	COMPANY NAME: <b>HELIX Environmental Planning</b>	
	RECEPTORS: <b>3541</b>	SCALE: 1:4,963 	
	OUTPUT TYPE: <b>Hazard Index</b>		
	MAX:	DATE: <b>11/21/2020</b>	PROJECT NO.: <b>COF-32</b>



[SAC] SACRAMENTO/EXECUTIV  
Windrose Plot [All Year]  
Period of Record: 01 Jan 1970 - 14 Jan 2019



Summary  
n: 444759  
Missing: 17816  
Calm: 20.6%  
Avg Speed: 6.6 mph

Generated: 14 Jan 2019



# Control Pathway

AERMOD

## Dispersion Options

<b>Titles</b> C:\Users\mdrol\Desktop\COF-32 HRA\COF-32 Lakeside Crematorium Lakes\	
<b>Dispersion Options</b> <input checked="" type="checkbox"/> Regulatory Default <input type="checkbox"/> Non-Default Options	<b>Dispersion Coefficient</b> Rural
	<b>Output Type</b> <input checked="" type="checkbox"/> Concentration <input type="checkbox"/> Total Deposition (Dry & Wet) <input type="checkbox"/> Dry Deposition <input type="checkbox"/> Wet Deposition
	<b>Plume Depletion</b> <input type="checkbox"/> Dry Removal <input type="checkbox"/> Wet Removal
	<b>Output Warnings</b> <input type="checkbox"/> No Output Warnings <input type="checkbox"/> Non-fatal Warnings for Non-sequential Met Data

## Pollutant / Averaging Time / Terrain Options

<b>Pollutant Type</b> OTHER - MULTIPLE	<b>Exponential Decay</b> Option not available
<b>Averaging Time Options</b> Hours <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 6 <input type="checkbox"/> 8 <input type="checkbox"/> 12 <input type="checkbox"/> 24 <input type="checkbox"/> Month <input checked="" type="checkbox"/> Period <input type="checkbox"/> Annual	<b>Terrain Height Options</b> <input type="checkbox"/> Flat <input checked="" type="checkbox"/> Elevated      SO: Meters RE: Meters TG: Meters
<b>Flagpole Receptors</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Default Height = 1.20 m	



# Control Pathway

AERMOD

## Optional Files



Re-Start File



Init File



Multi-Year Analyses



Event Input File



Error Listing File

## Detailed Error Listing File

Filename: COF-32 Lakeside Crematorium Lakes.err

# Source Pathway - Source Inputs

AERMOD

## Point Sources

Source Type	Source ID	X Coordinate [m]	Y Coordinate [m]	Base Elevation (Optional)	Release Height [m]	Emission Rate [g/s]	Gas Exit Temp. [K]	Gas Exit Velocity [m/s]	Stack Inside Diameter [m]
POINT	STACK1	657967.00 Stack	4281782.00	50.33	5.97	1.00000	855.37	4.47	0.51

# Source Pathway

AERMOD

## Building Downwash Information

Source ID: <u>STACK1</u>							
<b>Heights [m] (10 to 360 deg)</b>							
10-60 deg	3.44	3.44	3.44	3.44	3.44	3.44	3.44
70-120 deg	3.44	3.44	3.44	3.44	3.44	3.44	3.44
130-180 deg	3.44	3.44	3.44	3.44	3.44	3.44	3.44
190-240 deg	3.44	3.44	3.44	3.44	3.44	3.44	3.44
250-300 deg	3.44	3.44	3.44	3.44	3.44	3.44	3.44
310-360 deg	3.44	3.44	3.44	3.44	3.44	3.44	3.44
<b>Widths [m] (10 to 360 deg)</b>							
10-60 deg	12.51	10.24	7.65	8.26	10.81	13.03	
70-120 deg	14.85	16.22	17.10	17.46	17.29	16.59	
130-180 deg	16.66	17.25	17.31	16.84	15.87	14.41	
190-240 deg	12.51	10.24	7.65	8.26	10.81	13.03	
250-300 deg	14.85	16.22	17.10	17.46	17.29	16.59	
310-360 deg	16.66	17.25	17.31	16.84	15.87	14.41	
<b>Lengths [m] (10 to 360 deg)</b>							
10-60 deg	17.46	17.29	16.59	16.66	17.25	17.31	
70-120 deg	16.84	15.87	14.41	12.51	10.24	7.65	
130-180 deg	8.26	10.81	13.03	14.85	16.22	17.10	
190-240 deg	17.46	17.29	16.59	16.66	17.25	17.31	
250-300 deg	16.84	15.87	14.41	12.51	10.24	7.65	
310-360 deg	8.26	10.81	13.03	14.85	16.22	17.10	
<b>Along Flow [m] (10 to 360 deg)</b>							
10-60 deg	-15.63	-15.49	-14.88	-14.41	-14.07	-13.30	
70-120 deg	-12.12	-10.58	-8.72	-6.59	-4.26	-1.81	
130-180 deg	-0.93	-1.19	-1.41	-1.59	-1.72	-1.80	
190-240 deg	-1.82	-1.79	-1.71	-2.26	-3.18	-4.01	
250-300 deg	-4.72	-5.29	-5.69	-5.92	-5.97	-5.84	
310-360 deg	-7.34	-9.63	-11.62	-13.26	-14.50	-15.30	
<b>Across Flow [m] (10 to 360 deg)</b>							
10-60 deg	0.34	-0.85	-2.02	-3.21	-4.22	-5.11	
70-120 deg	-5.84	-6.39	-6.75	-6.90	-6.85	-6.59	
130-180 deg	-6.08	-5.44	-4.64	-3.70	-2.65	-1.51	
190-240 deg	-0.34	0.85	2.02	3.21	4.22	5.11	
250-300 deg	5.84	6.39	6.75	6.90	6.85	6.59	
310-360 deg	6.08	5.44	4.64	3.70	2.65	1.51	

# Source Pathway

AERMOD

## Emission Rate Units for Output

### For Concentration

Unit Factor:	1E6
Emission Unit Label:	GRAMS/SEC
Concentration Unit Label:	MICROGRAMS/M**3

# Receptor Pathway

AERMOD

## Receptor Networks

Note: Terrain Elevations and Flagpole Heights for Network Grids are in Page RE2 - 1 (If applicable)  
Generated Discrete Receptors for Multi-Tier (Risk) Grid and Receptor Locations for Fenceline Grid are in Page RE3 - 1 (If applicable)

### Uniform Cartesian Grid

Receptor Network ID	Grid Origin X Coordinate [m]	Grid Origin Y Coordinate [m]	No. of X-Axis Receptors	No. of Y-Axis Receptors	Spacing for X-Axis [m]	Spacing for Y-Axis [m]
UCART1	657622.00	4281537.00	70	50	10.00	10.00

## Discrete Receptors

### Discrete Cartesian Receptors

Record Number	X-Coordinate [m]	Y-Coordinate [m]	Group Name (Optional)	Terrain Elevations	Flagpole Heights [m] (Optional)
1	658171.99	4281576.80		56.25	
2	658204.25	4281599.32		56.72	
3	658177.63	4281680.58		56.34	
4	658220.99	4281730.59		57.89	
5	658216.22	4281737.74		58.30	
6	658211.15	4281758.13		58.69	
7	658184.55	4281789.89		58.01	
8	658186.65	4281798.48		58.07	
9	658189.46	4281816.10		58.09	
10	658194.31	4281838.45		58.23	
11	658196.77	4281850.98		58.27	
12	658103.22	4281927.78		55.35	
13	658071.77	4281959.88		54.86	
14	658060.39	4281973.04		54.92	
15	658051.68	4281985.75		55.07	
16	658043.07	4281998.03		55.31	
17	658012.30	4281989.53		53.82	
18	658000.94	4281982.74		53.45	
19	657988.34	4281974.95		53.12	
20	657977.03	4281966.32		52.45	
21	657966.52	4281958.41		51.82	
22	657954.91	4281949.27		51.24	
23	657944.16	4281940.37		50.78	
24	657933.29	4281931.72		50.35	
25	657921.43	4281922.83		49.89	
26	657910.81	4281913.81		49.47	

# Receptor Pathway

AERMOD

27	657900.56	4281905.53	49.05
28	657888.20	4281897.13	48.45
29	657877.82	4281889.10	47.97
30	657866.46	4281879.84	47.51
31	657855.34	4281872.06	47.00
32	657844.10	4281863.28	46.48
33	657832.49	4281853.90	46.03
34	657820.26	4281845.37	45.60
35	657807.97	4281834.37	45.10
36	657791.51	4281834.17	44.60
37	657763.95	4281813.59	43.54
38	658281.43	4281574.43	57.67
39	658296.17	4281585.05	58.20
40	658208.56	4281690.93	56.99
41	658217.08	4281910.37	58.57

## Plant Boundary Receptors

# Meteorology Pathway

AERMOD

## Met Input Data

### Surface Met Data

Filename: ..\Exec 10-14 N1MD.SFC

Format Type: Default AERMET format

### Profile Met Data

Filename: ..\Exec 10-14 N1MD.PFL

Format Type: Default AERMET format

### Wind Speed



Wind Speeds are Vector Mean (Not Scalar Means)

### Wind Direction

Rotation Adjustment [deg]:

### Potential Temperature Profile

Base Elevation above MSL (for Primary Met Tower): 10.00 [m]

## Meteorological Station Data

Stations	Station No.	Year	X Coordinate [m]	Y Coordinate [m]	Station Name
Surface		2010			SACRAMENTO/EXECUTIVE ARPT
Upper Air		2010			OAKLAND/WSO AP

## Data Period

### Data Period to Process

Start Date: 1/1/2010

Start Hour: 1

End Date: 12/31/2014

End Hour: 24

## Wind Speed Categories

Stability Category	Wind Speed [m/s]	Stability Category	Wind Speed [m/s]
A	1.54	D	8.23
B	3.09	E	10.8
C	5.14	F	No Upper Bound

# Output Pathway

AERMOD

## Tabular Printed Outputs

Short Term Averaging Period	RECTABLE Highest Values Table										MAXTABLE Maximum Values Table	DAYTABLE Daily Values Table
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th		
1												No

## Contour Plot Files (PLOTFILE)

Path for PLOTFILES: COF-32 Lakeside Crematorium Lakes.AD

Averaging Period	Source Group ID	High Value	File Name
1	ALL	1st	01H1GALL.PLT
Period	ALL	N/A	PE00GALL.PLT



\*\*\*PROJECT INFORMATION\*\*\*

HARP Version: 19121

Project Name: COF-32 LAKESIDE CREMATORIUM HARP

HARP Database: NA

\*\*\*EMISSION INVENTORY\*\*\*

No. of Pollutants:39

No. of Background Pollutants:0

Emissions

ScrID	StkID	ProID	PolID	PolAbbrev	Multi	Annual Ems (lbs/yr)	MaxHr Ems (lbs/hr)	MWAF
STACK1		0	0	75070 Acetaldehyde	1	0.0364	7.27E-05	1
STACK1		0	0	71432 Benzene	1	0.0177	3.54E-05	1
STACK1		0	0	7440417 Beryllium	1	0.00114	2.28E-06	1
STACK1		0	0	7440439 Cadmium	1	0.00859	1.72E-05	1
STACK1		0	0	18540299 Cr(VI)	1	0.00957	1.91E-05	1
STACK1		0	0	7440508 Copper	1	0.0217	4.34E-05	1
STACK1		0	0	50000 Formaldehyde	1	0.0095	1.90E-05	1
STACK1		0	0	7664393 HF	1	0.401	0.000802	1
STACK1		0	0	7439921 Lead	1	0.0517	0.000103	1
STACK1		0	0	7439976 Mercury	1	2.77	0.00416	1
STACK1		0	0	7440020 Nickel	1	0.0299	5.98E-05	1
STACK1		0	0	7782492 Selenium	1	0.0172	3.44E-05	1
STACK1		0	0	108883 Toluene	1	0.573	0.00115	1
STACK1		0	0	75014 Vinyl Chloride	1	0.00185	3.70E-06	1
STACK1		0	0	1330207 Xylenes	1	0.00963	1.93E-05	1
STACK1		0	0	7440666 Zinc	1	0.276	0.000551	1
STACK1		0	0	56553 B[a]anthracene	1	6.67E-06	1.33E-08	1
STACK1		0	0	50328 B[a]P	1	2.45E-05	4.90E-08	1
STACK1		0	0	205992 B[b]fluoranthen	1	5.61E-06	1.12E-08	1
STACK1		0	0	207089 B[k]fluoranthen	1	5.06E-06	1.01E-08	1
STACK1		0	0	218019 Chrysene	1	3.49E-05	6.98E-08	1
STACK1		0	0	53703 D[a,h]anthracen	1	4.52E-06	9.04E-09	1
STACK1		0	0	193395 In[1,2,3-cd]pyr	1	5.39E-06	1.08E-08	1
STACK1		0	0	1746016 2,3,7,8-TCDD	1	5.11E-08	1.02E-10	1
STACK1		0	0	40321764 1-3,7,8PeCDD	1	1.49E-07	2.98E-10	1
STACK1		0	0	39227286 1-4,7,8HxCDD	1	1.77E-07	3.54E-10	1
STACK1		0	0	57653857 1-3,6-8HxCDD	1	2.55E-07	5.10E-10	1
STACK1		0	0	19408743 1-3,7-9HxCDD	1	3.16E-07	6.32E-10	1
STACK1		0	0	35822469 1-4,6-8HpCDD	1	2.42E-06	4.84E-09	1
STACK1		0	0	51207319 2,3,7,8-TCDF	1	3.43E-07	6.86E-10	1
STACK1		0	0	57117416 1-3,7,8PeCDF	1	1.91E-07	3.81E-10	1
STACK1		0	0	57117314 2-4,7,8PeCDF	1	5.82E-07	1.16E-09	1
STACK1		0	0	70648269 1-4,7,8HxCDF	1	6.18E-07	1.24E-09	1
STACK1		0	0	57117449 1-3,6-8HxCDF	1	5.49E-07	1.10E-09	1
STACK1		0	0	72918219 1-3,7-9HxCDF	1	1.07E-06	2.15E-09	1
STACK1		0	0	60851345 2-4,6-8HxCDF	1	2.23E-07	4.45E-10	1
STACK1		0	0	67562394 1-4,6-8HpCDF	1	2.94E-06	5.89E-09	1
STACK1		0	0	55673897 1-4,7-9HpCDF	1	1.79E-07	3.58E-10	1
STACK1		0	0	7440382 Arsenic	1	0.0252	5.04E-05	1

\*\*\*POLLUTANT HEALTH INFORMATION\*\*\*

Health Database: C:\HARP2\Tables\HEALTH17320.mdb

Health Table Version: HEALTH19252

Official: True

PolID	PolAbbrev	InhCancer	OralCancer	AcuteREL	InhChronicREL	OralChronicREL	InhChronic8HRREL
75070	Acetaldehyde	0.01		470	140		300
71432	Benzene	0.1		27	3		3
7440417	Beryllium	8.4			0.007	0.002	
7440439	Cadmium	15			0.02	0.0005	
18540299	Cr(VI)	510	0.5		0.2	0.02	
7440508	Copper			100			
50000	Formaldehyde	0.021		55	9		9
7664393	HF			240	14	0.04	
7439921	Lead	0.042	0.0085				
7439976	Mercury			0.6	0.03	0.00016	0.06
7440020	Nickel	0.91		0.2	0.014	0.011	0.06
7782492	Selenium				20	0.005	
108883	Toluene			37000	300		
75014	Vinyl Chloride	0.27		180000			
1330207	Xylenes			22000	700		
7440666	Zinc						
56553	B[a]anthracene	0.39	1.2				
50328	B[a]P	3.9	12				
205992	B[b]fluoranthen	0.39	1.2				
207089	B[k]fluoranthen	0.39	1.2				
218019	Chrysene	0.039	0.12				
53703	D[a,h]anthracen	4.1	4.1				
193395	In[1,2,3-cd]pyr	0.39	1.2				
1746016	2,3,7,8-TCDD	130000	130000		4.00E-05	1.00E-08	
40321764	1-3,7,8PeCDD	130000	130000		4.00E-05	1.00E-08	
39227286	1-4,7,8HxCDD	13000	13000		0.0004	1.00E-07	
57653857	1-3,6-8HxCDD	13000	13000		0.0004	1.00E-07	
19408743	1-3,7-9HxCDD	13000	13000		0.0004	1.00E-07	
35822469	1-4,6-8HpCDD	1300	1300		0.004	1.00E-06	
51207319	2,3,7,8-TCDF	13000	13000		0.0004	1.00E-07	
57117416	1-3,7,8PeCDF	3900	3900		0.0013	3.30E-07	
57117314	2-4,7,8PeCDF	39000	39000		0.00013	3.30E-08	
70648269	1-4,7,8HxCDF	13000	13000		0.0004	1.00E-07	
57117449	1-3,6-8HxCDF	13000	13000		0.0004	1.00E-07	
72918219	1-3,7-9HxCDF	13000	13000		0.0004	1.00E-07	
60851345	2-4,6-8HxCDF	13000	13000		0.0004	1.00E-07	
67562394	1-4,6-8HpCDF	1300	1300		0.004	1.00E-06	
55673897	1-4,7-9HpCDF	1300	1300		0.004	1.00E-06	
7440382	Arsenic	12	1.5	0.2	0.015	3.50E-06	0.015

\*\*\*LIST OF AIR DISPERSION FILES\*\*\*

AERMOD Input File:  
 AERMOD Output File:  
 AERMOD Error File:  
 Plotfile list

\*\*\*LIST OF RISK ASSESSMENT FILES\*\*\*

Health risk analysis files (\hra\)

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AcuteGLCList.csv  
AcuteHRAInput.hra  
AcuteNCAcuteRisk.csv  
AcuteNCAcuteRiskSumByRec.csv  
AcuteOutput.txt  
AcutePathwayRec.csv  
AcutePolDB.csv  
ResCancerCancerRisk.csv  
ResCancerCancerRiskSumByRec.csv  
ResCancerGLCList.csv  
ResCancerHRAInput.hra  
ResCancerOutput.txt  
ResCancerPathwayRec.csv  
ResCancerPolDB.csv  
ResChronicGLCList.csv  
ResChronicHRAInput.hra  
ResChronicNCChronicRisk.csv  
ResChronicNCChronicRiskSumByRec.csv  
ResChronicOutput.txt  
ResChronicPathwayRec.csv  
ResChronicPolDB.csv  
WorkCancerCancerRisk.csv  
WorkCancerCancerRiskSumByRec.csv  
WorkCancerGLCList.csv  
WorkCancerHRAInput.hra  
WorkCancerOutput.txt  
WorkCancerPathwayRec.csv  
WorkCancerPolDB.csv  
WorkChronicGLCList.csv  
WorkChronicHRAInput.hra  
WorkChronicNCChronicRisk.csv  
WorkChronicNCChronicRiskSumByRec.csv  
WorkChronicOutput.txt  
WorkChronicPathwayRec.csv  
WorkChronicPolDB.csv

## Attachment C

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Addendum to the Folsom Lakeside  
Crematorium Project Air Quality and  
Greenhouse Gas Emissions  
Assessment

HELIX Environmental Planning, Inc.  
11 Natoma Street, Suite 150  
Folsom, CA 95630  
916.365.8700  
[www.helixepi.com](http://www.helixepi.com)



November 5, 2021

Project 02576.00032.001

Mr. Scott Johnson, AICP  
Planning Manager  
City of Folsom, Community Development Department  
50 Natoma Street  
Folsom, CA 95630

**Subject: Addendum to the Folsom Lakeside Crematorium Project Air Quality and Greenhouse Gas Emissions Assessment**

Dear Mr. Johnson:

HELIX Environmental Planning, Inc. (HELIX) completed the *Folsom Lakeside Crematorium Project Air Quality and Greenhouse Gas Emissions Assessment* in July 2021 (HELIX 2021). Following the completion of the July 2021 analysis, Caring Services Group (Applicant) has requested alterations to the operating hours and number of daily cremations to occur on site. This Addendum provides an updated analysis based on these alterations.

## **PREVIOUS ANALYSIS**

The July 2021 letter report assessed the air quality and greenhouse gas (GHG) emissions associated with the construction and operation of the proposed Folsom Lakeside Crematorium Project (project), including a health risk assessment (HRA) to evaluate potential community health risks from the project's emissions. The analysis was prepared to support environmental review under the California Environmental Quality Act (CEQA).

The analysis assumed a maximum cremation process rate of 200 pounds per hour, 400 pounds per day, and 100,000 pounds per year based on information provided by Applicant. The project's emissions of criteria pollutants and precursors were found to be below Sacramento Metropolitan Air Quality Management District (SMAQMD) thresholds and result in a less than significant impact. Community health risks resulting from emissions of toxic air contaminants (TACs) from the project's operation of a crematory were evaluated in an HRA following the Office of Environmental Health Hazard Assessment (OEHHA) guidelines. Project TAC emissions were found to result in less than significant impacts. The project was not found to be a substantial source of objectional odors and odor impacts were disclosed as less than significant. The project was found to be consistent with the City's integrated General Plan and GHG Strategy and GHG emissions impacts were disclosed as being less than significant. The project was found to not conflict with an applicable plan adopted for the purposes of reducing GHG emissions and the impact was disclosed as less than significant.

## REVISED ANALYSIS

As discussed previously, the Applicant has requested alterations to the operating hours and number of daily cremations to occur on the site. The Applicant has requested an increase in the daily process rate from the previously analyzed 400 pounds per day to a new value of 800 pounds per day. There are no changes to the project that would affect the construction analysis previously conducted. The analysis that follows focuses on daily operational emissions.

The HRA previously conducted to evaluate potential community health risks from the project's TAC emissions relies on the maximum hourly emissions rate and the average annual emissions generated by project operations. The hourly cremation process rate was previously set based on the maximum hourly capacity of the crematory; therefore, there is no change to the hourly process rate or maximum hourly emissions. The Applicant has not requested alteration to the total number of cremations to occur per year; therefore, there is no change to the annual cremation process rate or average annual emissions profile. Therefore, the potential health risks from the project would remain the same as previously disclosed.

## Methods

Criteria pollutant and precursor emissions for long-term operation of the proposed crematory were calculated using propane combustion emissions factors from the USEPA AP-42 Compilation of Emissions Factors Chapter 1.5 (USEPA 2008), and crematory emissions factors provided by the SMAQMD, which combined USEPA AP-42 data and the USEPA Factor Information Retrieval Program (SMAQMD 2020a).

## Air Quality Impact Analysis

Operation of a propane-fired crematory would be considered a new stationary source of emissions. The project may be subject to SMAQMD's Rule 201, *General Permit Requirements*, and Rule 202, *New Source Review*. The project would be required to implement best available control technology (BACT) for the minimization of emissions. BACT for crematories is incorporated into the product design in the form of controls which ensure maintenance of the correct temperatures and cycle times, and a secondary combustion chamber which ensures oxygenation and complete combustions of all fuels. As described in the Methods sections, above, criteria pollutant and precursor emissions for long-term operation of the proposed crematory were calculated using propane combustion emissions factors from AP-42 and crematory emission factors provided by SMAQMD. The project's calculated criteria and precursors operational emissions are compared to the SMAQMD thresholds in Table 1, *Operational Criteria Pollutant and Precursor Emissions*, and the calculation output sheets are included in Attachment A to this letter.

**Table 1**  
**OPERATIONAL CRITERIA POLLUTANT AND PRECURSOR EMISSIONS**

<b>Pollutant</b>	<b>Project Emissions</b>	<b>SMAQMD Threshold</b>	<b>Exceed Threshold?</b>
<b><i>Daily Emissions (pounds per day)</i></b>			
ROG	0.2	<b>65</b>	<i>No</i>
NO <sub>x</sub>	2.4	<b>65</b>	<i>No</i>
CO	1.8	<b>None</b>	<i>No</i>
SO <sub>x</sub>	0.9	<b>None</b>	<i>No</i>
PM <sub>10</sub>	0.5	<b>80</b>	<i>No</i>
PM <sub>2.5</sub>	0.5	<b>82</b>	<i>No</i>

Source: SMAQMD 2020a; SMAQMD 2020b

As shown in Table 1, the project's operational emissions of criteria pollutants and precursors would not exceed the SMAQMD daily thresholds. Therefore, the project's operational emissions would not result in a cumulatively considerable net increase of any criteria pollutant and impacts would be less than significant.

## **SUMMARY**

The project's daily emissions of criteria pollutants and precursors would remain below SMAQMD thresholds and would result in a less than significant impact. All other quantified emissions and significance determinations remain unchanged from what was presented in the July 2021 *Folsom Lakeside Crematorium Project Air Quality and Greenhouse Gas Emissions Assessment*.

Sincerely,



Victor Ortiz  
Senior Air Quality Specialist

## **Attachments:**

Attachment A: Emissions Calculation Sheets

## REFERENCES

Sacramento Metropolitan Air Quality Management District (SMAQMD). 2020a. Electronic communications between HELIX Environmental Planning (Victor Ortiz) and the Sacramento Metropolitan Air Quality Management District (Venk Reddy); attachments to communications containing crematory emissions calculations. August and November.

2020b. SMAQMD Thresholds of Significance Table. April. Available at:  
<http://www.airquality.org/LandUseTransportation/Documents/CH2ThresholdsTable4-2020.pdf>.

U.S. Environmental Protection Agency (USEPA). 2008. AP 42, Fifth Edition, Volume I Chapter 1: External Combustion Sources, 1.5 Liquefied Petroleum Gas Combustion. Available at:  
[https://www.epa.gov/sites/production/files/2020-09/documents/1.5\\_liquefied\\_petroleum\\_gas\\_combustion.pdf](https://www.epa.gov/sites/production/files/2020-09/documents/1.5_liquefied_petroleum_gas_combustion.pdf).



## Crematory Criteria Pollutant Emissions

### Emissions from Propane Combustion

KBTU/Cycle	1,800
KBTU/Gallon	91.502
Gallons/Cycle	19.672
Cycles/Day	4
Cycles/Year	500

Pollutant	Emission Factor (lbs/1000 gal) <sup>1</sup>	Emissions (lbs/day)
ROG <sup>3</sup>	1	0.08
NOx	13	1.02
SOx	0.054	0.00
PM10	0.7	0.06
PM2.5 <sup>4</sup>	0.7	0.06
CO	7.5	0.59

### Emissions from Combustion of Human Remains

	lbs/day
Maximum Throughput	800

Pollutant	Emission Factor (lbs/ton) <sup>2</sup>	Emissions (lbs/day)
ROG	0.299	0.12
NOx	3.560	1.42
SOx	2.170	0.87
PM10	1.130	0.45
PM2.5 <sup>4</sup>	1.130	0.45
CO	2.950	1.18

### Total Emissions

Pollutant	Emissions (lbs/day)
ROG	0.2
NOx	2.4
SOx	0.9
PM10	0.5
PM2.5	0.5
CO	1.8

#### Notes:

1. Emissions factors for propane from USEPA AP-42 Chapter 1, External Combustion Sources, Section 1.5 Liquefied Petroleum Gas Combustion, Table 1.5-1.
2. Emissions from combustion of human remains provided by SMAQMD and are from USEPA Factor Information REtrieval (FIRE) Program Data System (3/08).
3. ROG fraction of TOC for propane combustion unavailable, ROG assumed to be equal to

# Appendix C

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## Tribal Consultation Record



January 8, 2021

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

**RE: Tribal Consultation Record for Compliance with Assembly Bill 52 and CEQA for the Lakeside Memorial Lawn Storage Shed Project, City of Folsom**

Dear Mr. Edgerton:

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

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

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

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

- a) included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or
- b) included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or

- c) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1, for the purposes of this paragraph the lead agency shall consider the significance of the resource to a California Native American tribe.

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

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

## **1.0 SUMMARY OF CONSULTATION**

Within 14 days of initiating CEQA review for the Project, on November 25, 2020, the City sent Project notification letters to the three California Native American tribes named above, which had previously submitted general consultation request letters pursuant to Section 21080.3.1(d) of the PRC. Each tribe was provided a brief description of the Project and its location, the contact information for the City's authorized representative, and a notification that the tribe has 30 days to request consultation.

### **1.1 Lone Band of Miwok Indians**

The Lone Band of Miwok Indians did not respond to the City's notification letter, and therefore, the threshold for carrying out tribal consultation with that tribe under PRC 21080.3.1(e) was not met.

### **1.2 UAIC**

On December 11, 2020, and within the 30-day response timeframe, the City received an automated email from the United from UAIC that acknowledged receipt of the City's notification letter, thanked the City for consulting with UAIC, and attached the tribe's consultation record for the project. The response did not include any information on TCRs and indicated that the Tribal Historic Preservation Department would review the Project and respond; however, no further communication was received from UAIC. Because the tribe failed to provide comments or engage with the City pursuant to PRC 21082.3(d)(2), the City considers this consultation requirement complete.

### **1.3 Wilton Rancheria**

On December 1, 2020, and within the 30-day response timeframe, Wilton Rancheria representative Mariah Mayberry responded to the City's initial notification letter by email requesting to formally initiate

consultation under AB 52 on the Project. In her response, Ms. Mayberry stated that the tribe would like to discuss the type of environmental review that is being conducted for the Project, Project alternatives, any significant effects, and mitigation measures for any direct, indirect, or cumulative impacts that the Project may cause to tribal cultural resources. Ms. Mayberry also requested a copy of the cultural resource assessment and results of the record search. Although she did not indicate or suggest that there are TCRs within the Project Area, Ms. Mayberry provided Wilton Rancheria's recommended mitigation measures for TCRs.

On December 14, 2020, the City formally initiated consultation with Wilton Rancheria by inviting Ms. Mayberry to a virtual meeting on December 17, 2020. In the City's initiation letter to the tribe, Associate Planner Josh Kinkade further clarified that the purpose of the Project is to remodel an existing shed, and that there will be no mass grading or excavation associated with the Project. Additionally, Mr. Kinkade provided a link to the Cultural Resources Inventory Report, prepared by ECORP Consulting, Inc. (2020) and a copy of the meeting agenda. Mr. Kinkade requested that if Ms. Mayberry is unable to attend that she contact him to reschedule the meeting to another time that is mutually agreeable.

On December 15, 2020, Ms. Mayberry contacted the City to indicate that she is unavailable to meet at the scheduled time. The City offered another meeting on January 5, 2021, at 8:30 a.m. On January 4, 2021, Ms. Mayberry contacted the City and asked that the meeting be scheduled for 10:00 a.m. instead, and the City accepted. After Ms. Mayberry or any other tribal representatives failed to report to the meeting at the scheduled time, the meeting was terminated by the City after 20 minutes. At approximately noon on January 5, Ms. Mayberry emailed the City to request availability for January 6, and the City offered 3:30 p.m. for another meeting. Ms. Mayberry did not attend the meeting and did not respond to the City to reschedule again. Because the tribe failed to engage meaningfully with the City after a reasonable and good-faith effort composed of multiple attempts to meet with the tribe, pursuant to PRC 21082.3(d)(2), the City considers this consultation requirement complete. Should Wilton Rancheria, or any other culturally affiliated tribe, submit public comments, the City will consider them in accordance with Section 11(b) of AB 52; however, after completing the required notification and consultation procedures specified in AB 52 and the PRC, the City has not been provided any information about TCRs that could be affected by the proposed Project. Therefore, the determination of impacts to TCRs is drawn from other lines of evidence, as summarized below.

#### **1.4 Recommended Findings**

Information about potential impacts to TCRs was drawn from the ethnographic context, the results of a search of the Sacred Lands File of the Native American Heritage Commission (NAHC), and the results of a cultural resources inventory prepared by ECORP (2020). The methods and results of these efforts are provided in ECORP 2020 and are hereby incorporated by reference. In summary, the ethnographic information reviewed for the Project, including ethnographic maps, does not identify any villages, occupational areas, or resource procurement locations in or around the current Project Area. In addition, the Sacred Lands File failed to identify any sacred lands or tribal resources in or near the Project Area. The cultural resources survey did not reveal any Native American archaeological sites within or adjacent to the proposed Project Area. Finally, as summarized above, two of the three tribes notified of the Project responded to the City's offer to consult; however, none provided any information about TCRs in the

Project Area. This is not unexpected, as the Project is in a highly disturbed environment and does not involve substantial ground disturbance. As noted in the City's initial notification letter and follow up correspondence with tribes:

"the purpose of this project is to remodel an existing shed to install crematory equipment inside of it, which is a high-temperature furnace with associated equipment. The existing driveway area adjacent to the shed will be subject to minor improvements, but there is no mass grading or major excavation associated with the remodeling of the shed. There will be no new construction of buildings or structures" (Josh Kinkade to Mariah Mayberry, December 14, 2020).

In reviewing the lines of evidence summarized above, this Project will not have an impact on known TCRs. There exists an extremely low potential for the discovery of previously unknown TCRs during Project construction, but if TCRs were to be encountered, the Project activity could result in a significant impact. Implementation of unanticipated discovery procedures, as provided in mitigation measure TCR-1 below, would reduce that impact to less than significant.

**TCR-1: Unanticipated Discovery of Tribal Cultural Resources.** If potentially significant Tribal Cultural Resources (TCRs) are discovered during ground disturbing construction activities, all work shall cease within 50 feet of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior's Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.

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

Sincerely,



Lisa Westwood, RPA  
Vice President and Director of Cultural Resources

Attachment A: Non-Confidential Tribal Consultation Record

**REFERENCES CITED:**

ECORP Consulting, Inc. 2020. *Cultural Resources Inventory Report for the Lakeside Memorial Lawn Storage Shed Project, City of Folsom, California.*

**ATTACHMENT A**

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Non-Confidential Tribal Consultation Record



## Folsom Crematorium

### AB 52 Log

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

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

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

November 25, 2020: Initial notices were mailed to UAIC, Lone, and Wilton Rancheria. The 30-day response window closes on December 25, 2020.

December 1, 2020: City received an email from Ms. Mariah Mayberry with Wilton Rancheria formally requesting consultation under AB 52. In her response, Ms. Mayberry requested the opportunity for a tribal representative to participate in cultural resource surveys and requested copies of all cultural resource assessments and results of record searches. The tribe also provided their recommended mitigation measures to the City.

December 11, 2020: City staff received an email from UAIC containing a PDF form that acknowledged receipt of the notice of opportunity to consult on the project, but the tribe did not request nor defer to engage in consultation.

December 14, 2020: City initiated consultation with Wilton by email, invited to consultation meeting on 12/17. Wilton requested to reschedule to 1/5/2021.

January 5, 2021: City held consultation meeting, however Wilton did not attend.



*David Miller*

MIWOK United Auburn Indian Community  
MAIDU of the Auburn Rancheria

Gene Whitehouse  
Chairman

John L. Williams  
Vice Chairman

Danny Rey  
Secretary

Brenda Adams  
Treasurer

Calvin Moman  
Council Member

November 23, 2015

City of Folsom Representative  
50 Natoma Street  
Folsom, CA 95630

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

Dear City of Folsom Representative:

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

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

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

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

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

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

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

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

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

Sincerely,



Gene Whitehouse,  
Chairman

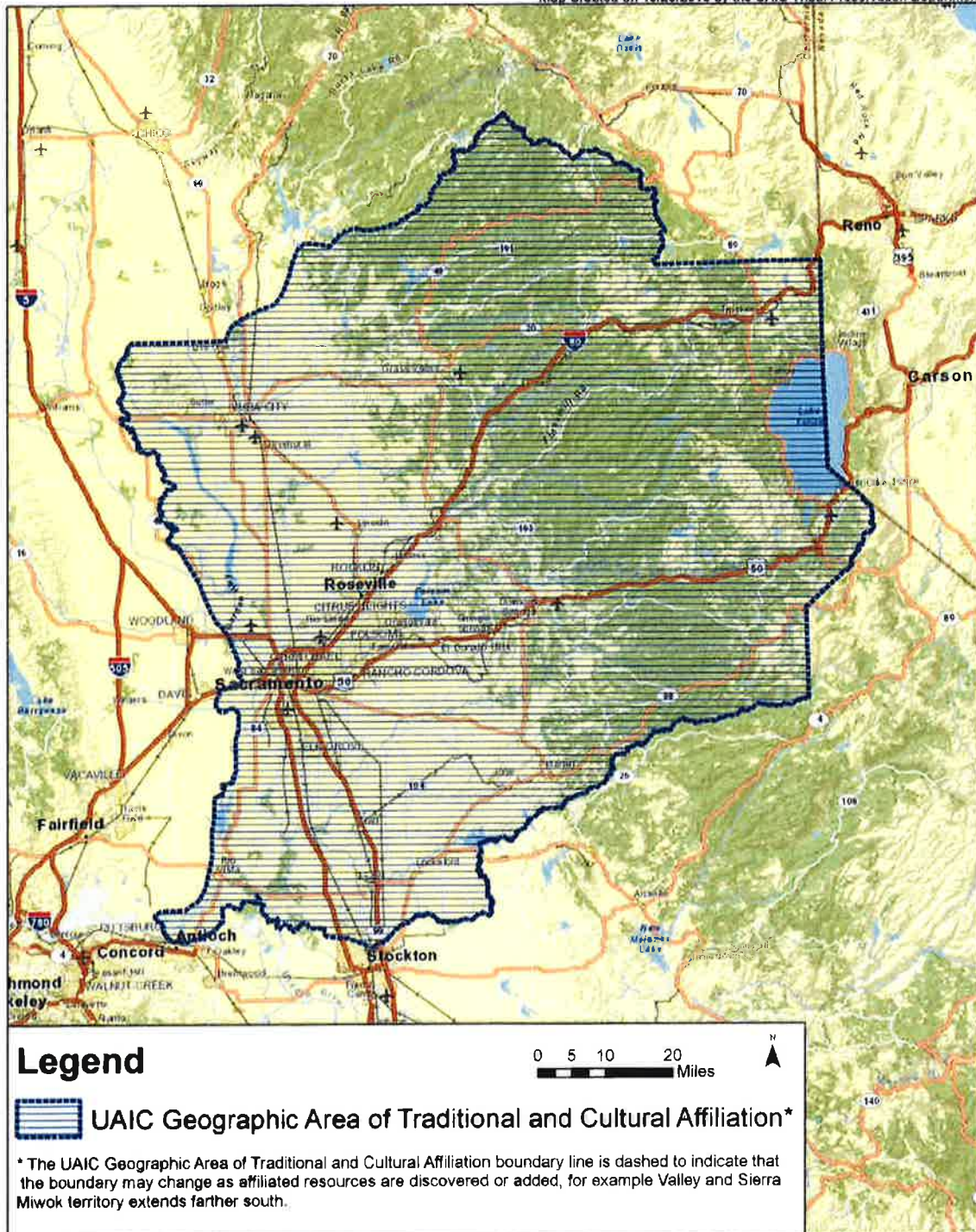
CC: Jason Camp, THPO  
Marcos Guerrero, CRM  
Cynthia Gomez, NAHC

# UAIC Geographic Area of Traditional and Cultural Affiliation

(for the purposes of California AB 52)

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

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



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

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

# Wilton Rancheria



9728 Kent Street, Elk Grove, CA 95624

January 13, 2020

City of Folsom  
50 Natoma St  
Folsom, CA 95630

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

Dear Sir or Madam,

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

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

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

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

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

Respectfully,

Ralph Troy Hatch  
Executive Director of Cultural Preservation



# Lone Band of Miwok Indians

A Federally Recognized Sovereign Tribe

2 March 2016

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

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

Dear , Mr. Miller

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

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

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

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

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

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



# Lone Band of Miwok Indians

A Federally Recognized Sovereign Tribe

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

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

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

(4) Protecting the resource

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

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

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

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

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



## Ione Band of Miwok Indians

A Federally Recognized Sovereign Tribe

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

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

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

Thank you.

Sincerely,

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





[REDACTED]

---

**From:** Scott Johnson <sjohnson@folsom.ca.us>  
**Sent:** Thursday, April 18, 2019 8:53 AM  
**To:** [REDACTED]  
**Subject:** FW: New Contact Info

FYI

**Scott A. Johnson, AICP**  
*Planning Manager*  
Community Development Department  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6206



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**From:** Cynthia Turner <Cynthia@ionemiwok.net>  
**Sent:** Thursday, April 18, 2019 8:41 AM  
**To:** Scott Johnson <sjohnson@folsom.ca.us>  
**Subject:** New Contact Info

Good Morning

We received your letter; Randy Yonemura is no longer our Chairwoman at the lone Band Of Miwoks.

The new contact is Sara D. Setshwaelo – Chairwomen

Thank You,

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

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



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

November 25, 2020

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

RE: Notice of Opportunity to Consult under Assembly Bill 52 for the Lakeside Memorial Lawn Storage Shed Project, City of Folsom (File # PN 20-160)

Dear Chairwoman Setshwaelo:

The City of Folsom is initiating environmental review under the California Environmental Quality Act (CEQA) for the Lakeside Memorial Lawn Crematorium Project. Igor Semenyuk, on behalf of Lakeside Memorial Lawn (applicant), is proposing to repurpose an existing corrugated steel storage shed at Lakeside Memorial Lawn, located at 1201 Forrest Street. The project includes the installation of a human crematorium in an existing shed, located northeast of the existing mausoleum structures in a previously disturbed maintenance area. Minor improvements to the small existing access road adjacent to the shed are also proposed. Project site plans are enclosed for your reference.

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

In accordance with Section 21080.3.1(d) of the PRC, you have 30 days from the receipt of this letter to either request or decline consultation in writing for this project. Please send your written response to my attention at the City of Folsom, Community Development Department, 50 Natoma Street, Folsom, 95630. You may also reach me by email at [jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us) or at 916-461-6209. In your response, please reference the following project name: Lakeside Memorial Lawn Storage Shed, PN 20-160. If I do not receive a response within 30 days, then we will proceed.

Thank you and we look forward to your response.

Respectfully,

A handwritten signature in black ink that reads "Josh Kinkade". The signature is written in a cursive, slightly slanted style.

Josh Kinkade  
Associate Planner  
City of Folsom

50 NATOMA STREET  
FOLSOM, CA 95630

[WWW.FOLSOM.CA.US](http://WWW.FOLSOM.CA.US)



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

November 25, 2020

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

RE: Notice of Opportunity to Consult under Assembly Bill 52 for the Lakeside Memorial Lawn Storage Shed Project, City of Folsom (File # PN 20-160)

Dear Chairman Whitehouse:

The City of Folsom is initiating environmental review under the California Environmental Quality Act (CEQA) for the Lakeside Memorial Lawn Crematorium Project. Igor Semenyuk, on behalf of Lakeside Memorial Lawn (applicant), is proposing to repurpose an existing corrugated steel storage shed at Lakeside Memorial Lawn, located at 1201 Forrest Street. The project includes the installation of a human crematorium in an existing shed, located northeast of the existing mausoleum structures in a previously disturbed maintenance area. Minor improvements to the small existing access road adjacent to the shed are also proposed. Project site plans are enclosed for your reference.

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

In accordance with Section 21080.3.1(d) of the PRC, you have 30 days from the receipt of this letter to either request or decline consultation in writing for this project. Please send your written response to my attention at the City of Folsom, Community Development Department, 50 Natoma Street, Folsom, 95630. You may also reach me by email at [jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us) or at 916-461-6209. In your response, please reference the following project name: Lakeside Memorial Lawn Storage Shed, PN 20-160. If I do not receive a response within 30 days, then we will proceed.

Thank you and we look forward to your response.

Respectfully,

Josh Kinkade  
Associate Planner  
City of Folsom

50 NATOMA STREET  
FOLSOM, CA 95630

[WWW.FOLSOM.CA.US](http://WWW.FOLSOM.CA.US)



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

November 25, 2020

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

RE: Notice of Opportunity to Consult under Assembly Bill 52 for the Lakeside Memorial Lawn Storage Shed Project, City of Folsom (File # PN 20-160)

Dear Director Hatch:

The City of Folsom is initiating environmental review under the California Environmental Quality Act (CEQA) for the Lakeside Memorial Lawn Crematorium Project. Igor Semenyuk, on behalf of Lakeside Memorial Lawn (applicant), is proposing to repurpose an existing corrugated steel storage shed at Lakeside Memorial Lawn, located at 1201 Forrest Street. The project includes the installation of a human crematorium in an existing shed, located northeast of the existing mausoleum structures in a previously disturbed maintenance area. Minor improvements to the small existing access road adjacent to the shed are also proposed. Project site plans are enclosed for your reference.

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

In accordance with Section 21080.3.1(d) of the PRC, you have 30 days from the receipt of this letter to either request or decline consultation in writing for this project. Please send your written response to my attention at the City of Folsom, Community Development Department, 50 Natoma Street, Folsom, 95630. You may also reach me by email at [jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us) or at 916-461-6209. In your response, please reference the following project name: Lakeside Memorial Lawn Storage Shed, PN 20-160. If I do not receive a response within 30 days, then we will proceed.

Thank you and we look forward to your response.

Respectfully,

A handwritten signature in black ink that reads "Josh Kinkade". The signature is written in a cursive, slightly slanted style.

Josh Kinkade  
Associate Planner  
City of Folsom

50 NATOMA STREET  
FOLSOM, CA 95630

[WWW.FOLSOM.CA.US](http://WWW.FOLSOM.CA.US)



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

November 25, 2020

Raymond C. Hitchcock  
Wilton Rancheria  
9415 Rancheria Drive  
Wilton, CA 95693

RE: Notice of Opportunity to Consult under Assembly Bill 52 for the Lakeside Memorial Lawn Crematorium Project, City of Folsom (File # PN 20-160)

Dear Chairman Hitchcock:

The City of Folsom is initiating environmental review under the California Environmental Quality Act (CEQA) for the Lakeside Memorial Lawn Crematorium Project. Igor Semenyuk, on behalf of Lakeside Memorial Lawn (applicant), is proposing to repurpose an existing corrugated steel storage shed at Lakeside Memorial Lawn, located at 1201 Forrest Street. The project includes the installation of a human crematorium in an existing shed, located northeast of the existing mausoleum structures in a previously disturbed maintenance area. Minor improvements to the small existing access road adjacent to the shed are also proposed. Project site plans are enclosed for your reference.

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

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Thank you and we look forward to your response.

Respectfully,

Josh Kinkade  
Associate Planner  
City of Folsom

50 NATOMA STREET  
FOLSOM, CA 95630

**WWW.FOLSOM.CA.US**

# 1201 FORREST ST IN FOLSOM, CA 95630

## PROJECT DESCRIPTION & SCOPE OF WORK

### SCOPE OF WORK

USE PERMIT FOR A NEW EXHIBITORY AND COOLER IN AN EXISTING SHED.

APN	D7002600010000
ZONING	OSC
OCCUPANCY GROUP	
CONSTRUCTION TYPE	VB
NO. OF FLOORS	1
LOT AREA	523591 SQ. FT. / 12.02 ACRES



VADIM ZANKO  
7844 MADISON AVE.  
STE 106 FAIR OAKS, CA  
95628  
916-312-2131  
support@levdesigns.com

LAKESIDE MEMORIAL  
LAWN CEMETERY

1201 FORREST ST,  
FOLSOM  
CA 95630

07002600010000

## PROJECT DIRECTORY

**DESIGNER**  
VADIM ZANKO  
LEV DESIGNS  
(916)-312-2131  
vzanko@levdesigns.com

**OWNER**

## SHEET INDEX

SHEET	DESCRIPTION
A1.0	COVER PAGE
A2.0	OVERALL SITE PLAN
A2.1	DETAILED SITE PLAN
A3.0	EXISTING FLOOR PLAN

## BUILDING INFORMATION

ALL WORK SHALL FULLY COMPLY WITH BUT NOT BE LIMITED TO:

- A. 2014 CALIFORNIA BUILDING CODE (CBC)
- B. 2013 CALIFORNIA PLUMBING CODE (CPC)
- C. 2013 CALIFORNIA MECHANICAL CODE (CMC)
- D. 2013 CALIFORNIA ELECTRICAL CODE (CEC)
- E. 2013 CALIFORNIA FIRE CODE (FC)
- F. 2014 CALIFORNIA REFERENCED STANDARDS CODE
- G. 2013 GREEN BUILDING STANDARDS CODE (GBS)
- H. 2014 CALIFORNIA ENERGY
- I. 2014 ENERGY STANDARDS
- J. ALL OTHER APPLICABLE CODES AND ORDINANCES (CITY AND COUNTY).

GOVERNING AUTHORITIES AND CODES TAKE PRECEDENCE OVER DRAWINGS AND SPECIFICATIONS. REPORT DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.

## ABBREVIATIONS

1P/1S	1 FLOOR / 1 SHEET
SE	8 INCELBS
ABV.	ABOVE
A.F.F.	ABOVE FINISHED FLOOR
BDRM	BEDROOM
SUN.	SUNROOM
S.O.	BOTTOM OF CEILING
C.G.	CASEMENT WINDOW
CSMT.	CONCRETE
COINC.	DETAIL
DET.	DOWNSPOUT
DS	DOWNSPOUT BELOW
DS BLW	FACE OF FRAMING
F.F.	FLOOR
FLR.	FLOOR
FOUND.	FOUNDATIONS
FR DR	FRENCH DOOR
FX	FIXED WINDOW
HDR	HEADS
HL HT.	HEEL HEIGHT
HT	HEIGHT
LMRY	LAUNDRY
LAV.	LAUNDRY
LN.	LINE
MN.	MINIMUM
N.I.C.	NOT IN CONTRACT
O.H.	OPPOSITE HAND
OPT.	OPTIONAL
P.T. LUMBER	PRESSURE TREATED LUMBER
RF.	ROOF
RF. BLW	ROOF BELOW
S.S.D.	SEE STRUCTURAL DRAWINGS
S.H.	SINGLE HUNG
SL	SLIDER WINDOW
T.	TEMPERED GLASS
T&G	TONGUE AND GROOVE
TEMP.	TEMPERED GLASS
T.O. PAD	TOP OF GRADED PAD
T.O.P.	TOP OF PLATE
T.O.C.	TOP OF CURB
T.O.SLAB	TOP OF SLAB
T.O.S.F.	TOP OF SUBFLOOR
T.O.B.	TOP OF BEAM
TRP.	TRIM
U.O.N.	UNLESS OTHERWISE NOTED
VERT.	VERTICAL
WD.	WOOD
W.D.V.	WINDOW
WP	WEATHER PROOF
V.I.F.	VERIFY IN FIELD

## SQUARE FOOTAGE BREAKDOWN

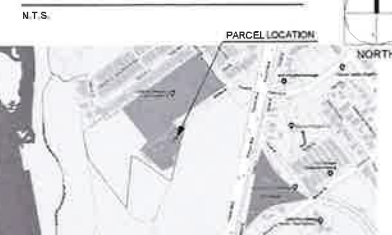
SQUARE FOOTAGE BREAKDOWN		NET AREA	NET AREA
EXISTING SHED AREA	REMODELED SHED AREA	SQ. FT.	SQ. FT.
			284.1 (91% ± 0.0%)

## SPECIAL INSPECTIONS

## DEFERRED SUBMITTALS:

## SEPARATE PERMIT:

## VICINITY MAP



NO.	REVISION	DATE	DESCRIPTION
1	ISSUED FOR REVIEW		
2	ISSUED FOR REVIEW		
3	ISSUED FOR REVIEW		
4	ISSUED FOR REVIEW		
5	ISSUED FOR REVIEW		
6	ISSUED FOR REVIEW		
7	ISSUED FOR REVIEW		
8	ISSUED FOR REVIEW		
9	ISSUED FOR REVIEW		
10	ISSUED FOR REVIEW		

PROJECT NO. 07002600010000  
SHEET TITLE  
COVER PAGE

**A1.0**



VADIM ZANKO  
7844 MADISON AVE.  
STE 106 FAIR OAKS, CA  
95628  
916-312-2131  
support@levdesigns.com

LAKESIDE MEMORIAL  
LAWN CEMETERY

1201 FORREST ST,  
FOLSOM  
CA 95630

07002600010000

NO.	REVISION REQUIRED FOR RELEASE
1	

DATE	DESCRIPTION

PROJECT NO:  
CAD BIDS FILE:  
DRAWN BY: DENKO KONALOV  
CHECKED BY: VADIM ZANKO  
COPYRIGHT: LEV DESIGNS

PROJECT TITLE:  
OVERALL SITE PLAN

**PATCH**

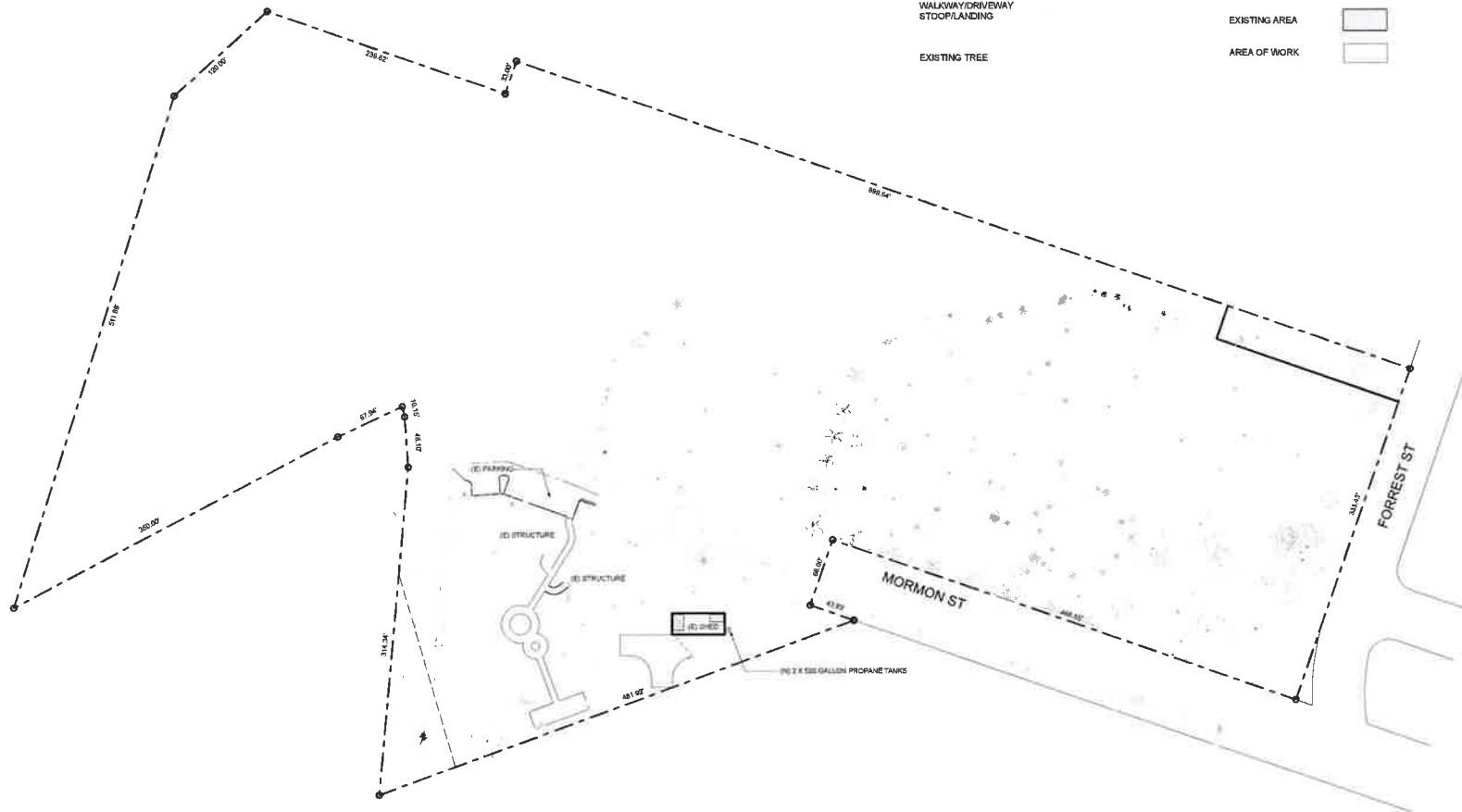
EXISTING  
WALKWAY/DRIVEWAY  
STOPPLANDING  
  
EXISTING TREE

**LEGEND:**

PROPERTY LINE

EXISTING AREA

AREA OF WORK



**OVERALL SITE PLAN**

**1" = 50'**



**A2.0**





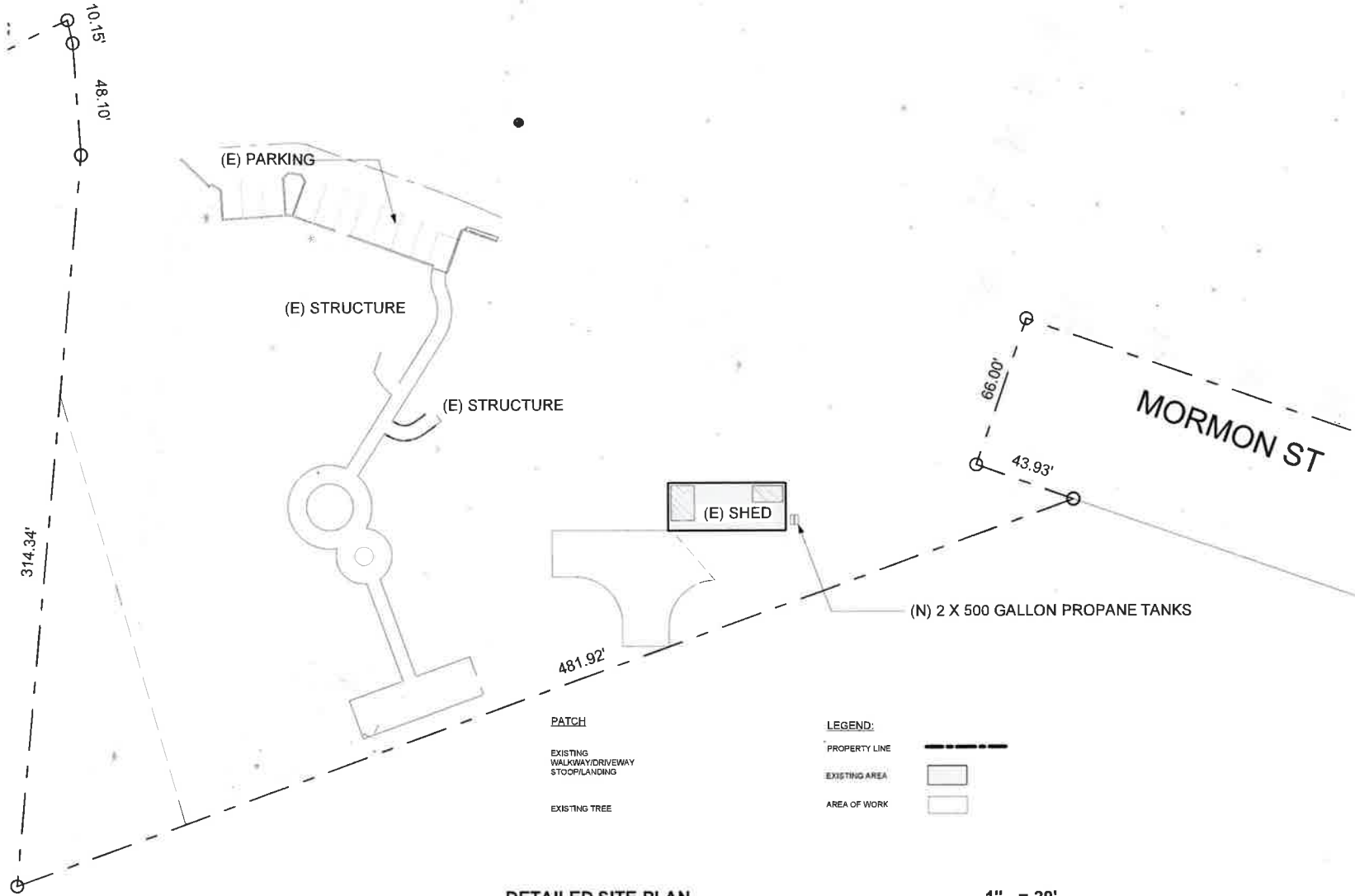
VADIM ZANKO  
 7844 MADISON AVE.  
 STE 106 FAIR OAKS, CA  
 95628  
 916-312-2131  
 support@levdesigns.com



LAKESIDE MEMORIAL  
 LAWN CEMETERY

1201 FORREST ST,  
 FOLSOM  
 CA 95630

07002600010000



**DETAILED SITE PLAN**

**1" = 20'**

PATCH

EXISTING  
 WALKWAY/DRIVEWAY  
 STOOP/LANDING

EXISTING TREE

LEGEND:

PROPERTY LINE

EXISTING AREA

AREA OF WORK



NO.	DATE	DESCRIPTION
1		ISSUED FOR REVIEW
2		ISSUED FOR REVIEW
3		ISSUED FOR REVIEW
4		ISSUED FOR REVIEW
5		ISSUED FOR REVIEW
6		ISSUED FOR REVIEW
7		ISSUED FOR REVIEW
8		ISSUED FOR REVIEW
9		ISSUED FOR REVIEW
10		ISSUED FOR REVIEW

DRAWN BY SERGIO KOVLOV  
 CHECKED BY VADIM ZANKO  
 COPYRIGHT LEV DESIGNS  
 SHEET TITLE:  
 DETAILED SITE PLAN

**A2.1**



City of Folsom  
50 Natoma Street  
Folsom, CA 95630

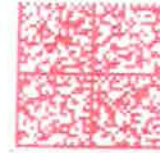
CERTIFIED MAIL<sup>®</sup>



7019 2970 0001 3731 6891

Gene Whitehouse  
10720 Indian Hill Rd.  
Auburn, CA 95603

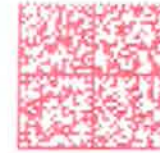
FIRST-CLASS



THREE DOLLARS  
US POSTAGE  
\$ 006.90<sup>0</sup>  
02 1P  
0001179600 NOV 25 2020  
MAILED FROM ZIP CODE 95677

CITY OF FOLSOM  
50 NATOMA ST.  
FOLSOM, CA 95630

FIRST-CLASS



THREE DOLLARS  
US POSTAGE  
\$ 000.50<sup>0</sup>  
02 1P  
0001179600 NOV 25 2020  
MAILED FROM ZIP CODE 95677

Jason Camp  
10720 Indian Hill Rd.  
Auburn, CA 95603

City of Folsom  
50 Natoma Street  
Folsom, CA 95630

FIRST-CLASS



Sara D. Setshwaelo  
9252 Bush Street  
PO BOX 699  
Plymouth, CA 95669

CITY OF FOLSOM  
50 NATOMA ST.  
FOLSOM, CA 95630

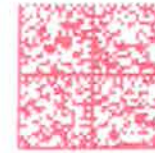
FIRST-CLASS



MARCOS GUERRERO  
10720 Indian Hill Rd.  
AUBURN, CA 95603

CITY OF FOLSOM  
50 NATOMA STREET  
FOLSOM, CA 95630

FIRST-CLASS



RAYMOND C. HITCHCOCK  
9415 RANCHERIA DR.  
WILTON, CA 95693

CITY OF FOLSOM  
50 NATOMA ST.  
FOLSOM, CA 95630

FIRST-CLASS



RALPH HATCH  
9415 RANCHERIA DR.  
WILTON, CA 95693

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 Return Receipt (hardcopy) \$ 2.85  
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 Certified Mail Restricted Delivery \$ \_\_\_\_\_  
 Adult Signature Required \$ \_\_\_\_\_  
 Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage  
 \$ .50

Total Postage and Fees  
 \$ 6.90

Postmark  
 Here

Sent To  
 Gene Whitehouse  
 Street and Apt. No., or PO Box No.  
 10720 Indian Hill Rd.  
 City, State, ZIP+4®  
 Auburn, CA 95603

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 2970 0001 3731 6891

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Gene Whitehouse</i> <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery  <i>Gene Whitehouse</i> <input type="checkbox"/> 11/15/15</p>
<p>1. Article Addressed to:                  Gene Whitehouse                  10720 Indian Hill Rd.                  Auburn, CA 95603</p> <p style="text-align: center;">                       9590 9402 5809 0034 9782 65                 </p>	<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes                  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™  <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail  <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)                  019 2970 0001 3731 6891</p>	

[REDACTED]

---

**From:** Josh Kinkade <jkinkade@folsom.ca.us>  
**Sent:** Thursday, December 10, 2020 11:12 AM  
**To:** [REDACTED]  
**Subject:** FW: Lakeside Memorial Lawn Crematorium Project  
**Attachments:** 1\_Mitigation\_Measures\_CEQA\_Avoidance.docx; 2\_Mitigation\_Measures\_CEQA NativeAmericanMonitors.docx; 3\_Mitigation\_Measures\_CEQA\_Discoveries.docx; 4\_Mitigation\_Measures\_CEQA\_Construction\_Worker\_Awareness\_Training 04-19-19.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[REDACTED]

Thanks,

**Josh Kinkade**  
*Associate Planner*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6209



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**FOLSOM  
ZONING UPDATE**  
[Find out more!](#)

---

**From:** Cultural Resource Department Inbox <crd@wiltonrancheria-nsn.gov>  
**Sent:** Tuesday, December 1, 2020 12:31 PM  
**To:** Josh Kinkade <jkinkade@folsom.ca.us>  
**Cc:** Cultural Resource Department Inbox <crd@wiltonrancheria-nsn.gov>  
**Subject:** Lakeside Memorial Lawn Crematorium Project

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

Good afternoon,

This letter is notice that Wilton Rancheria would like to initiate consultation under AB 52.

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



This letter is also a formal request to allow Wilton Rancheria tribal representatives to observe and participate in all cultural resource surveys, including initial pedestrian surveys for the project. Please send us all existing cultural resource assessments, as well as requests for, and the results of, any records searches that may have been conducted prior to our first consultation meeting. If tribal cultural resources are identified within the project area, it is Wilton Rancheria's policy that tribal monitors must be present for all ground disturbing activities. Finally, please be advised that our preference is to preserve tribal cultural resources in place and avoid them whenever possible. Subsurface testing and data recovery must not occur without first consulting with Wilton Rancheria and receiving Wilton Rancheria's written consent.

In the letter Josh Kinkade is identified as the lead contact person for consultation on the proposed project. Mariah Mayberry will be Wilton Rancheria's point of contact for this consultation. Please contact Mariah by phone (916) 683-6000 ext. 2023 or email at [mmayberry@wiltonrancheria-nsn.gov](mailto:mmayberry@wiltonrancheria-nsn.gov) to begin the consultation process.

Thank you for involving Wilton Rancheria in the planning process at an early stage. We ask that you make this letter a part of the project record and we look forward to working with you to ensure that tribal cultural resources are protected.

Sincerely,



**Mariah Mayberry**

Wilton Rancheria

Tel: 916.683.6000 ext 2023 | Fax: 916.683.6015

9728 Kent Street | Elk Grove | CA | 95624

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

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

**From:** Josh Kinkade <jkinkade@folsom.ca.us>  
**Sent:** Monday, December 14, 2020 4:26 PM  
**To:** [REDACTED]  
**Cc:** Robert Edgerton (RobertE@helixepi.com)  
**Subject:** FW: Lakeside Memorial Lawn Crematorium Project

**Josh Kinkade**  
*Associate Planner*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6209



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**FOLSOM  
ZONING UPDATE**  
[Find out more!](#)

**From:** Josh Kinkade  
**Sent:** Monday, December 14, 2020 4:25 PM  
**To:** Cultural Resource Department Inbox <crd@wiltonrancheria-nsn.gov>  
**Cc:** Scott Johnson <sjohnson@folsom.ca.us>  
**Subject:** RE: Lakeside Memorial Lawn Crematorium Project

Dear Ms. Mayberry,

Thank you for your response, below, regarding the above-referenced project. We appreciate the tribe's interest in this project and welcome the opportunity to discuss this project in further detail with you. We are hereby initiating consultation with you under Assembly Bill 52 by inviting you to a virtual meeting via Microsoft Teams at 8:30 a.m. on December 17, 2020. If you are unable to attend, please contact me to schedule an alternate date.

In order to facilitate our discussion, I would like to provide some additional information to you. First, the purpose of this project is to remodel an existing shed to install crematory equipment inside of it, which is a high-temperature furnace with associated equipment. The existing driveway area adjacent to the shed will be subject to minor improvements, but there is no mass grading or major excavation associated with the remodeling of the shed. There will be no new construction of buildings or structures.

Second, as requested, below is a link from which you can download a copy of the draft cultural resources technical report for the project, titled "Cultural Resources Inventory Report for the Lakeside Memorial Lawn Storage Shed Project, Folsom, California," prepared by Ecorp Consulting, Inc. (November 2020). Please note that this report includes confidential information that is restricted from public distribution by state and federal law. If you are having trouble accessing the documents, you may have to open the link below in Internet Explorer or Microsoft Edge. Let me know if the link isn't working.

<https://ecorpc consulting-my.sharepoint.com/:f/p/lwestwood/EhToQu3F6Y5IvGZuP81ACEoB5nGB7feXGXTV445bLeBiRA?e=0on1Ef>

The link above also includes the link to the virtual meeting and will include a copy of the meeting agenda. If you have any questions, I can be reached by email at [jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us) or by phone at (916)-461-6209. Thank you and we look forward to consulting with you.

**Josh Kinkade**  
*Associate Planner*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6209



**From:** Cultural Resource Department Inbox <[crd@wiltonrancheria-nsn.gov](mailto:crd@wiltonrancheria-nsn.gov)>  
**Sent:** Tuesday, December 1, 2020 12:31 PM  
**To:** Josh Kinkade <[jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us)>  
**Cc:** Cultural Resource Department Inbox <[crd@wiltonrancheria-nsn.gov](mailto:crd@wiltonrancheria-nsn.gov)>  
**Subject:** Lakeside Memorial Lawn Crematorium Project

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

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Sincerely,



**Mariah Mayberry**

Wilton Rancheria

Tel: 916.683.6000 ext 2023 | Fax: 916.683.6015

9728 Kent Street | Elk Grove | CA | 95624

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

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

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, December 11, 2020 3:36 PM  
**To:** [REDACTED]  
**Subject:** FW: Lakeside Memorial Lawn Storage Shed (PN 20-160) Notification Confirmation  
**Attachments:** Thank you for consulting with the UAIC.pdf

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, December 11, 2020 3:36 PM  
**To:** Robert Edgerton (RobertE@helixepi.com) <roberte@helixepi.com>  
**Subject:** FW: Lakeside Memorial Lawn Storage Shed (PN 20-160) Notification Confirmation

FYI, UAIC responded with a simple acknowledgement that they logged in our letter – no response regarding consultation yet.

[REDACTED]

---

**From:** Josh Kinkade <[jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us)>  
**Sent:** Friday, December 11, 2020 3:31 PM  
**To:** [REDACTED]  
**Cc:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>  
**Subject:** FW: Lakeside Memorial Lawn Storage Shed (PN 20-160) Notification Confirmation

[REDACTED]

Here is another letter that came in.

Thanks,

**Josh Kinkade**  
*Associate Planner*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6209



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**From:** [DoNotReply@auburnrancheria.com](mailto:DoNotReply@auburnrancheria.com) <[DoNotReply@auburnrancheria.com](mailto:DoNotReply@auburnrancheria.com)>  
**Sent:** Friday, December 11, 2020 2:14 PM  
**To:** Josh Kinkade <[jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us)>  
**Subject:** Lakeside Memorial Lawn Storage Shed (PN 20-160) Notification Confirmation

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



The United Auburn Indian Community thanks you for your commitment to consultation for the following project:

Lakeside Memorial Lawn Storage Shed (PN 20-160)

You will find a copy of your consultation submission attached for your records.

Our Tribal Historic Preservation Department will review the project and respond as soon as possible. If you need to speak with someone regarding the project or your submission, please contact the Tribal Office at (530) 883-2390.

The United Auburn Indian Community is now accepting electronic consultation requests and project notifications. To learn more, [click here](#).

\*\*This is an automated email. Replies to this address will not be received.

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



# Thank you for consulting with the UAIC

## Please complete one form for each notification.

### How to submit a consultation notification or project update:

1. One form must be completed for each project.
2. Forms cannot be saved and completed at a later time.
3. Include all relevant project information.
4. Upload file attachments. Multiple files can be attached.
5. Submit form.
6. You will receive a submission receipt via email when submission is complete. UAIC prefers our online submission form over certified or hard copy letters.

Contact the Tribal Office at (530) 883-2390 for questions or concerns. Ask for Tribal Historic Preservation or use the [contact form located on our website](#).

### Contact Information

<b>Consulting on Behalf of*</b>	City of Folsom Lead Agency, Consulting Firm, Tribe
<b>Mailing Address</b>	Street Address Address Line 2 City State / Province / Region Postal / Zip Code
<b>Point of Contact for Consultation*</b>	Josh Kinkade Primary Contact Name
<b>Point of Contact Email*</b>	jkinkade@folsom.ca.us
<b>Second Point of Contact</b>	<input type="checkbox"/> Yes Is there more than one point of contact for this project?

### Regulatory

<b>Consulting Under*</b>	This project fall under the following regulatory requirements: <input type="radio"/> Federal <input checked="" type="radio"/> State of California <input type="radio"/> Federal and State <input type="radio"/> Other <input type="text"/>
<b>California Regulations*</b>	Select all that apply <input checked="" type="checkbox"/> Assembly Bill 52 (PRC §21080.3.1) <input type="checkbox"/> Senate Bill 18 <input type="checkbox"/> Environmental Quality Act (CEQA) <input type="checkbox"/> Forest Practice Rules <input type="checkbox"/> CalNAGPRA <input type="checkbox"/> Assembly Bill 168 <input type="checkbox"/> Other <input type="text"/>

## Project Notification Information

**Project Name \*** Lakeside Memorial Lawn Storage Shed (PN 20-160)  
Please include Name and Reference Number (if applicable)

**This is a \***

<input checked="" type="radio"/> New Project	<input type="radio"/> Notice of Preparation (NOP)
<input type="radio"/> Public Hearing	<input type="radio"/> Existing Project
<input type="radio"/> Notice of Availability (NOA)	<input type="radio"/> Request for Information
<input type="radio"/> Other	

**Project Description** Please include a brief project description

**Location** Please include county, city, and address (if available)

## Project Documents

Documents uploaded to this form are secure and only accessible by the Tribal Historic Preservation team

**Notification** Attach notification letters or announcement  
12022020 Folsom Lakeside Memorial Lawn Storage Shed.pdf 350.5KB  
50mb maximum upload size (per file)

**Reports** Attach project reports, project descriptions, or supporting documents  
50mb maximum upload size (per file)

**Location Map** Attach maps and location files. Shape files are preferred  
File extensions allowed: pdf, jpg, png, kmz, lpk, dbf, prj, shp, abn, sbx, xml, shx, cpg.  
NOTE: 50mb maximum upload size (per file).

## Send Submission Receipt To

Primary Contact  Secondary Contact  Different Email

\*\*\*This form submission page is offered for the convenience of consulting agencies, developers, and their respective consultants. UAIC reviews all submissions received, but makes no guarantee that submission via this online form satisfies any particular consultation or notice requirement that exists under state or federal law.



# AGENDA

## City of Folsom and Wilton Rancheria AB 52 Consultation Meeting for the Lakeside Memorial Lawn Storage Shed Project

**Date:** January 5, 2021

**Time:** 10:00 am

**Location:** Microsoft Teams

**Host:** Josh Kinkade, City of Folsom, (916) 461-6209

**Meeting Objective:** for the City of Folsom to share project information with the tribe and receive information from the tribe about potential impacts to tribal cultural resources to inform the CEQA document.

**Overall Goal:** for the City to make a decision about the project in a manner that is mindful of, and takes into consideration, impacts to tribal cultural resources.

Agenda:

1. Introductions
2. Project Orientation and Overview (City)
  - Purpose and Need for the Proposed Project
  - Project Description
  - Type and Scope of Environmental Review under CEQA
  - Alternatives and Design Options Considered
  - Anticipated Project Schedule
  - Summary of the Cultural Resources Survey (transmitted electronically to Wilton Rancheria on December 14, 2020)
3. Discussion of Tribal Cultural Resources (Wilton Rancheria)
  - Any Tribal Cultural Resources within the Project Area? If so:
    - Description and Location
    - Significant Effects, if any?
    - Opportunities to Avoid, if present?
    - Mitigation Measures for any Direct, Indirect, or Cumulative Impacts, if they will occur?
4. Action Items

Microsoft Office Home | Lakeside Crematorium - AB 52 | ecorpconsulting-my.sharepoint.com/personal/westwood\_ecorpconsulting\_com/\_layouts/15/onedrive.aspx?id=%2Fpersonal%2Fwestwood\_ecorpconsulting\_com%2FDocuments%2FLakeside%20Crematorium%20AB%2052%2FTransfer%20Folder

OneDrive Search

Lisa Westwood + New Upload Share Copy link Download Automate Sort

My files

Recent

Shared

Recycle bin

Shared libraries

My files > Lakeside Crematorium - AB 52 Transfer Folder

Name	Modified	Modified By	File size	Sharing
2020-162_Folsom Crematorium_11-23-202...	Yesterday at 3:07 PM	Lisa Westwood	10.5 MB	Shared
Agenda_AB 52 Meeting_Lakeside Crematori...	A few seconds ago	Lisa Westwood	174 KB	Shared
Meeting Link.docx	Yesterday at 3:10 PM	Lisa Westwood	12.0 KB	Shared

Create shared library

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**Sent:** Tuesday, January 5, 2021 10:19 AM  
**To:** [Redacted]  
**Subject:** FreeConferenceCall.com Detail Report



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## Account Information

**Date:** January 5, 2021 10:10:23 AM  
**Dial-in number:** (712) 770-5505  
**Access code:** 967306  
**Account:** #s5002120

## Audio

Caller	Service Type	Start Time	End Time	Duration
+1 916 461 6209 - CITY OF FOLSOM		10:10:23 AM	10:18:49 AM	9m
+1 916 316 1456 - LISA WESTWOOD		10:10:35 AM	10:18:46 AM	9m
+1 916 782 9100 - ECORP SUGNET		10:10:37 AM	10:18:45 AM	9m
+1 916 365 8700 - HELIX		10:10:48 AM	10:18:48 AM	8m

**Number of attendees:** 4  
**Toll minutes:** 35m

Note: All times in Pacific Time

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Tel:  (844) 844-1322

Fax: (562) 432-5250



## Appendix D

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### Mitigation Monitoring and Reporting Program

## **MITIGATION MONITORING AND REPORTING PROGRAM LAKESIDE MEMORIAL LAWN CREMATORIUM**

**Purpose of Mitigation Monitoring and Reporting Program:** The California Environmental Quality Act (CEQA), Public Resources Code Section 21081.6, requires that a Mitigation Monitoring and Reporting Program (MMRP) be established upon completing findings. CEQA stipulates that “the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This MMRP has been prepared in compliance with Section 21081.6 of CEQA to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the project, as required. A table (attached) has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation measures, monitoring/mitigation timing, the responsible person/agency for implementing the measure, and space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the Initial Study and Mitigated Negative Declaration.

The City of Folsom is the lead agency for the project under CEQA and shall administer and implement the MMRP. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The City shall rely on information provided by the project site observers/monitors (e.g., construction manager, project manager, biologist, archaeologist, etc.) as accurate and up-to-date and shall provide personnel to field check mitigation measure status, as required.

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**MITIGATION MONITORING AND REPORTING PROGRAM FOR THE  
LAKESIDE MEMORIAL LAWN CREMATORIUM**

Mitigation Measure	Monitoring / Mitigation Timing	Reporting / Responsible Party	Verification of Compliance	
			Initials	Date
<b>AIR QUALITY</b>				
<p><b>Mitigation Measure AIR-01: Implement SMAQMD’s Basic Construction Emission Control Practices.</b> City approval of grading and/or improvement plans for the proposed project shall include the following SMAQMD Basic Construction Emission Control Practices:</p> <ul style="list-style-type: none"> <li>• All exposed surfaces shall be watered two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.</li> <li>• 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 shall be covered.</li> <li>• 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.</li> <li>• Limit vehicle speeds on unpaved roads to 15 miles per hour.</li> <li>• All roadways, driveways, sidewalks, parking lots shall be paved as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes (as required by the state airborne toxics control measure [Title 13, Section 2485 of the California Code of Regulations]). Provide clear signage that posts this requirement for workers at the entrances to the site.</li> <li>• Maintain all construction equipment in proper working condition according to manufacturer’s specifications. The equipment shall be checked by a certified mechanic and determine to be running in proper condition before it is operated.</li> </ul>	<p>Prior to and during construction – this mitigation measure shall be included in all construction documents for implementation during construction.</p>	<p>City of Folsom; Project Applicant; Construction Contractor</p>		



<b>CULTURAL RESOURCES</b>				
<p><b>Mitigation Measure CUL-01: Avoid impacts to previously unknown archaeological resources.</b></p> <p>Prior to the initiation of ground disturbing activity, a qualified professional archaeologist shall be retained to develop and deliver a contractor awareness training program to construction supervisors. The purpose of the training is to ensure that contractors are aware of the need to limit their activity, including equipment storage, staging, parking, and ground-disturbance to only those locations identified as work areas on the official site plans.</p> <p>Prior to the initiation of ground disturbing activity, a qualified professional archaeologist shall be retained to monitor the installation of temporary high-visibility exclusionary fencing along the toe of existing mine tailings features adjacent to the shed. The fencing shall remain in place until all project activities are completed. City inspectors shall include a verification of the fencing during all required inspections. In the event that exclusionary fencing has failed, the construction supervisor must re-install or repair the fence within 24 hours.</p>	<p>Prior to and during construction – this mitigation measure shall be included in all construction documents for implementation during construction.</p>	<p>City of Folsom; Archaeologist or Qualified Cultural Resource Monitor; Construction Contractor</p>		
<p><b>Mitigation Measure CUL-02: Minimize impacts to any previously unknown archaeological resources during construction.</b></p> <p>If subsurface deposits believed to be cultural in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> <li>• If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.</li> <li>• If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the City to consult on a finding of eligibility and implement appropriate</li> </ul>	<p>Prior to and during construction – this mitigation measure shall be included in all construction documents for implementation during construction.</p>	<p>City of Folsom; Archaeologist or Qualified Cultural Resource Monitor; Construction Contractor</p>		

<p>treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines or a historic property under Section 106 NHPA, if applicable. Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the site either: 1) is not an Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to its satisfaction.</p>				
<p><b>Mitigation Measure CUL-03: Avoid and minimize impacts related to accidental discovery of human remains.</b>  If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards for pre-contact and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> <li>• If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Sacramento County Coroner (per §7050.5 of the Health and Safety Code). The provisions of §7050.5 of the California Health and Safety Code, §5097.98 of the California PRC, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). If the Coroner determines that the remains are</li> </ul>	<p>Prior to and during construction – this mitigation measure shall be included in all construction documents for implementation during construction.</p>	<p>City of Folsom; Archaeologist or Qualified Cultural Resource Monitor; Construction Contractor</p>		

<p>human but are not Native American, then the Coroner will direct subsequent steps to address the discovery. Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.</p>				
<b>TRIBAL CULTURAL RESOURCES</b>				
<p><b>Mitigation Measure TCR-01: Inadvertent discovery of TCRs.</b>          If potentially significant TCRs are discovered during ground disturbing construction activities, all work shall cease within 50 feet of the find. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation on the project shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified cultural resources specialist meeting the Secretary of Interior’s Standards and Qualifications for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until the City, in consultation as appropriate and in good faith, determines that the discovery is either not a TCR, or has been subjected to culturally appropriate treatment, if avoidance and preservation cannot be accommodated.</p>	<p>Prior to and during demolition and construction – this mitigation measure shall be included in all construction documents for implementation during demolition or construction.</p>	<p>City of Folsom;          Native American Representative/          Monitor or          Qualified Cultural Resource Monitor;          Construction Contractor</p>		

Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

**ATTACHMENT 12**  
**Images of Crematoriums Adjacent to Residential**  
**Uses in the Region**



NORTH SACRAMENTO FUNERAL HOME AND CREMATORY (SACRAMENTO)



SIERRA VIEW FUNERAL CHAPEL AND CREMATORY (FAIR OAKS)



EVERGREEN MEMORIAL (SACRAMENTO)- VIEW FROM ADJACENT RESIDENCE



EVERGREEN MEMORIAL (SACRAMENTO)

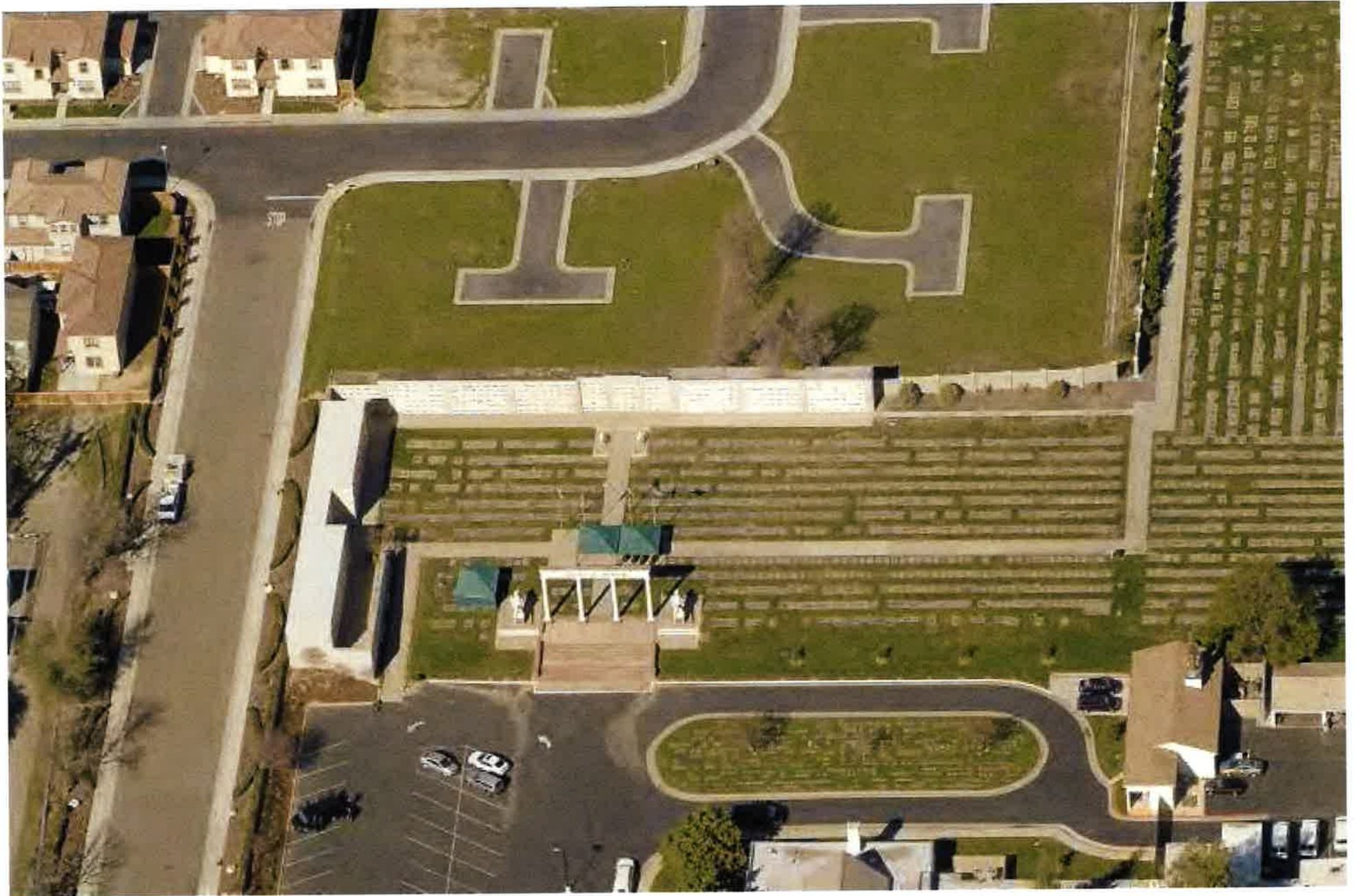




ST. MARY'S CEMETERY AND FUNERAL CENTER (SACRAMENTO)



SACRAMENTO MEMORIAL LAWN (SACRAMENTO)



AERIAL OF MOUNT VERNON MEMORIAL PARK & MORTUARY (FAIR OAKS)



AERIAL OF SUNSET LAWN CHAPEL OF THE CHIMES (SACRAMENTO)



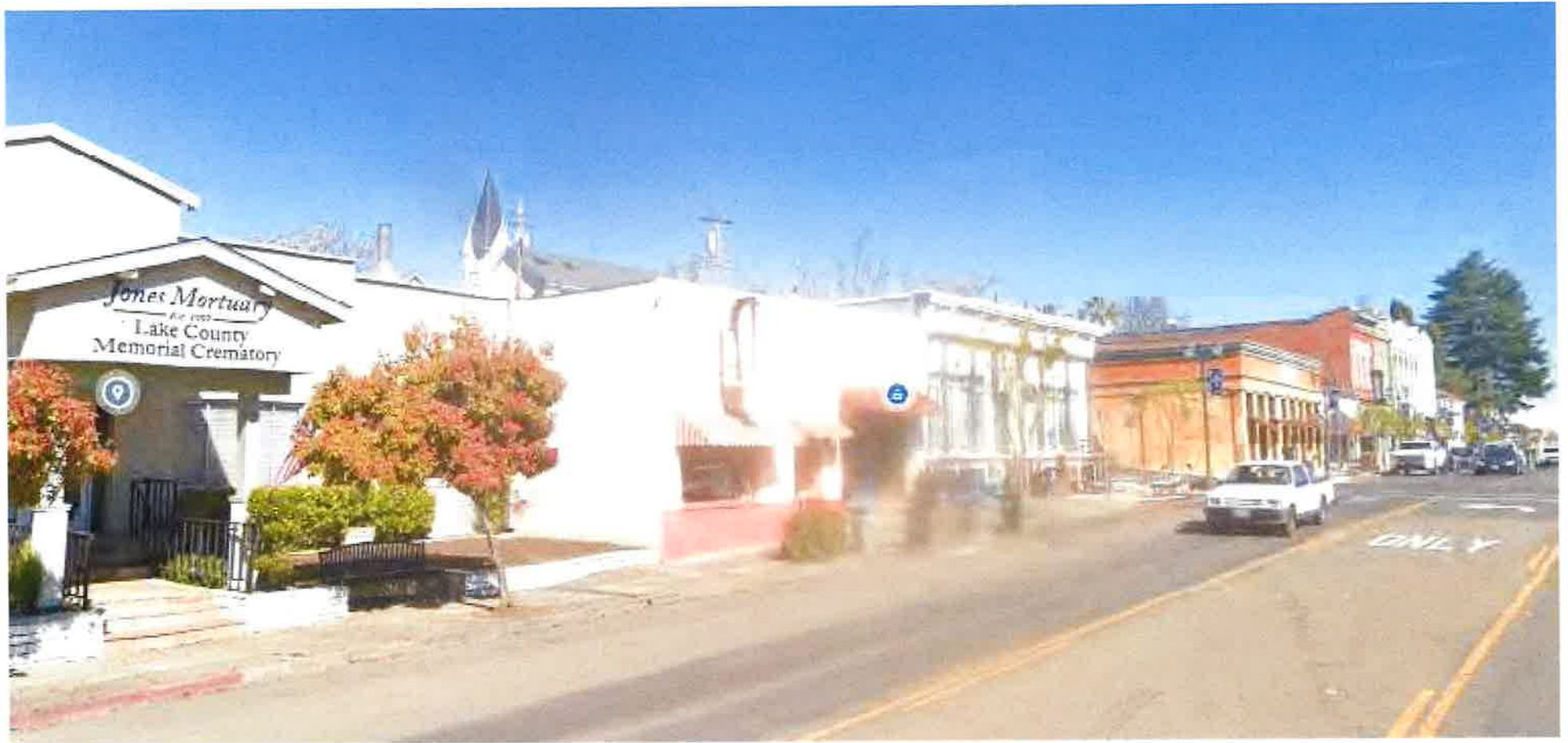
AERIAL OF EAST LAWN MEMORIAL PARK (SACRAMENTO)



LAKESIDE COLONIAL CHAPEL (MARYSVILLE)- RUN BY APPLICANT



CHAPEL OF THE TWIN CITIES (YUBA CITY)- RUN BY APPLICANT



JONES MORTUARY (LAKEPORT)- RUN BY APPLICANT



Historic District Commission  
Lakeside Memorial Lawn Crematorium Conditional Use Permit (PN 19-182)  
February 16, 2022

**ATTACHMENT 13**  
**Public Comments Received Prior to Staff Report**  
**Publication**

Dear sirs,

I use the Folsom trail systems very regularly for fun and health. The Folsom Historic District is a unique treasure with renowned trails, quality eating and entertainment venues. When I visit (at least twice per week) I often stop for a bite to eat after biking the trails. Should this crematorium be allowed to operate, I will be forced to consider alternate locals for my recreational biking. I simply will not tolerate smoke and ash from burning bodies in my health regiment. Most in the bike club, I belong to, feel the same way. Please be mindful of the jewel you have made in developing Historic Folsom as a tourist and recreation hub. If this plan is allowed to progress, I and my friends will be taking our recreation dollars elsewhere. Thank you. I am confident you will make the right decision here.

Sincerely,

Andrew Cherniski

  
*a. m. Cherniski*

# PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on  
Lakeside Memorial  
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/11/21

I AM:

- HIGH RISK FOR AIR QUALITY HEALTH IMPLICATIONS.
- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.
- AN INDIVIDUAL WHO INTENDS TO HAVE CHILDREN.
- OVER THE AGE OF 65 AND VULNERABLE.
- VERY WORRIED ABOUT THE SAFETY & LEGACY OF HISTORIC FOLSOM.
- HIGHLY CONCERNED ABOUT **EXTREME FIRE RISK CAUSED BY LP TANKS IN OPEN SPACE.**

I write to you with great concern about Lakeside Memorial Lawn's application for a conditional use permit to install and operate a crematorium. Lakeside Memorial Lawn's project site is designated as Open Space and includes historical burial grounds. In reviewing Lakeside Memorial's application for a condition use permit, the following concerns require your attention and action on the community's behalf:

## TOXICITY LEVELS UNSAFE FOR CHILDREN, VULNERABLE

The Initial Study by HELIX Environmental Planning, Inc. notates levels for harmful toxins including chromium, mercury, and organics. Such toxins become the *most dangerous when vaporized*. The smaller the particulate matter, the more dangerous it becomes. The report designates the levels as "not significant." This applies *only* to average, healthy adults. The Study fails to report significant and potentially deadly levels for **unborn children, developing children, elderly, and those with existing health conditions** in the neighboring community.

## NONCONFORMING USE OF OPEN SPACE

The proposed crematorium would be installed and operated in designated open space that is *not zoned for commercial use*. Thousands of families, children, park visitors, trail and lake users will be inequitably impacted by **nonconforming use** of the land. This will harm the living to profit off of the dead. With only one way in and out for emergency vehicles, One fire will harm thousands. Such an operation does not belong in *any* child's backyard.

## AIR QUALITY, SMELL, PARTICULATE MATTER MAKING HISTORY

The Folsom Historic District is treasured for its legacy of community, architecture, and natural appeal. Poor air quality, smell, and toxic particulate matter will cause **lasting damage on the physical, environmental and fiscal health** of our community. Visually, the shed, smoke, and heat waves are incredibly out of character for the District. Scent will be detected for miles, even if not visible. A permanent pollutant, foul smell and toxins will leave a damaged legacy.

**PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.**

Sincerely,

*A.M. Cherniski*

Contact Information:

*wolfsister46@yahoo.com*

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Thursday, August 26, 2021 9:28 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: Folsom Crematorium proposal - in opposition

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---

**From:** Anne Trim [REDACTED]  
**Sent:** Thursday, August 26, 2021 9:16:27 PM  
**To:** Scott Johnson <sjohnson@folsom.ca.us>  
**Subject:** Folsom Crematorium proposal - in opposition

You don't often get email from atrim6@gmail.com. [Learn why this is important](#)

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

Dear Scott

Thank you so much for all that you do to serve the community of Folsom. I am a resident and frequent (twice weekly) user of the Lake Natoma trail system with much appreciation for nature. I have obtained your contact information through a website that aims to share preferences on opposing the Lakeside Crematorium proposal. I would like to express my interest in leveraging a more win-win opportunity for development in our community by exploring alternative options for the crematorium site.

Quick list for your reference on why a win-win situation is beneficial:

- Retail sites that sit vacantly would appreciate the revenue and lease commitment where residents and nature are not impacted
- Lake Natoma is one of the remaining lakes in Folsom with consistent water flow, animals, trails, and appreciation of visitors

The Precautionary Principle (Friis, 2019) in terms of Environmental Health states the four aspects should be exhausted in respect of new or further development:

- 1) Taking preventive action to harm the environment, people, or wildlife
- 2) Shifting the burden of proof
- 3) Explore alternatives
- 4) Public participation in the decision

I would respectfully like to implore you to explore alternatives if not already in pursuit. There are retail leasing spaces that sit vacant with no residents, beautiful nature, or athletics nearby that a crematorium could be accommodated in Folsom. The win-win is that a crematorium could be placed at a vacant retail location while not disturbing residents or trail enthusiasts.

Folsom has a trail system that invites residents and visitors to explore and with the imposing threat of a crematorium built in the prime location of the trail, it would be a disadvantage to Folsom to lose the inviting vistas and Historic Folsom revenue for diners/ pedestrians.

#### References

City of Folsom (2021). "Lakeside Crematorium Draft IS-MND". <https://www.folsom.ca.us/home/showpublisheddocument/6087/637553756605700000>.

Friis, R. H. (2019). Essentials of environmental health (3rd ed). Retrieved from <https://content.ashford.edu>.

SAY NO TO

THE ALCOHOL

CRIMINARY

AND YOUR WELL

HAVE HEALTHY

BITES

DOGS AND

HUMANS

IF YOU LIKE  
HEALTHY AIR,

SAY NO TO

THE LAKESIDE

CREMATORY

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Friday, July 23, 2021 8:13 AM  
**To:** Josh Kinkade  
**Subject:** Fwd: Concern Regarding Historic Area

Sent from my Sprint Samsung Galaxy S10.  
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---

**From:** Ashley Martinez [REDACTED]  
**Sent:** Friday, July 23, 2021, 7:48 AM  
**To:** Scott Johnson  
**Subject:** Concern Regarding Historic Area

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To Whom It May Concern:

I would like to start by saying how much my family adores this town (particularly historic) and appreciates the work that has gone into making it such a wonderful place to live. We moved into The Preserve in 2017 and chose an older home over new construction because of the amazing location. Being able to walk to Sutter Street, paddle board to Negro Bar and utilize the endless miles of trails has been worth every penny. We have two children who are 12 and 10 that have spent the last 3 years playing basketball at the park, searching for turkeys and deer at sunset and endless hours biking around the neighborhood. We have raised them to value nature, community and their health. They spend many hours outdoors, playing together or on family walks/rides. Even through all of the Covid uncertainty, the hardest weeks for us were those where they could not play due to smoke and poor air quality. The ability to decompress in nature was greatly healing to our family.

We enjoy hosting outdoor gatherings- the first thing we added to our home was a covered patio area to expand our living space to include the outside. Having come from the Midwest, we have a true understanding of how beautiful the weather is here- even in the summer heat. We have a whole house fan and windows are open most evenings to allow the delta breeze to cool everything down.

While I attended the meeting with Igor and I greatly appreciated his patience in hearing questions (and even some erratic accusations), I am still against a crematorium being placed so close to where my children play, enjoy nature and even read outdoors. Having lived in Rancho Cordova next to a rendering plant, I can attest to being told that I would NEVER smell it, that there were very high quality filters being ran at all times and that we could always call the city with a complaint. I can also attest to the fact that we DID often smell it, normally during weekends or dinner hours- when it was very unlikely that someone would come to check that regulations were being followed. There were even times when we could smell it with all of our windows closed, coming in through the stove ventilation. I was told this was a result of wind changes that caused the cloud to rest over our neighborhood. While the smell was offputting, what concerns me more is what we DON'T smell but is still lingering in the air. The proximity of this to where families call home and children play is concerning. The study that was done was based on two burns a day but Igor himself said there was no way to know how many would actually be done on any given day. This is not acceptable, in my opinion.

Over the three years that we have lived here, many families with young children have moved in and more have brought new life to this neighborhood. I imagine that many of them have the same concerns for their little



ones lung development. I have been so happy to see our neighborhood revitalized by new families with children moving in - it feels very unfair to be putting something like this in an older residential community. I can't imagine that this would even be suggested in an area like The Palladio. I appreciate your service to our city and I am happy to answer any questions you may have.

**Ashley Martinez**

██████████ Fong St  
████████████████████

Barbara Krieger  
RE/MAX Gold  
[REDACTED] Arena Blvd. [REDACTED]  
Sacramento, CA 95834

September 13, 2021

Re: Lake Natoma Shores

Dear City of Folsom,

I recently listed a property in the beautiful Historical District of Lake Natoma Shores. We had our first showing at the property and the agent called and left me a message telling me her clients loved the home and wanted to live in the Historic District, but had one concern she wanted to ask me about. When I called her back, she said her buyers were worried about the crematorium going in next door. I explained the situation to her and let her know her clients could check with city planning for more information. I don't know if they followed up or not, but they ended up not submitting an offer specifically because of the crematorium.

I also had an open house the first weekend on the market. Several people came through, and there were about eight groups of buyers who were all concerned about the crematorium. They all loved the home, but I never heard from them nor their agents again. Out of all the neighbors and groups of people that came through, there was only one person who liked the house and did not care about the crematorium. However, her husband was not with her. When she left, she told me she was going to tell him about the house to see if they could purchase it. I never heard from her again either.

I am not a Folsom resident, but am writing this letter out of concern for the neighborhood. Having personally seen every single buyer that walked through this beautiful home get turned off from the highly desirable location because of an undesirable crematorium should concern every single representative of the people, the nearby homes and the neighborhood itself as an entity. I wonder why the city has allowed the cemetery owner to get this far in the planning phase of the project, despite the multiple and loud cries of the Folsom residents and groups, who should not have to trouble themselves with such a threat while living in such a popular, sophisticated and historically protected area. I am absolutely astonished that this is occurring at all.

Please don't hesitate to contact me if you need further information or details of my experience. I am attaching the text conversation between myself and the first agent (with her permission) who showed the house first with the buyers who decided not to write an offer. I am also attaching the lockbox showing activity since we've been on the market. Besides my open houses, there has been only one other agent showing (during the open house) since we went on the market, and she would not tell me why her buyers did not submit an offer. There have been no other inquiries since.

Thank you for time, and hopefully your deep concern for what is happening under your watch.

Sincerely,



Barbara Krieger, Realtor

[REDACTED] Cell

[REDACTED] Office  
[REDACTED]

RE/MAX Gold Real Estate Agent  
License #01317657 Since 2001



Message  
Thu, Sep 9, 2:15 PM

Yep you're good to go tonight on Fong Street

Thank you!

Thank you too! Let me know how it goes



Will do

Monday 3:17 PM

Did they get spooked by the crematorium by fong st? Just curious cuz I'm gonna write a letter for the neighborhood 😊

Yeah it was a bit of a concern for them I'm sorry!



Supra Showing Activity Report

**Listing Details**

MLS#: 22112974  
 Address: 1324 Fung St  
 Folsom CA 95630

KeyBox Serial: 0207076  
 Assigned By: Barbara Krieger - 01RMX537  
 Agent: Barbara Krieger - 62711

[Log on to SupraWEB](#) [Print Page](#)

Date	Key Serial	Keyholder	Keyholder Phone	Office	Office Phone
9/12/2021 5:52:00 PM	5284543	Barbara Krieger	[REDACTED]	RE/MAX Gold Homes	[REDACTED]
8/11/2021 4:40:06 PM	5284543	Barbara Krieger	[REDACTED]	RE/MAX Gold Homes	[REDACTED]
9/9/2021 5:27:00 PM	6681907	Haley McGlasson	[REDACTED]	Keller Williams Realty Folsom	[REDACTED]

Total Transactions: 3

The information in this report shows the past 90 days of showing activity for keys that have performed an eSync with the Supra system. For a complete history of keybox activity you may also read a keybox with your key.

Contact Supra Support Toll-Free at 877-699-6787 between 5:00 AM and 7:00 PM, Pacific Time @ 2013 United Technologies Corporation. All rights reserved. Privacy Policy - Website Terms & Conditions

12  
August 21, 2021

Barbara Manwell  
1310 Fong Street  
Folsom, CA 95630

Mike Kozlowski  
Mayor City of Folsom  
50 Natoma St.  
Folsom, CA 95630

Dear Mike,

My name is Barbara Manwell. I have lived at [REDACTED] Fong Street since November 1995. It is important that you understand my opposition to a crematorium being installed at the Lakeside Cemetery in my neighborhood. The majority of houses in the Preserve subdivision have at least one person who is at risk for breathing polluted air: children 14 years or younger and Seniors 65 years or older.

The City is aware that homeowners have opposed a crematorium in the past. The developer has stated it will not have an adverse effect on the neighborhood and the needs of the entire City must be considered. This is a question of the air I breathe, the air a 92 year old woman out for her daily walk breathes, the air a toddler taking her first steps breathes, the air a group of Seniors meeting for yoga three days a week in the Young Wo Park breathe, the air three boys racing through the neighborhood on bikes breathe. We are an outdoor group of citizens.

The developers' declaration has information to support his application from the manufacturer of the crematorium, Hartwick Combustion Technologies, and HELIX Environmental Planning. Both businesses receive money from the developers. This is not reassuring to me.

Igor Semenyuk, representing Lakeside Cemetery in our recent ZOOM meeting happily informed the participants in the informational crematorium meeting that he had recently sold his property in Old Town for \$800,000. Making a profit is important to this business man. Having safe air to breathe is important to me.

Please deny Lakeside's application for a crematorium.

Sincerely yours,

Barbara Manwell

*Note: I emailed and mailed  
copies to each commissioner  
and City Council member.*

**From:** [Elaine Andersen](#)  
**To:** [Josh Kinkade](#)  
**Subject:** FW: No Crematorium  
**Date:** Friday, August 6, 2021 8:22:48 AM

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**From:** bob lu [REDACTED]  
**Sent:** Sunday, August 1, 2021 1:38 PM  
**To:** Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** No Crematorium

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

Ms. Andersen,

As longtime residents of Natoma Shores, we are asking you to not allow our beautiful neighborhood to be destroyed. The prospect of having a crematorium in the Lakeside Cemetery is very upsetting and is wrong for so many reasons. For starters, our home is a "Receptor" and we are very concerned about the pollution and the health hazards associated with it. Such a facility should not be built this close to a residential neighborhood. In addition, this will lower the property value of our homes. How will we be compensated? If there are health issues arising from the smoke will we be able to be compensated for that as well?

I hope you would honestly consider how you would react if the crematorium was built in your neighborhood and not allow this to happen.

The Barnett Family/Young Wo Circle

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Tuesday, February 8, 2022 9:06 AM  
**To:** Josh Kinkade  
**Subject:** FW: Concerned Historic District Resident - Lakeside Memorial Lawn

### Scott A. Johnson, AICP

*Planning Manager*

Community Development Department  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6206



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



[www.folsom.ca.us](http://www.folsom.ca.us)

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**From:** Ben Gamache [REDACTED]  
**Sent:** Tuesday, February 8, 2022 9:02 AM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>; Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>; Kelly Mullett <[kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us)>; kcolepolicy@gmail.com; daronbr@pacbell.net; danwestmit@yahoo.com; ankhelyi@comcast.net; johnfelts@e55tech.com; m.dascallos@yahoo.com  
**Subject:** Fwd: Concerned Historic District Resident - Lakeside Memorial Lawn

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

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

Dear Historic District Commissioners:

I am writing to express my deep concern at the conditional use permit submitted by Lakeside Memorial Lawn, owned by Miller Funeral Home, to install a crematory.

The Historic District is the crown jewel of Folsom. Its history, incredible landscape, unique shopping and dining experiences, and community provide so much to the city of Folsom. The thought of a crematory burning 800 pounds of human bodies **per day** will have untold negative physical, environmental, and fiscal implications that will damage both the city and the community.

Our air quality in the Valley has been the worst on record. How can we justify adding more particulate, more carbon, to our already hurting environment? How can we justify putting the citizens at risk? How can we tarnish the shining gem that is Old Folsom?

I implore you and the other staff members to consider all that is to be lost by granting this permit. I thank you for your consideration and welcome any feedback.

Sincerely,  
Ben Gamache  
Historic District Home Owner



August 2, 2021

Dear Mr. Josh Kincaid,

I, together with my neighbors at Lake Natoma Shores, a community next to the Lakeside Memorial Lawn Cemetery am asking you to halt the proposed construction of a crematorium there. The crematorium will be located adjacent to: a residential neighborhood, the Old Town District and the American River Parkway. This area is part of Folsom's historic district and resides near many outdoor activities promoted by our city as family friendly, safe and "distinctive by nature". It entails a farmers market, outdoor concerts; city sponsored festivals and sits adjacent to the American River Parkway that is actively used by many walkers, runners, and bicyclists daily. The Parkway serves as a window to the natural world, for all those that live and visit Folsom.

In researching the toxicity impacts of a crematorium I went to the National Collaborating Center for Environmental Health and found the following information, as per an article written in the US National Library of Medicine:

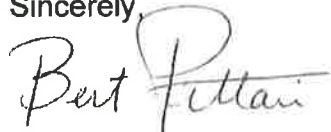
"Cremation is a combustion process whereby a casket and human remains are incinerated at a high temperature in a closed chamber. The process of corpse cremation generates numerous harmful air pollutants, including particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds, and heavy metals. These pollutants are carcinogenic and could have **severe effects** on human health and the surrounding environment." (\*)

It is of great concern to me that scientific papers have been written proving that the emissions from crematorium incineration are toxic. And that the level of toxicity is a danger to people's health and well-being, has destroyed surrounding water sheds & water quality and is of great harm to the natural environment.

The proposed crematorium owners may see a viable commercial need for such an operation, but I portend, not in the Old Town District, adjacent to a residential neighborhood and a State Parkway. It is best suited for a heavy industrial park where the zoning and utility systems can better accommodate any toxic air emissions, toxic water runoff and any potential fire danger generated by such an operation.

Please consider our concerns and let that serve as your guide forward.

Sincerely,



Bert Pittari,  
Resident Lake Natoma Shores



Patricia Zuccaro  
Resident Lake Natoma Shores

(\*)"Toxic atmospheric pollutants from crematoria ovens: characterization, emission factors and modeling"

>Environ Sci Pollut Res Int. 2020 Dec

## Josh Kinkade

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**From:** Elaine Andersen  
**Sent:** Friday, January 14, 2022 8:28 AM  
**To:** Josh Kinkade  
**Subject:** FW: Proposed Crematorium

**From:** Bert p [REDACTED]  
**Sent:** Friday, January 14, 2022 7:29 AM  
**To:** Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** Proposed Crematorium

You don't often get email from [bertp599@gmail.com](mailto:bertp599@gmail.com). [Learn why this is important](#)

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

January 14, 2022

Dear Ms. Anderson,

I, together with my neighbors at Lake Natoma Shores, a community next to the Lakeside Memorial Lawn Cemetery am asking you to halt the proposed construction of a crematorium there. The crematorium will be located adjacent to a residential neighborhood, the Old Town District, and the American River Parkway. This area is part of Folsom's historic district and resides near many outdoor activities promoted by our city as family-friendly, safe, and "distinctive by nature". It entails a farmers market, outdoor concerts; city-sponsored festivals, and sits adjacent to the American River Parkway that is actively used by many walkers, runners, and bicyclists daily. The Parkway serves as a window to the natural world, for all those that live and visit Folsom.

In researching the toxicity impacts of a crematorium I went to the National Collaborating Center for Environmental Health and found the following information, as per an article written in the [US National Library of Medicine](#):

"Cremation is a combustion process whereby a casket and human remains are incinerated at a high temperature in a closed chamber. The process of corpse cremation generates numerous harmful air pollutants, including particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds, and heavy metals. These pollutants are carcinogenic and could have **severe effects** on human health and the surrounding environment." (\*)

It is of great concern to me that scientific papers have been written proving that the emissions from crematorium incineration are toxic. And that the level of toxicity is a danger to people's health and well-being, has destroyed surrounding watersheds & water quality and is of great harm to the natural environment.

The proposed crematorium owners may see a viable commercial need for such an operation, but I portend, not in the Old Town District, adjacent to a residential neighborhood and a State Parkway. It is best suited for a heavy industrial park where the zoning and utility systems can better accommodate any toxic air emissions, toxic water runoff, and any potential fire danger generated by such an operation.

Please consider our concerns and let that serve as your guide forward.

Sincerely,

Bert Pittari, Patricia Zuccaro  
Resident Lake Natoma Shores Resident Lake Natoma Shores

(\*)"Toxic atmospheric pollutants from crematoria ovens: characterization, emission factors, and modeling"

>*Environ Sci Pollut Res Int. 2020 Dec*

**Dear People in charge**

**I am writing in response to the notice that the Folsom Cemetery is planning to install an Crematorium. I have a home that is on Young Wo circle that would be adversely impacted.**

**I have a daughter who lives on Sunrise Boulevard near the Sacramento Rendering Plant, and when it is in production the fumes it produces make it unbearable to stay out side. From what I understand the crematorium would not have an air scrubber, which would put all of lower Folsom [that includes Sutter Street] in the direct path of the same noxious fumes that come from the Sacramento animal rendering plant!**

**I understand that the disease Mad Cow syndrome came from cows eating food made of other dead cow carcasses. What will fume and ash from Human cremation do to other Humans who breath in these by products.**

**Today we are told to wear N95 Mask to go out into forest fire smoke that has invisible particles, how will we feel safe that we are not being exposed to the same toxic and more lethal by products. I would also like to know how the curators of the Muir House Museum, and the Chamber of Commerce of Sutter street would feel about the impacts of these fumes on Tourism in their areas.**

**After reading the city planning commissions report on the impacts of this new project, I would like to know if the commission has taken a field trip to crematory to actually see it impact to adjacent areas. In reading the commissions report, on page 19 of 11 , section D leaves a question as to what a substantial number of people are and if wind conditions are taken into account. I was also quite surprised at the number of pounds of toxic chemicals and elements per hours of use that would be released into the atmosphere, as listed on page 27of 51 of this same report.**

**Home owner on Young Wo Circle**

**Bob Baker , phone number [REDACTED]**

February 4, 2022

City of Folsom  
Community Development Department  
50 Natoma Street  
Folsom, CA 95630  
via email to: Pam Johns – [pjohns@folsom.ca.us](mailto:pjohns@folsom.ca.us); Josh Kincade – [jkincade@folsom.ca.us](mailto:jkincade@folsom.ca.us)

**SUBJECT: Lakeside Crematorium - Comments on Initial Study/MND**

Dear Ms. Johns:

This letter provides my comments on the Lakeside Memorial Lawn Crematorium Initial Study/Mitigated Negative Declaration (IS/MND) dated January 2022.

- 1. The IS/MND correctly identifies the City Council as having approval decision authority for the project; but is contradicted by the public hearing notice.** As limited by the City Charter, the Historic District Commission (HDC) is an *advisory* commission only and does not have the authority to make a final approval decision. This is recognized in the IS/MND on page 7 (section 5.0, “Required Approvals”) which specifically states that the “Folsom City Council” will act as the lead CEQA agency and consider approval of the project entitlements. However, the public hearing notice issued for the project discusses that an appeal would be required for consideration by the City Council. The public hearing notice incorrectly identifies the HDC has having final approval authority and should be corrected to be consistent with the City Charter limitations on HDC authority.
- 2. A design review application is required but has not been submitted.** The proposed shed modification requires design review pursuant to Folsom Municipal Code (FMC) section 17.52.300, “Design Review,” which requires design review for, “B. All exterior renovations, remodeling, modification or addition to existing structures” and FMC Section 17.52.310 provides design review application submittal (including design review application fee) requirements. The IS/MND does not identify *design review* as a necessary entitlement and the project application on the Community Development Department’s Pending Development Applications is only for a use permit. An application for design review containing the required submittals must be submitted and design review application fees paid before the City provides further processing of this project. Importantly, such design review would then consider whether the building that would undergo a substantial expansion of use to house the proposed crematorium is consistent with Historic District design standards and guidelines or if the design of that structure requires additional modifications to comply with Historic District design standards and guidelines.
- 3. The IS/MND incorrectly identifies the project as consistent with the General Plan, yet the General Plan has no land use designation for either a cemetery or a crematorium, therefore the analysis cannot tier from the General Plan EIR.** The IS/MND incorrectly states that the project would be consistent with the General Plan land use designation of Open Space. A review of the General Plan intent for the Open Space land use designation reveals that there is no basis for concluding that a crematorium is consistent with the General Plan Open Space land use designation. The General Plan

mentions "cemeteries" just one time and crematoriums not at all.<sup>1</sup> Table LU-5 of the General Plan (page 2-7) defines the Open Space designation as, "The Open Space land use designation encompasses the preserved natural open space areas of Folsom." Throughout the General Plan, policies encourage that development incorporate areas of open space. It is unreasonable to suggest that the intent of those policies is that such open space areas could or might be used for siting a cemetery and a crematorium.<sup>2</sup> The IS/MND interpretation and the subsequent analysis which tiers from the General Plan EIR are fundamentally flawed. The IS/MND must be revised to eliminate the erroneous statements about General Plan consistency, and the impact analyses must fully evaluate the project without attempting to tier from the General Plan EIR. Further, while FMC section 17.52.550 identifies "cemeteries" as a permitted use in the Open Space/Public primary area of the Historic District (subject to a conditional use permit when proposed by a private entity), the FMC does not extend the definition of cemetery to a crematorium. Furthermore, the FMC is subordinate to, and may not conflict with, the General Plan, therefore, expanding the unspecified FMC definition of a cemetery to include a crematorium would even further stray from the General Plan's Open Space definition and is impermissible.

4. **The IS/MND must identify whether the project would involve public attendance at services at the Lakeside Memorial cemetery and/or other locations within the City and, if so, define the parameters and evaluate impacts associated with such services.** The IS/MND provides no information on whether cremations (up to 4 per day and 500 per year) would or could be attended by family, friends, or other members of the public. If no such attendance will be permitted, a condition of any use permit for this project must specifically state that such attendance is prohibited and must include a mechanism to ensure the prohibition is enforced. Alternatively, if such attendance will be permitted, the IS/MND must be revised to discuss the maximum anticipated attendance at each cremation and evaluate the impacts associated with vehicle trips, noise, parking capacity, neighborhood circulation and pedestrian safety, effects on other services and activities at the cemetery, and other factors associated with public attendance. Furthermore, the IS/MND does not discuss whether cremations at the proposed Lakeside Crematorium would result in an increase in memorial services either at Lakeside cemetery or elsewhere in Folsom. If cremations at Lakeside cemetery would result in an increase in services at other locations in Folsom (e.g., the funeral home on Scott Street), similar evaluations of potential impacts associated with vehicle trips, noise, parking capacity, neighborhood circulation and pedestrian safety and other factors associated with those services must be addressed.
5. **The IS/MND fails to recognize the visibility of the existing shed and proposed modifications from public view locations (Folsom Boulevard) and the impacts of such visibility on visual quality and locally designated historic resources.** The IS/MND aesthetics and cultural resources analyses are fundamentally flawed by failing to recognize that **the existing structure is visible from public viewpoints** including Folsom Boulevard and the bluffs on the north side of Lake Natoma. Page 2 of the IS/MND incorrectly states that "[t]ailing piles between the site and Folsom Boulevard

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<sup>1</sup> The single General Plan cemetery reference pertains to Noise Compatibility Standards (Table SN-1) which is unrelated to establishing land use designations and uses

<sup>2</sup> Example: Policy LU 3.1.1 - "Encourage mixed-use development in nodes located at major intersections that include housing, open space, and offices." The IS/MND's interpretation would suggest that the expectation of that policy is for those open space areas to be eligible for siting a crematorium.

prevent the site from being visible from that street.” This is incorrect. The roof and upper portion of the structure in which the crematorium is proposed to be located and on which an exhaust flume would be installed is clearly visible from Folsom Boulevard at the intersection of Natoma Street. Furthermore, between Folsom Boulevard and the structure are cobble mine tailings that are identified in the City of Folsom Cultural Resources Inventory as import local historic resources. In fact, this section of tailings is one of the most prominent locations of representative historic mine tailings visible to the largest number of viewers anywhere in the City. The impact of the project’s modification to the existing structure would be visible in the background of these tailings and must be identified and evaluated in terms of impacts to the quality of views of the tailings and impacts to the historic quality of the tailings viewshed.

6. **The air quality and health risk analysis does not use best available information and requires more certainty regarding project design.** The air quality and health risk analysis circulated with the IS/MND uses a wind rose (wind direction information) from the Sacramento Executive Airport. The Sacramento Executive Airport is nearly 20 miles from the project site and is more strongly influenced by the Delta and Central Valley wind patterns than the project site’s location along the American River corridor near the Sierra Nevada foothills. More representative wind flow data from a location nearer the site (e.g., Mather Field) is available and should be used for any air quality and health risk assessment conducted for the project to ensure that locally accurate wind directions and speeds are used in the analysis. Furthermore, the health risk analysis states that the analysis *assumes* a rain cover will be installed on the crematorium exhaust stack. However, the application and representative photograph of the exhaust stack do not discuss or identify the intent for such a cover. If a cover is not present during operation of the crematorium, the emissions and resulting health risk analysis conclusions would vary from those presented in the IS/MND. Clarification and certainty for this project design component is needed. If the rain cover is to be in place during cremations, an analysis of potential localized effects of downdraft on memorial lawn visitors while cremations should also be provided.
7. **The IS/MND does not adequately evaluate potential impacts on nesting and foraging bald eagles and other special-status bird and bat species.** The IS/MND provides no discussion of the annually active bald eagle nest located just 0.5 mile north of the project site and the potential effects of the project and exhaust stack on foraging behavior of the eagles or other protected bird and bat species. While the IS/MND discusses that effects of vehicles and workers at the site would not adversely affect migratory birds, the analysis does not address the potential effects on foraging activity of the furnace exhaust heat blast with an assumed exhaust gas temperature of 1,080 degrees Fahrenheit (°F) and a gas exit velocity of 14.7 feet per second that would occur for up to 90 minutes up to four times a day. This analysis is necessary to determine if the project would adversely affect this bald eagle nesting and foraging area or otherwise adversely affect other special-status bird or bat species that may use the area.
8. **The IS/MND analysis of fire risk is inadequate and warrants a definitive determination by the City Fire Department and California State Parks.** The IS/MND analysis of potential fire risk associated with the project is insufficient. The discussion of potential exposure to wildland fire risks downplays and fails to provide a meaningful analysis of the project’s potential fire risk. The IS/MND discusses that the “project site is located in an urbanized area in the City of Folsom.” In fact, the project

February 4, 2022

site contains and is located immediately adjacent to substantial oak woodland areas and oak canopy adjacent to the building proposed to house an exhaust flume with an assumed exhaust gas temperature of 1,080 degrees Fahrenheit (°F) and a gas exit velocity of 14.7 feet per second. Within and adjacent to the site are oak canopy linkages to the large oak woodland open spaces to the north, west, and south of the project. The IS/MND states that, “the project is not likely to cause any ignition, given that the crematory will not emit sparks.” Evidence providing a definitive conclusion that the crematory – a facility design for burning and with an exhaust flume – will not emit sparks or other hot particles of potential ignition source is needed. Furthermore, the IS/MND discusses that the City Fire Department reviewed the project and did not raise any concerns regarding *water supply or site access*. This begs the question of whether the Fire Department raised other concerns and even whether the Fire Department reviewed and considered the project. The project proposal to install and operated a large furnace in an open space area adjacent to oak woodlands with residents beyond, warrants specific review and documented feedback from the Folsom Fire Department specifically confirming that the Fire Department has carefully reviewed the project and all potential fire risk issues. Also, because the project site is immediately adjacent to lands managed by State Parks, similar definitive review and input from State Parks wildland fire experts should be documented and included in the analysis.

Sincerely,



Bob Delp  
Historic District Resident  
Folsom, CA 95630  
[REDACTED]



February 7, 2022

City of Folsom  
Community Development Department  
50 Natoma Street  
Folsom, CA 95630

via email to: Pam Johns – [pjohns@folsom.ca.us](mailto:pjohns@folsom.ca.us); Josh Kincade – [jkincaide@folsom.ca.us](mailto:jkincaide@folsom.ca.us)

**SUBJECT: Lakeside Crematorium – Supplemental Comments on Initial Study/MND**

Dear Ms. Johns:

On February 4, 2022, I submitted a letter with comments on the Lakeside Crematorium project Initial Study/Mitigated Negative Declaration (IS/MND). In my February 4 comments I expressed concerns with, among other things, visibility of the project shed and fire risk. Having viewed the property more closely with physical observations from Folsom Boulevard and review of aerial imagery available online, it is evident that the IS/MND fails to disclose critical information related to existing conditions at the site that are relevant to the project environmental impact analyses.

Figure 1, “Excerpt of IS/MND Figure 3 Detailed Site Plan,” on the following page is an excerpt of the IS/MND Figure 3 to which I have added red linework and labels. Figure 2, “Photograph of Existing Site Conditions,” on the following page is a photograph I took on Sunday February 6, 2022, from the south side of Folsom Boulevard just east of the Natoma Street intersection and facing northwest toward the project site. The black linework on Figure 1 shows what the IS/MND considers to be the existing site condition. However, as illustrated in red, there is another building adjacent to the project shed and located near or on the property boundary that is not identified or discussed in the IS/MND. As shown on Figure 2, that building is a metal structure that is taller and larger in footprint than the project “shed” illustrated on Figure 1. Review of aerial photograph on Google Earth indicates that sometime in 2020 or 2021 a concrete pad was installed and the second metal structure was erected. That the structure is one or very near the property line and within 5 feet or less of the project shed.

This additional structure provides a substantial constraint to the ability of emergency response vehicle access to areas surrounding the project shed. Since the IS/MND fails to identify the structure, the IS/MND also fails to identify its use and fails to consider the implications of this structure and its constraint on emergency access. Furthermore, the presence of this structure and its bearing on the project’s cumulative visual and other impacts must be considered in the environmental review.

An understanding of the project site’s actual existing conditions is necessary for any meaningful review of the project’s impacts. The IS/MND’s failure to even acknowledge the existence of the largest building on the property, let alone consider it in the impact analysis, warrants substantial revision to the IS/MND to adjust the analysis to account for this structure.

Sincerely,



Bob Delp  
Historic District Resident  
Folsom, CA 95630



FIGURES

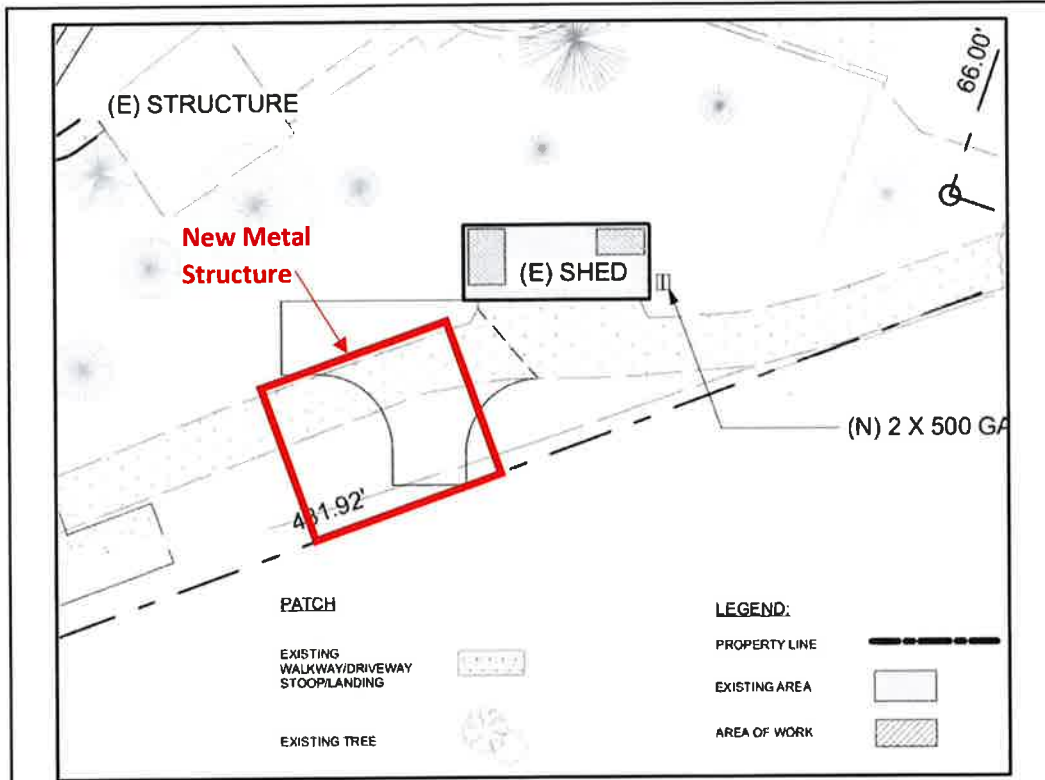


Figure 1. Excerpt of IS/MND Figure 3 Detailed Site Plan

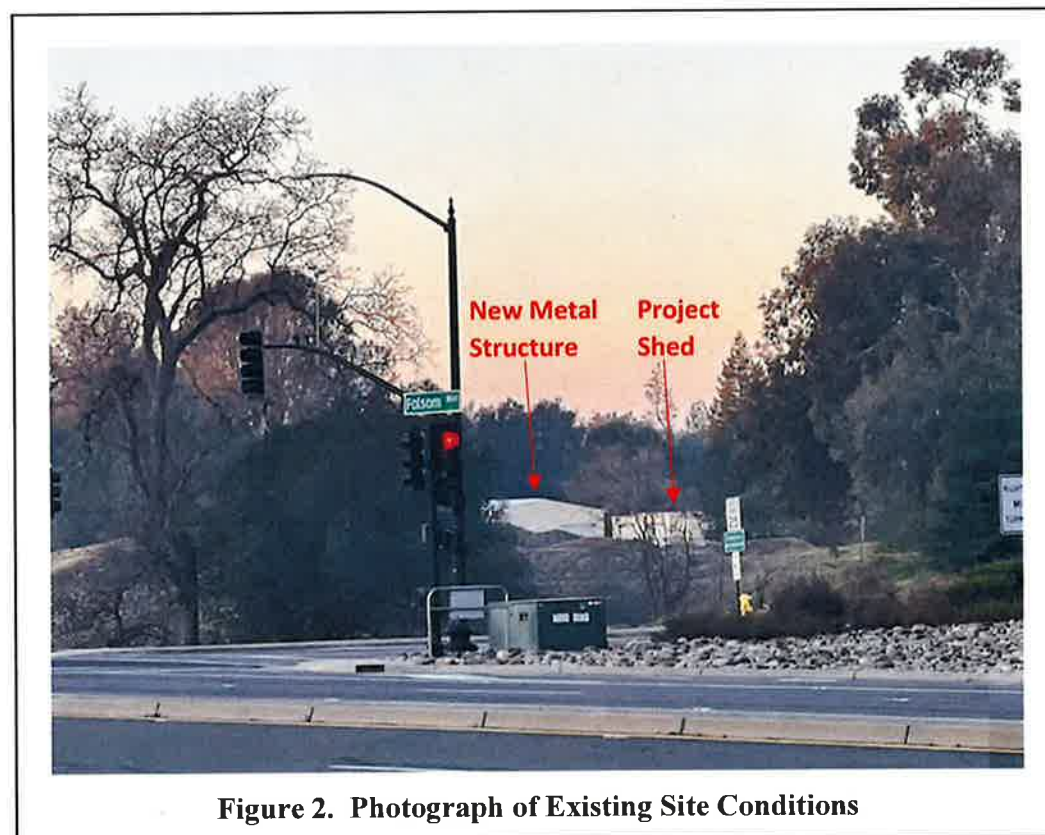


Figure 2. Photograph of Existing Site Conditions

## Josh Kinkade

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**From:** Bob Delp [REDACTED]  
**Sent:** Friday, September 24, 2021 10:21 AM  
**To:** Pam Johns; Josh Kinkade  
**Cc:** Sari Dierking; Elaine Andersen  
**Subject:** Re: Lakeside Crematorium

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

Pam and Josh:

I remain interested in receiving your input on the questions and information about the proposed crematorium requested in my emails below. The feedback I'm requesting is related to basic information about the project that is fundamental to your Department's review of the project, so it's unclear why you would not be able to easily provide it or post it to the Pending Development Applications webpage. (It is troubling, to say the least, that your Department maintains a webpage specifically named "Pending Development Applications" and yet for some reason the project application isn't posted and it seems you are unable to provide it upon request even months after an Initial Study was prepared and circulated.)

After reviewing the General Plan specifically to identify its intent for the Open Space land use designation, it is obvious that there is simply no basis for concluding that a crematorium is consistent with the General Plan Open Space land use designation. Your Department's interpretation (as presented in the April 2021 Initial Study) is incorrect and could have long-term damaging consequences regardless of the outcome of the currently proposed crematorium project. If you actually have a solid basis for your interpretation, not only would I and others in the community like to see that, but I would also request that you take that interpretation to the City Council for their concurrence in advance of further consideration of the current or any other individual cemetery or crematorium project.

You must be aware that the General Plan mentions "cemeteries" just one time (and crematoriums not at all), and that is in reference to Noise Compatibility Standards (Table SN-1) having nothing to do with land use designations. Table LU-5 of the General Plan (page 2-7) defines the Open Space designation as, "***The Open Space land use designation encompasses the preserved natural open space areas of Folsom.***" Throughout the General Plan, policies encourage development to incorporate areas of open space. No reasonable person can argue that the intent of those policies was that those open space areas could or might be used for siting a cemetery, let alone a crematorium. (Example: Policy LU 3.1.1 - "Encourage mixed-use development in nodes located at major intersections that include housing, open space, and offices." Are you prepared to argue that the expectation in that policy is that those open space areas would be eligible for siting a crematorium?)

There very well may be a need for one or more crematoriums in the Folsom area. When a particular type of land use hasn't previously been anticipated in the General Plan but the need or interest in that type land use is identified, I would think that as planners you would recognize that the City should undertake a process to assess whether that type of land use is appropriate for the City and, if so, at what location(s) in the City that type of land use might best be located. That should not be done on a individual project basis, but through a

more broad (City-wide) planning and General Plan (and perhaps also zoning code) amendment process that would engage the community and ultimately be decided by the City Council.

To avoid ramifications that go beyond a simple yes or no decision on the currently proposed crematorium, I am asking that your Department retract the April 2021 Initial Study and its incorrect interpretation of General Plan consistency. If your Department proceeds with a City-wide planning exercise to determine whether and where cemeteries and/or crematoriums should be eligible for siting, please include me in your public notices for that process.

Thank you,  
-Bob Delp

BCC: Delp Interested Parties List

Bob Delp  
916 [REDACTED]  
[REDACTED]

---

**From:** Bob Delp [REDACTED]  
**Sent:** Tuesday, September 21, 2021 5:05 PM  
**To:** Pam Johns <pjohns@folsom.ca.us>; Josh Kinkade <jkinkade@folsom.ca.us>  
**Cc:** Sari Dierking <sdierking@folsom.ca.us>  
**Subject:** Re: Lakeside Crematorium

Pam and Josh:

I am still interested in receiving your feedback on the questions in my email to you on Sept 14 (below).

Additionally, can you provide the existing CUP (approvals, allowable uses, conditions, etc.) for the cemetery?

Also, I have reviewed the General Plan and do not see *any* discussion or references in the City General Plan or zoning code that suggests an intent or expectation that a crematorium is an allowable use in conjunction with designated Open Space areas, and nothing in the General Plan to indicate that even cemeteries without crematoriums are an allowable use in the Open Space land use designation (and nothing in the General Plan EIR, from which the crematorium Initial Study tiers, to suggest that crematoriums were an assumed use in Open Space or anywhere else in the City in the General Plan EIR analysis). Can you provide an explanation of staff's basis for suggesting crematoriums are an allowable use in Open Space areas and also how you interpret development of a crematorium as being acceptable in Open Space that is within a SACOG transit priority area?

Your feedback on this would be most helpful.

Thank you,  
-Bob

Bob Delp  
916 [REDACTED]  
[REDACTED]

---

**From:** Bob Delp  
**Sent:** Tuesday, September 14, 2021 11:37 AM  
**To:** Pam Johns <pjohns@folsom.ca.us>; Josh Kinkade <jkinkade@folsom.ca.us>  
**Cc:** Sari Dierking <sdierking@folsom.ca.us>  
**Subject:** Lakeside Crematorium

Hi, Pam and Josh.

I see the April 2021 Lakeside Memorial Lawn Crematorium draft IS/MND on the Pending Development Applications page, but no other information about the project is posted there. I have a few questions I'm hoping you can answer:

1. What date did the City deem the application complete?
- 2.
3. Are the project application materials available and can they be posted on the Pending Development Applications webpage?
- 4.
5. What is the status of the City's review of the project?
  
4. Are there any permit streamlining act deadlines that apply to this project?
- 5.
6. Was the IS/MND filed with the State Clearinghouse and did any agencies comment? (I don't see it on the CEQAnet database.)

Thanks in advance for any feedback you can provide.

-Bob

Bob  
916- [REDACTED]

## Josh Kinkade

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**From:** Scott Johnson  
**Sent:** Sunday, January 9, 2022 1:52 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: Crematorium  
**Attachments:** IMG\_20211108\_154501538.jpg; IMG\_20210720\_153825154\_BURST000\_COVER\_TOP.jpg

Sent from my T-Mobile 5G Device  
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**From:** breanne higgins [REDACTED]  
**Sent:** Sunday, January 9, 2022 1:32:35 PM  
**To:** Kelly Mullett <kmullett@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>  
**Subject:** Crematorium

Some people who received this message don't often get email from breannehig@gmail.com. [Learn why this is important](#)

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

Hello everyone,

I'm am writing this email to express my concerns over the potential Lakeside Memorial Lawn Crematorium within the preserves neighborhood. We are still very much opposed to this proposal.

I love this small community I live in. These people aren't just neighbors, they are friends and family. My sister, brother in law, mom, dad, husband, one year old daughter, niece and nephew, live within this community. In addition, I am 6 months pregnant. I am writing this letter for them.

We moved to folsom last year to be all together. A close family's dream come true. We watch each other's children and do daily life together. As a mother I have learned, it takes a village and the neighboring village to raise a child. This community is my neighboring village. It's truly something special.

I have worked at Mercy Hospital of Folsom for the last 12 years as a nutritionist and my husband is a RN in the Emergency Department at Mercy Hospital of San Juan. We work for this community, even through the pandemic. We risk our health and the health of our family for the community. These past two year was incredibly difficult and we sacrificed a lot.

If this crematorium is put in, we would not only be exposing ourselves to health risks at work, but now at home. Where would our sanctuary be?

We are a working class community, with many public servants living here: healthcare workers, law enforcement, retired fireman and military, just to name a few.

Now is the time for the community to pay it forward. Please protect our neighborhood, my babies, my family and friends from this crematorium. Put it outside city limits, away from not only my community, but others as well. Put it in a designated area. Let's protect each other.

The bad air quality, it's the top concern. Contaminated air will be surrounding this neighborhood, causing potential health related issues to our children, elderly and vulnerable population. I worry about any emissions this crematory will expel into the air. Can my children's health really be guaranteed? Can you guarantee that? Should they have to live and play in a area where they watch bodies being burned?

"White" smoke in the sky, indicating they are in the process of burning a body. I don't want that for my children or their friends in the neighborhood.

This is a neighborhood that the kids play outside together. "Like the good old days" the kids ride bikes, go to the park, scooter around the block. They aren't inside on the computer, they don't have phones, they aren't playing video games. I'm very proud of that. Kids being kids - it's a beautiful thing. If this crematorium is put in, I worry about the kids being outside. Running around breathing in the contaminates or not being allowed to play outside during certain days/hours. What will the kids do?? My guess is go to electronics, which is disappointing.

As a neighborhood we are rallying together to try and stop this proposal from going any further. We were strong and will continue to fight for our friends and family.

I ask for your help in preventing this crematorium from coming into our neighborhood. I ask you to help protect my family and our health.

This crematory should not be in a or near a residential area. It should be in a industrial zone, not in open space. We were already lied to once by Igor. They have submitted an addendum to the proposal and have increased the daily rate from 400 lbs to 800 lbs a day of human remains. Will this continue to increase? What else will be adjusted?

I thank you for taking the time to read this. I have attached a picture of my baby Greta with her cousins. They are on their grandmother's front yard (please note the cemetery/potential crematory directly in the background) which is three houses down from mine.

[Show quoted text](#)

## Josh Kinkade

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**From:** Kelly Mullett  
**Sent:** Wednesday, July 21, 2021 8:32 AM  
**To:** Josh Kinkade  
**Subject:** FW: Crematorium  
**Attachments:** IMG\_20210720\_153825154\_BURST000\_COVER\_TOP.jpg

FYI

### Kelly Mullett

*Administrative Assistant*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6231  
F: 916.355.7274



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**From:** breanne higgins [REDACTED]  
**Sent:** Tuesday, July 20, 2021 9:16 PM  
**To:** Kelly Mullett <kmullett@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>  
**Subject:** Crematorium

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Hello everyone,

I'm am writing this email to express my concerns over the potential Lakeside Memorial Lawn Crematorium within the preserves neighborhood.

I love this small community I live in. These people aren't just neighbors, they are friends and family. My sister, brother in law, mom, dad, husband, one year old daughter, niece and nephew, live within this community. I am writing this letter for them.

We moved to folsom last year to be all together. A close family's dream come true. We watch each other's children and do daily life together. As a new mother I have learned, it takes a village and the neighboring village to raise a child. This community is my neighboring village. It's truly something special.

I have worked at Mercy Hospital of Folsom for the last 12 years as a nutritionist and my husband is a RN in the Emergency Department at Mercy Hospital of San Juan. We work for this community, even through the pandemic. We



risk our health and the health of our family for the community. This past year was incredibly difficult and we sacrificed a lot.

If this crematorium is put in, we would not only be exposing ourselves to health risks at work, but now at home. Where would our sanctuary be?

We are a working class community, with many public servants living here: healthcare workers, law enforcement, retired fireman and military, just to name a few.

Now is the time for the community to pay it forward. Please protect our neighborhood, my baby, my family and friends from this crematorium. Put it outside city limits, away from not only my community, but others as well. Put it in a designated area. Let's protect each other.

The bad air quality, it's the top concern. Contaminated air will be surrounding this neighborhood, causing potential health related issues to our children, elderly and vulnerable population. I believe a third party report still needs to be done?

As I consider having a second child, I am fearful of being pregnant and breathing in the contaminated air. What would it do to my unborn baby? I would have to move. How could I take such a chance? Too risky.

This is a neighborhood that the kids play outside together. "Like the good old days" the kids ride bikes, go to the park, scooter around the block. They aren't inside on the computer, they don't have phones, they aren't playing video games. I'm very proud of that. Kids being kids - it's a beautiful thing. If this crematorium is put in, I worry about the kids being outside. Running around breathing in the contaminates or not being allowed to play outside during certain days/hours. What will the kids do?? My guess is go to electronics, which is disappointing.

I ask for your help in preventing this crematorium from coming into our neighborhood. I ask you to help protect my family and our health.

I thank you for taking the time to read this. I have attached a picture of my baby Greta with her cousins. They are on their grandmother's front yard (please note the cemetery directly in the background) which is three houses down from mine.

With much appreciation,  
Breanne Higgins

## Josh Kinkade

---

**From:** Kelly Mullett  
**Sent:** Wednesday, July 21, 2021 8:32 AM  
**To:** Josh Kinkade  
**Subject:** FW: Crematorium  
**Attachments:** IMG\_20210720\_153825154\_BURST000\_COVER\_TOP.jpg

FYI

### Kelly Mullett

*Administrative Assistant*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6231  
F: 916.355.7274



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**From:** breanne higgins [REDACTED]  
**Sent:** Tuesday, July 20, 2021 9:16 PM  
**To:** Kelly Mullett <kmullett@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; Scott Johnson <sjohnson@folsom.ca.us>  
**Subject:** Crematorium

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We moved to folsom last year to be all together. A close family's dream come true. We watch each other's children and do daily life together. As a new mother I have learned, it takes a village and the neighboring village to raise a child. This community is my neighboring village. It's truly something special.

I have worked at Mercy Hospital of Folsom for the last 12 years as a nutritionist and my husband is a RN in the Emergency Department at Mercy Hospital of San Juan. We work for this community, even through the pandemic. We

risk our health and the health of our family for the community. This past year was incredibly difficult and we sacrificed a lot.

If this crematorium is put in, we would not only be exposing ourselves to health risks at work, but now at home. Where would our sanctuary be?

We are a working class community, with many public servants living here: healthcare workers, law enforcement, retired fireman and military, just to name a few.

Now is the time for the community to pay it forward. Please protect our neighborhood, my baby, my family and friends from this crematorium. Put it outside city limits, away from not only my community, but others as well. Put it in a designated area. Let's protect each other.

The bad air quality, it's the top concern. Contaminated air will be surrounding this neighborhood, causing potential health related issues to our children, elderly and vulnerable population. I believe a third party report still needs to be done?

As I consider having a second child, I am fearful of being pregnant and breathing in the contaminated air. What would it do to my unborn baby? I would have to move. How could I take such a chance? Too risky.

This is a neighborhood that the kids play outside together. "Like the good old days" the kids ride bikes, go to the park, scooter around the block. They aren't inside on the computer, they don't have phones, they aren't playing video games. I'm very proud of that. Kids being kids - it's a beautiful thing. If this crematorium is put in, I worry about the kids being outside. Running around breathing in the contaminates or not being allowed to play outside during certain days/hours. What will the kids do?? My guess is go to electronics, which is disappointing.

I ask for your help in preventing this crematorium from coming into our neighborhood. I ask you to help protect my family and our health.

I thank you for taking the time to read this. I have attached a picture of my baby Greta with her cousins. They are on their grandmother's front yard (please note the cemetery directly in the background) which is three houses down from mine.

With much appreciation,  
Breanne Higgins



## Josh Kinkade

---

**From:** Kelly Mullett  
**Sent:** Tuesday, August 3, 2021 8:21 AM  
**To:** Josh Kinkade  
**Subject:** FW: Folsom Crematorium

FYI

### Kelly Mullett

*Administrative Assistant*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6231  
F: 916.355.7274



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**From:** Brian Paciotti [REDACTED]  
**Sent:** Monday, August 2, 2021 6:32 PM  
**To:** Kelly Mullett <[kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us)>  
**Subject:** Folsom Crematorium

You don't often get email from [bmpaciotti@gmail.com](mailto:bmpaciotti@gmail.com). [Learn why this is important](#)

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

Dear Folsom Historic District,

I live with the Preserve neighborhood, and I recently learned from my neighbors that the Lakeside Memorial Lawn (owned by the Caring Service Group) has applied for a conditional use permit to install a crematory on the grounds.

I live at [REDACTED] Young Wo Circle. The region where the crematory will sit (currently a shed) is within about 400-500 feet from our home. My wife Dawn, and our twelve-year-old son Austin, have lived here for 12 years—we enjoy the lake, our wonderful neighbors, and the Folsom historical areas nearby. The Chinese cemetery in our neighborhood is an awesome tribute to the past Chinese immigrants. Unsurprisingly, we prefer our current situation, and we prefer to not smell or breathe the output from the crematorium. Although our personal situation is obviously important to our family (me), the message of this letter concerns the greater public good of conserving history and ecological landscapes (us).

I understand the societal need for crematoriums—we need them. However, it makes more sense as a community to keep industrial operations separate from neighborhoods, historical regions, and precious ecological reserves. There are societies that have chosen a hands-off approach to regulation. In one large US city, I recall seeing a brothel, chemical plant, churches, and residences all in the same neighborhood. Folsom is not like this at all—we have a planned community that includes some of the best parks, bike paths, historical districts, and neighborhoods in the country. Thus, people move to Folsom and will continue to move here in the future due to our desirable planned community.


Yet what will residents think if they internalize the brand of “distinctive by nature”, come to enjoy our historical district, and then learn that the city allowed an unattractive industrial process to occur directly in the heart of the most precious area of the city?

I strongly believe that the Folsom Historical District and others need to work together to ensure that our city follows its brand—we are distinctive by nature. Moreover, we are distinctive by our historical treasures. Let us work together to live our distinctive and precious brand.

Best,

Brian Paciotti

Ph.D. Ecology, UC Davis. M.S. Healthcare Informatics, UC Davis Medical Center

 Young Wo Circle

Folsom, CA 95630

January 30, 2022

Dear Folsom Historic District,

I live with the Preserve neighborhood, and I recently learned from my neighbors that the Lakeside Memorial Lawn (owned by the Caring Service Group) has applied for a conditional use permit to install a crematory on the grounds.

I live at [REDACTED] Young Wo Circle. The region where the crematory will sit (currently a shed) is within about 400-500 feet from our home. My wife Dawn, and our twelve-year-old son Austin, have lived here for 12 years—we enjoy the lake, our wonderful neighbors, and the Folsom historical areas nearby. The Chinese cemetery in our neighborhood is an awesome tribute to the past Chinese immigrants. Unsurprisingly, we prefer our current situation, and we prefer to not smell or breath the output from the crematorium. Although our personal situation is obviously import to our family (me), the message of this letter concerns the greater public good of conserving history and ecological landscapes (us).

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Yet what will residents think if they internalize the brand of “distinctive by nature”, come to enjoy our historical district, and then learn that the city allowed an unattractive industrial process to occur directly in the heart of the most precious area of the city?

I strongly believe that the Folsom Historical District and others need to work together to ensure that our city follows its brand—we are distinctive by nature. Moreover, we are distinctive by our historical treasures. Let us work together to live our distinctive and precious brand.

Best,

Brian Paciotti

Ph.D. Ecology, UC Davis. M.S. Healthcare Informatics, UC Davis Medical Center

[REDACTED] Young Wo Circle

Folsom, CA 95630

**From:** Elaine Andersen  
**To:** Josh Kinkade  
**Subject:** FW: Crematorium  
**Date:** Tuesday, February 1, 2022 9:45:51 AM

---

**From:** carol hart [REDACTED]  
**Sent:** Tuesday, February 1, 2022 9:45 AM  
**To:** kerri@atlanticcorrosionengineers.com; Elaine Andersen <eandersen@folsom.ca.us>; rrrodriguez@folsom.ca.us; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>  
**Subject:** Crematorium

You don't often get email from [REDACTED] [Learn why this is important](#)

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

Dear Members of the Folsom City Board,

I am a resident of Folsom Preserve. I live close to where the proposed crematorium would be built. I oppose this plan, because of the

the danger to our air quality. I am most concerned for our children, who play outdoors, and could be harmed by increased poor air

quality. This community strongly opposes the crematorium, and agrees that it should be built elsewhere. Certainly there are other

more open areas where this could be built...far away from communities. If you have not visited our community to see how close our

homes are to the cemetery, I would ask you to do so.

Thank you,

Carol Hart  
[REDACTED] Young Wo Circle  
Folsom, CA 95630





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## Central Valley Regional Water Quality Control Board

7 February 2022

Josh Kinkade  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630  
[jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us)

### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, LAKESIDE MEMORIAL LAWN CREMATORIUM PROJECT, SCH#2022010039, SACRAMENTO COUNTY**

Pursuant to the State Clearinghouse's 5 January 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Lakeside Memorial Lawn Crematorium Project, located in Sacramento County.

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.

#### **I. Regulatory Setting**

##### **Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

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DENISE KADARA, ACTING CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/)

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act

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<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage

under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

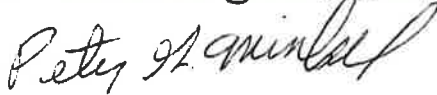
If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.



Peter G. Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento



**CHINESE  
HISTORICAL  
SOCIETY of  
AMERICA**

Chinese Historical Society of America  
965 Clay Street  
San Francisco, CA 94108  
Phone: (415) 391-1188 x101  
Fax: (415) 391-1150  
Email: info@chsa.org

September 1, 2021

Historic District Commissioners  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630  
Memorial Lawn Crematorium,

RE: Lakeside

Project Number: PN 19-182

Dear Historic District Commissioners:

Thank you for giving the Chinese Historical Society of America (CHSA) the opportunity to comment on the above-proposed project. CHSA is a non-profit organization the Mission of which is to *“collect, preserve, and illuminate the history of Chinese in America by serving as a center for research, scholarship and learning to inspire a greater appreciation for, and knowledge of, their collective experience through exhibitions, public programs, and any other means for reaching the widest audience.”* CHSA is the oldest Chinese historical society in America and maintains a museum concerning Chinese history and culture in San Francisco. By way of this letter, CHSA wishes to voice its strong opposition to the Lakeside Memorial Lawn Crematorium Project.

Our position on the Helix Initial Study (IS) and Mitigated Negative Declaration (MND), adopted by the City of Folsom, is that the IS and MND do not adequately consider the planning, implementation and operation of the Crematorium Project. For example, the following cultural resources were not identified or evaluated: that the Chung Wah Cemetery has been placed on the National Register and California State Register of Historic Places; that the Young Wo Chinese Cemetery has been placed on the California Registry of Historic Points of Interest; and that, in addition, both Cemeteries have been being placed on the Sacramento County Cemetery Commission's Registry of Pioneer Cemeteries. The integrity of these culturally unique cemeteries are of historical and archaeological importance to a specific time in history: the building of Folsom, the establishment of the State of California, and the opening up of the West.

Also, the Helix IS/MND does not discuss the indirect social changes the crematorium's operation would have on people's perception of spiritual worship in the Chung Wah and Young Wo Cemeteries, resulting in an unfortunate modern misinterpretation of historic spiritual and religious practices.

But fortunately, Folsom's Chinese community is well aware of this issue. For example,



on September 27, 2002 Ms. June Chan submitted written public comment on an earlier Crematorium Project application made by the Miller Funeral Home, a prior owner of the Lakeside Memorial Lawn Cemetery. (Her letter appears on page 68 of the 01.15.03 Folsom Historic District Commission Staff Report.)

Ms. Chan expressed fears that the crematorium's operational impact could cause a social change in the perception of the Chung Wah and Young Wo Cemeteries. Ms. Chan's letter questioned how the crematorium's operations could be reconciled alongside the Chung Wah Cemetery in order to ensure the Chung Wah's historical and archaeological integrity, "Because of cremated ashes in the air – either from the crematorium chimney; when ashes are put/poured into a container; through clean-up of ash residue waste disposal or cleaning up of interior crematorium – the potential impact over time would be significant to both Chung Wah Memorial Cemetery and Young Wo Memorial Cemetery. Remnant ashes that are at the crematorium will be in the air and with the winds will have to land someplace such as the Chinese burial mounds."

In her letter Ms. Chan asserts that any disturbance by the proposed Crematorium's operations (ashes, smoke, or the thought of ashes and smoke) on her ancestors graves would affect her, and other Chinese descendants, in a very spiritual way. "These circa Chinese Gold Rush cemeteries for their descendants today, continue to be held in solemn spiritual reverence and profound sacred esteem for those inter(n)red eternally." Local historians estimate that there are between 250-600 Chinese pioneers buried at the Chung Wah Cemetery.

The crematorium applicant has applied for a Conditional Use Permit (CUP), to build and operate a crematorium in a Conservation/Open Space zone. However, cremation was not consistent with Chinese funerary customs and practice. Also, and as noted in the Findings of the old 01.15.03 Folsom Historic District Commission Staff Report at page 4, cremation was not an integral part of Gold Rush pioneer cemetery customs, either. Still further, and as also noted in that 01.15.03 Staff Report, a crematorium is not aligned with the Folsom Historic District Design and Development Guidelines, or with Folsom's General Plan Conservation/Open Space zoning.

On December 5, 1988 CHSA participated, along with Ms. June Chan, in the City of Folsom's dedication of the Young Wo Cemetery. A bronze marker at the entrance to the Young Wo Cemetery reads in part:

*"The Young Wo Cemetery 1883-1925 ...Buried here are Chinese pioneers who struggled for economic survival and human dignity and in so doing helped build Folsom and the West."*

Thank you for considering CHSA's comments. For the reasons stated above, CHSA believes that the 2021 Lakeside Memorial Lawn Crematorium Project should be denied and



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request that this letter be entered into the Public Comment record for consideration by the Historic District Commission and any other public bodies which may consider this matter.

Very Truly Yours,

**Justin Hoover**  
Executive Director  
Chinese Historical Society of America

Cc: Mr. Josh Kincade, Project Planner      [jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us)  
Mr. Steve Banks, Principal Planner      [sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)  
Mr. **Scott Johnson**, Planning Manager      [sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)



## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Monday, February 7, 2022 6:50 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: Proposal for crematorium in Folsom

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**From:** Christine Holmes [REDACTED]  
**Sent:** Monday, February 7, 2022 6:48:29 PM  
**To:** Christine Holmes [REDACTED]  
**Cc:** kerri@atlanticcorrosionengineers.com <kerri@atlanticcorrosionengineers.com>; Scott Johnson <sjohnson@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; kcolepolicy@gmail.com <kcolepolicy@gmail.com>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; justin@revolutionsdocs.com <justin@revolutionsdocs.com>; danwestmit@yahoo.com <danwestmit@yahoo.com>; ankhelyi@comcast.net <ankhelyi@comcast.net>; johnfelts@e55tech.com <johnfelts@e55tech.com>; Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** Re: Proposal for crematorium in Folsom

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Regarding the metals and pollutants I referenced:

In addition to harmless compounds such as water vapor, emissions include carbon dioxide, carbon monoxide, nitrogen oxide, sulphur dioxide, hydrogen chloride gas, hydrogen fluoride, mercury vapour . Organic compounds such as benzenes, furans, acetone are also emitted and these react with the hydrogen chloride and hydrogen fluoride under combustion conditions to form polychlorinated dibenzodioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs) both of which are carcinogens. **A study by the Cremation Association of North America has found that filtering crematorium fumes has little effect on the toxins released.**

Sent from iCloud

On Feb 7, 2022, at 6:40 PM, Christine Holmes [REDACTED] wrote:

Dear City Planning Officials and Council Members:

I am adamantly opposed to the crematorium proposed by Lakeside Memorial. I bike and hike that area frequently, and I also enjoy visiting historic downtown Folsom, sitting outside and having a lovely meal and beverage. A facility such as is proposed would certainly negatively affect my enjoyment of my city and the

very thought of traces of metals and chemical pollutants' effects on Lake Natoma and the American River are horrifying and sad. Our waterways are already so threatened and struggling. But there are so many more reasons not to allow this to go forward.

### **A CREMATORIUM WOULD BE A NONCONFORMING USE OF ZONED OPEN SPACE, DESIGNATED HISTORICAL SITES.**

The proposed crematorium would be installed and operated in designated open space that is **not zoned for commercial, industrial use, within 600 feet of residential homes**. By definition open space zoning districts **maintain community open space resources for purposes ranging from conservation, to preserving community land use options**. Thousands of families, children, park visitors, trail and lake users will be inequitably impacted by **nonconforming use** of the zoned land. This proposed industrial function will be conducted on and next to nationally registered historical sites and has disregarded the National Chinese Historical Society's history with the grounds. This effort will harm the living to profit off of the dead.

### **AIR QUALITY, SMELL, PARTICULATE MATTER, FIRE RISK WILL MAKE HISTORY.**

The Folsom Historic District is treasured for its legacy of community, architecture, and natural appeal. Poor air quality, smell, increased fire risk, and toxic particulate matter will cause **lasting damage on the physical, environmental and fiscal health** of our community. According to the Sacramento County's Air Quality Management District, the crematorium would be self-regulated, with **the County having very little oversight no oversight of the mercury-based emissions**. Visually, the metal shed that will be used for cremation, the resulting smoke and heat waves are incredibly **out of character** for the Historic District. Each individual's senses are different and scent may be detected for miles, even if not visible. A permanent pollutant, foul smell and toxins will leave a damaged legacy. The increased fire risk created by the proposed 500 gallon propane tanks puts hundreds of residents who rely on a singular evacuation point in grave danger.

### **TOXICITY LEVELS WILL BE UNSAFE FOR CHILDREN, ELDERLY AND THE VULNERABLE.**

The Initial Study by HELIX Environmental Planning, Inc. notates levels for harmful toxins including chromium, mercury, and organics. Our local experts have warned that such toxins become the **most dangerous when vaporized**. The smaller the particulate matter, the more dangerous it becomes. The report designates the levels as "not significant." This applies **only** to average, healthy adults. The Study **fails** to report significant and potentially deadly levels for **unborn children, developing children, elderly, and those with existing health conditions** in the neighboring community. Particulate matter (PM) identified in the study was based on measures taken at the Executive Airport in Sacramento--not in Folsom. As machinery ages, particulate matter released can quickly become "very unhealthy" by air quality standards and pollution at that

level calls for limited and short outdoor activities. There has not been a full Environmental Impact Study (EIR) conducted to date to inform the conditions to be considered. There are serious concerns about the daily impact on air quality in the Historic District posing a serious threat to those with heart and lung conditions, unborn and developing children, teens, and older adults. Shifting wind patterns will impact Sutter Street visitors and business, and recreational areas along Natoma Lake and the surrounding trails. Several hundred permanent residents including young children, veterans, and the elderly will have their health jeopardized.

**PLEASE PROTECT HISTORIC FOLSOM. PROTECT OUR BEAUTIFUL TRAILS. PROTECT THE LAKE AND RIVER. PROTECT THE VULNERABLE. NO CREMATORIUM.**

Sincerely,  
Christine Holmes  
[REDACTED] BONHILL DR.  
Folsom CA  
[REDACTED]

Sent from iCloud

## Josh Kinkade

---

**From:** Steven Banks  
**Sent:** Thursday, August 19, 2021 8:18 AM  
**To:** Josh Kinkade  
**Subject:** FW: Public comment regarding proposed permit for crematorium.

FYI

**From:** [REDACTED]  
**Sent:** Thursday, August 19, 2021 8:15 AM  
**To:** Steven Banks <sbanks@folsom.ca.us>; daron\_bracht@ifolsom.com; kcole@folsom.ca.us; kdewel@folsom.ca.gov; dwest@folsom.ca.gov; MAnkhelyi@folsom.ca.gov; jfelts@folsom.ca.gov; MDascallos@folsom.ca.gov; [REDACTED]  
**Subject:** Public comment regarding proposed permit for crematorium.

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Cindy Baker  
1342 Young Wo Circle  
Folsom

RE: Opposition to Proposed Crematorium in Lakeside Cemetery  
July 28, 2021

Dear Folsom Historic District Commissioners,

I'm very opposed to the plans for a crematorium being proposed on the Lakeside Cemetery property. I respect the Miller Funeral Home, although I am not familiar with the Caring Services Group chain that bought out the Claney's. Millers has buried four generations of my family and I am entrusting them to bury me as well. They take wonderful care of the cemetery grounds, one of the oldest and most beautiful historic cemeteries in northern California. Their mausoleum additions have been well executed and are a pleasure to visit. I understand the financial motivation to build a crematorium on the cemetery site, land they already own, to create a permanent income stream. However, it creates an undue burden on the people living and recreating nearby. Emissions and odors will impact our fresh air and property values will be negatively impacted.

I live just a few hundred yards from their proposed site and their project description of operations indicate they would be conducting cremations nearly every day of the year with multiple cremations daily. My house is inundated by the odor when the Kikkoman plant (which is much farther away) brews soy beans. The crematorium application exhibit showing the detection of emissions within the neighborhood, the cemetery and across Folsom Boulevard is disturbing. Their permit application was denied in recent years and all the reasoning at that time remains relevant.

Other crematoriums in the region do emit noticeable odors and emissions. I spoke recently with a retired Sacramento City Fire Department employee who told me that when the crematorium on Stockton

Boulevard incinerates a particularly obese person, they get complaint calls due to odor as a column of dark smoke rises out of the stack. As disgusting as that sounds, this would be the reality we would be forced to live with. It would be an undue burden for residents to have to breath the output nearly every day of the year. I walk daily in the neighborhood and often entertain outside. I certainly don't want to lose the enjoyment of fresh air I currently enjoy. Additionally, its presence would have to be disclosed on any sales agreement, deterring buyers and reducing property values. Even visitors to the cemetery would be exposed to the output, including myself. I frequently visit five family members buried at Lakeside, visits that would become unpleasant if there are emissions blowing where the applicant's detection maps indicate.

I think it's critical that Millers Funeral Home find a more appropriate location in an area zoned for industrial or commercial use. I believe building a crematorium within yards of homes, the historic cemeteries (Lakeside and Chung Wah) and Lake Natoma State Park space is inappropriate and has too negative an impact on local residents. This project benefits only the funeral home, while negatively impacting the community.

Sincerely,  
Cindy Baker

***Cindy Baker***

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Sunday, January 30, 2022 1:19 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: HDC Public Hearing 2/16/22 - Public Comment re: Crematorium

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**From:** Cindy Pharis [REDACTED]  
**Sent:** Sunday, January 30, 2022 1:17:44 PM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>; Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>; Kelly Mullett <[kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us)>; kcolepolicy@gmail.com <[kcolepolicy@gmail.com](mailto:kcolepolicy@gmail.com)>; justin@revolutionsdocs.com <[justin@revolutionsdocs.com](mailto:justin@revolutionsdocs.com)>; danwestmit@yahoo.com <[danwestmit@yahoo.com](mailto:danwestmit@yahoo.com)>; ankhelyi@comcast.net <[ankhelyi@comcast.net](mailto:ankhelyi@comcast.net)>; johnfelts@e55tech.com <[johnfelts@e55tech.com](mailto:johnfelts@e55tech.com)>; m.dascallos@yahoo.com <[m.dascallos@yahoo.com](mailto:m.dascallos@yahoo.com)>  
**Subject:** HDC Public Hearing 2/16/22 - Public Comment re: Crematorium

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I oppose the proposed crematorium at the Lakeside Memorial Cemetery. I would appreciate that my comments below be read into the record during public comment:

As a longtime resident of the Folsom Historic District, I would like to express my concerns and opposition regarding the proposed crematorium at the Lakeside Memorial Cemetery. The homeowners who live within feet of the Lakeside Memorial Cemetery are actively voicing their concerns and rallying together against this proposal, I am listening to their concerns and so should you! If a crematorium were proposed in your backyard I'm sure that you would oppose it too. There are too many valid concerns regarding air quality, increased traffic, noise, nonconforming use of land and zoning, and long term affects to residents including children and the elderly.

A crematorium at this location will add more traffic to the only street that provides ingress and egress to the adjoining neighborhood and access to Folsom Blvd. This location is already impacted by the many people who enjoy the trails along Lake Natoma. The future growth of the Corporation Yard's existing property is also a concern that should be considered before adding more growth, noise, and pollution to an already overburdened residential community that lies within feet of this proposed crematorium.

Please consider the residents who are loyal, tax paying citizens who deserve the respect from our City representatives. We rely on you to hear our concerns and to be our voices when making the right decisions that affect our lives, our future and our property here in Folsom. Please vote "No" on the crematorium.

Cindy Pharis  
Folsom Historic District Resident  
HFRA Board Member

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Friday, January 14, 2022 2:45 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: Lakeside Memorial Lawn crematory

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**From:** Daniel Winkelman [REDACTED]  
**Sent:** Friday, January 14, 2022 2:35:05 PM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>  
**Subject:** Lakeside Memorial Lawn crematory

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Folsom Historic District Commissioners

I implore you to deny approval of the proposed Lakeside Memorial Lawn crematory.


My two concerns:

I live directly adjacent to the cemetery and have grave concerns about what effect fumes from the crematory will have on my health. Burning 800 lbs of human remains each day in a residential neighborhood is deplorable. No matter what claims of air filtration for the crematory, some undetected harmful chemical is bound to be passed into the air and on to my property

Two large capacity propane tanks are proposed for the project. They will be placed in an urban/wilderness interface area vulnerable to high heat fires. The tanks would be in constant threat of a BLEVE fire. (boiling liquid expanding vapor explosion). These propane tank fires have an explosive force capable of hurling a car into our neighborhood.

Please vote to stop this project,

Daniel Winkelman

 Young Wo Circle

Folsom, CA 95630



**From:** [Elaine Andersen](#)  
**To:** [Josh Kinkade](#)  
**Subject:** FW: Proposed crematorium at Lakeside Cemetery  
**Date:** Monday, February 7, 2022 7:15:36 AM

---

-----Original Message-----

From: Daniel Shively [REDACTED] >  
Sent: Sunday, February 6, 2022 5:19 PM  
To: Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>; Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>; Kelly Mullett <[kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us)>; kcolepolicy@folsom.ca.us; [justin@revolutionsdocs.com](mailto:justin@revolutionsdocs.com); [danwestmit@yahoo.com](mailto:danwestmit@yahoo.com); [ankhelyi@comcast.net](mailto:ankhelyi@comcast.net); [johnfelts@e55tech.com](mailto:johnfelts@e55tech.com); [m.dascallos@yahoo.com](mailto:m.dascallos@yahoo.com); Elaine Andersen <[eandersen@folsom.ca.us](mailto:eandersen@folsom.ca.us)>; [kerry@atlanticcorrosionengineers.com](mailto:kerry@atlanticcorrosionengineers.com); Rosario Rodriguez <[rrodriguez@folsom.ca.us](mailto:rrodriguez@folsom.ca.us)>; Sarah Aquino <[saquino@folsom.ca.us](mailto:saquino@folsom.ca.us)>; [yks@folsom.ca.us](mailto:yks@folsom.ca.us); Mike Kozlowski <[mkozlowski@folsom.ca.us](mailto:mkozlowski@folsom.ca.us)>  
Subject: Proposed crematorium at Lakeside Cemetery

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Dear Sirs and Madams,

As a resident of Folsom and particularly the Preserve development, we strongly urge that you not approve the crematorium permit for the Lakeside Cemetery. We are less than a 1000 feet from the proposed crematorium and many neighbors in and out of our development are even closer. We have no problems with the idea of cremation; but this facility does not belong in a residential neighborhood. It should be placed in an industrial area away from houses and families. Many people, for various reasons, are upset at this prospect and I hope you will consider this when voting on the project. We don't want it here!

Sincerely,  
Dann and Shari Shively  
Young Wo Circle

January 11, 2022

Historic District Commissioner

Re: Lakeside Crematorium

As you are aware, The hearing for the Proposed Crematorium is February 16, 2022. You are also aware that this is a sensitive issue for the Historic District, especially the Preserve/Natoma Shores Neighborhood.

The Preserve Neighborhood is a community bound together by strong relationships and common interests. This proposed crematorium has in the last year and a half put our small community on edge and diminished our quality of life.

If you haven't been in the neighborhood for awhile I suggest you come and visit. Walk around and reacquaint yourself with the Lakeside Cemetery, Chung Wah Cemetery, Young Wo cemetery, Dredger Diggings Preserve, Veterans Hall, Murer House, Lake Natomas, our small park and of course, the Residents.

I am available anytime to act as your tour guide if you so choose.

Thanks for your time

Dave Higgins

██████████ Fong St.  
████████████████████

February 11, 2022

City Council Members  
City Manager  
Historic District Commissioners

I have read Mr. Semenyuk's "**Scope of work - Installing a Crematory**" document from the Historic Folsom Residence Association (HFRA) email I received back in December 2020. This document was not dated however it was signed by Mr. Igor Semenyuk. I also participated in a HFRA Zoom meeting on July 15, 2021 with Igor Semenyuk of Caring Service Group and Peter Hartwick from Hartwick Combustion Technologies. They informed us about "how wonderful it would be for Folsom to have it's own Crematorium."

Mr. Semenyuk talked about the need and the service he could render. He stated in the 12-2020 document;

"There are several large cultural communities residing and moving into Folsom. Regretfully, we do not have the ability nor the capability to serve the Sikh, Hindu, Buddhist or other cremation based cultures as they require an onsite crematory so they may be able to exercise their rights and customs. Currently, there is no crematory in the City of Folsom, so they must find these services outside their city."

After reviewing the revised CEQA application on page 81 "Parking and Access" third paragraph, it states:

**"As the crematorium would not be located in or near a funeral home and would be separate from any funeral services or public gatherings provided by the applicant. Access would only need to accommodate a small number of staff members with business at the site"**

In the CEQA document, section 4.0, Project Objectives, stated again is "Cultural and Religious Communities as one of four reasons to have a crematorium. Of the four objectives stated, the only one true and honest is the statement "**Upgrade existing facilities to capitalize on a business opportunity that has proven successful for the applicant elsewhere in California**"

Mr. Semenyuk and Caring Services Group will say whatever they think is necessary to get their crematorium approved and built.

If the above quote was true I would like to have Mr Semenyuk identify these large cultural groups so I would have a better understanding of their rights and customs. I have contacted the Consumer Affairs office in Sacramento and was informed in Sacramento County there are 16 crematories between downtown Sacramento and Lakeside Memorial Lawn. In addition there is 1 in Rocklin and 1 in Placerville. There are many crematories close by to serve the community. The cultural and religious requirements that Mr. Semenyuk states can be fulfilled at Mt. Vernon Cemetery in Fair Oaks 5.2 miles away. Mt. Vernon Cemetery advertises a cremation viewing suite.

There seems to be plenty of incinerators to fulfill this perceived regional need. Currently there are, 70.12% white, 17.18% asian, 5.89% two or more races, 3.41% african american living in Folsom. In my opinion, the cultural and religious community that would use a ritual cremation is comparably low compared to the combined population of Folsom. This is a marketing tactic and disingenuous on Mr. Semenyuk's and Care Service Group part.

In my notes from the Zoom meeting, Mr Semenyuk said "You will see a puff of white smoke in the beginning then heat waves". Peter Hartwick later in the Zoom meeting said "You will not see or smell anything" In the document Mr. Semenyuk wrote "there is no smoke or residue that leaves the chamber". I'm confused, which is it?? What am I going to see? Smoke, heat waves or what smell? Mr Semenyuk wants to install an incinerator. Mr Hartwick wants to sell an incinerator. It's all Business, it's about money. It's smoke and mirrors

Also in the Scope of Work document, Mr. Semenyuk states "they are designed to use less fuel, have lower NOx emissions, are NFPA compliant, meet Air Quality standards, and the components are UL listed." So is my toaster and BBQ but it still has puffs of smoke, creates heat waves, and smells. The question is by who and how it is tested. By the manufacturer or an outside entity? How often is the incinerator operationally inspected? Does it have wet scrubbers or just filters? If it has filters are the filters cleaned or are they thrown away? How are they disposed of?

In addition, the document states:

"In the event of an operational failure, the gas is immediately and automatically shut off. There is a manual switch as well. There has never been a crematory blowing up in the history of cremation".

**That is not true.** There have been dozens of reported explosions, mostly from pacemakers, within the incinerator causing damage to the Incinerators bricks, doors, and other components.

Is an explosion within the incinerator reported to the Fire Department or some other governmental agency? Will there be an inspection of the facilities after such an event by qualified service personnel or governmental agencies? Will there be a trained operator onsite during the entire cremation process? Someone to hit the manual switch when something goes wrong? What happens during a power outage or Flex Alert? Will they incinerate on "Spare the Air Days", "Red Flag" days, or our smoke filled summer wildfire days? Lots of questions and no answers.

Caring Service Group is **profit driven**, as most businesses, Their excitement for " City of Folsom will have their first Crematory" is dangerous and disingenuous. They are looking for that **competitive advantage** over their competition versus the health and well being of the community. Caring Service Group admits its "**Primary goal is to purchase funeral home business**" on their website. It's just Business.

The original application was for incinerating 200 to 400 lbs of human remains per day. Now it's 400 lbs to 800 lbs per day. Is that 7 days a week? When are they going to request a second incinerator to increase their cash flow. This project has already affected our neighborhood quality of life. This is no small town operation. This is a full fledged commercial operation that needs to be placed in a commercial setting. Remember, this land is zoned open space. Give us little guys a break.

A crematorium proposal was submitted back in 2002 by Lorin Chaney, then owner of Lakeview Memorial Cemetery and was denied by the Historic Commission on 1-15-2003. What has changed since then? It is still proposed in the same old meal shed, Crematoriums still malfunction, still have operator error, still smoke, still emit nasty odor. This project is still located in the same Zoned Open Space. We now have more residents including infants, young children and many seniors. Am I missing something? This is obviously wrong.

So, does Folsom really need an industrial **incinerator** in the **Historic District**, In a **Zoned "Open Space" designated area**, in a **historic residential neighborhood**, in a documented **"Wildland High Fire Risk"** area, near a **State Recreational Area**, near a **National Registered Historic Site** (China Mission-Chung Wuh Cemetery).

Caring Service Group and Miller Funeral Home think it would be wonderful. Really????

Thank You for your time.

David Higgins  
[REDACTED] Fong St.

December 28, 2020

My Name Is Dave Higgins. I am a member of HFRA. I live near Lakeside Memorial Lawn. I have some questions and concerns about the proposed Crematory at the Lakeside Memorial lawn.

I have read the proposal submitted to the City of Folsom by Igor Semenyuk.

My first comment comes from their "Point at Issue".

The proposal states Folsom has an estimated 450 deaths per year and an estimated 300 cremations need to be performed. That would be .82 cremations a day, present time. As the document states, "including Folsom Ranch, we need to have an on-site crematory in order to facilitate it's increase. This does not take into consideration neighboring cities and their demand for cremation services. The 300 number is not real. I foresee the facility, in time, being a very busy place processing several remains a day, increasing traffic demands ie. funeral vehicles, propane delivery trucks, service trucks, funeral patrons.

Second comment comes from their "Our Proposition"

Lakeside Memorial Lawn is near residences, 117 homes in the "Preserves Neighborhood. Some in direct view of the Lakeside Memorial Lawn. This place is not that removed from residences, as stated. In addition, there are two parks, FLSRA and the playground on Sutter St.

Also, within the section, it states Lakeside Lawn does not have a gas or sewer line. The proposal states they will be installing two propane tanks. Where, how big, how often serviced by delivery trucks? I question the no need for a sewer connection or some other sort of liquid disposal.

Third comment comes from their "Cremation Process"

I am concerned the "Shed" might not be large enough to facilitate the process. I believe the shed currently houses equipment like the backhoe, garden tractor, mowers, trailers, hand tools, and chemicals used in the care of the grounds. Is there room for all? Is another building planned?

Will the remains be transferred outside the shed from the vehicle to the crematory oven in public view or within the shed, protected from public view?

Fourth comment comes from their "Scope of Work"

There is no mention of the height of the "stack".

Living in the "Preserves" neighborhood is special. Great neighbors and community. Proximity to the treasures of Folsom. Lake Natomas, The Hike and Bike Trails, Historic Downtown Folsom, Muir House, Chinese Memorial Cemetery, Veterans Hall, and Sutter St. Play Park. They are wonderful places.

However, with all these wonderful things comes a down side. We have a lot of traffic. Muir house on weekends, FLSRA access point everyday, Veterans and delivery trucks to the Veterans Hall, Occasional City of Folsom vehicles accessing the back gate to the Crop Yard. Not to mention the ever present UPS, FedEx, and Amazon Delivery Vans.

So, It is my opinion, a Crematory at Lakeside Lawn would provide a service for the community. However, it needs to address and satisfy the concerns of the Preserves Community. If the proposal is approved, limit the number of daily cremations, limit the cremation to weekdays only. Have the proposed activity and operations away from public view. Evaluate the location and size of the shed and propane tanks. The Preserve neighborhood is basically a court, one way in one way out.

On a selfish note, I believe this could hurt our home values.

Please consider and weigh all aspects of this project. Once it's approved there is no return.

Thank You for your time.

Dave Higgins  


July 6, 2021

To: Historic District Commission  
Folsom Planning Commission

My name is David Higgins. I live at [REDACTED] Fong St, directly across the street from Lakeside Memorial Lawn Cemetery. I am opposed to having a crematory placed in my neighborhood. A crematorium should be zoned for commercial - industrial areas NOT residential areas.

I have seen the proposal submitted by Igor Semenyuk and participated in the Zoom meeting hosted by HFRA for a crematorium at Lakeside Memorial Lawn. I have several concerns about the Crematorium.

Igor Semenyuk stated the crematory would probably operate 5 to 7 times a week. I assume this would be the initial start up number. I am concerned what the actual cremation number would be for the future. 2,3,4,5 a day? 5-7 days a week?

In the initial proposal submitted and in the Zoom meeting there was no mention of any noise. I would like to know if I am going to be subjected to a constant hum or roar from the machine.

How much propane is used during a cremation process and how often will I see propane trucks servicing the tanks and smelling the propane gas when refilling.

I won't be looking forward to the increase in traffic from the vehicles delivering the bodies, service trucks, etc. Since we have only one access point in and out of this residential area, we already live with a large amount of traffic and congestion from light rail.

Igor Semenyuk stated the only smoke emitted is at the beginning of the process when a "puff of white vapor is released." After researching crematoriums online I saw some disturbing videos of "white vapor" being exhausted out of crematorium stacks. Please see the links enclosed.

<https://www.palmbeachpost.com/article/20150716/NEWS/812066867>

[https://www.weatherforddemocrat.com/opinion/letters\\_to\\_the\\_editor/the-crematorium-next-to-my-home/article\\_71e6f13d-ddaf-5f7c-a7fc-e057b98a1efc.html](https://www.weatherforddemocrat.com/opinion/letters_to_the_editor/the-crematorium-next-to-my-home/article_71e6f13d-ddaf-5f7c-a7fc-e057b98a1efc.html)

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1279940/>

[https://mountainx.com/news/community-news/crematorium\\_smoke\\_triggers\\_complaints/](https://mountainx.com/news/community-news/crematorium_smoke_triggers_complaints/)



▣ OKC Crematorium Operating at Night "Dusting" Residential Neighborhoods

▣ Crematorium fires up in NE Portland

▣ Scottsdale neighborhood concerned about increased cremation smoke

<https://www.latimes.com/archives/la-xpm-2007-dec-26-na-cremate26-story.html>

Will there always be an operator on site during the process to shutdown the machine if a malfunction arises?

In researching who regulates and inspects crematoriums the information is rather vague. The Federal Trade Commission regulates the funeral industry, however, it does not oversee crematoriums. Nobody seems to. It appears they are under the radar. So, is the fox guarding the hen house? Do we just trust they are going to do the right thing? I don't think so. The moment it is installed, it's there forever.

Speculation arises from the air quality. Can't find a definitive answer here either. Mercury from teething fillings, chemicals from embalmed bodies, medical prosthesis (pace makers), chemotherapy and radiation by-products from cancer patients. Are any of these materials released into the air or are they consumed 100% by the fire.

My home is approximately 575 feet from the proposed crematorium. Other homes are as close as 450 feet. Not very far. I suspect the smoke stack will be visible from my porch. I believe some of my neighbors will also have a view of the smoke stack.

Lakeside Memorial Lawn also shares this small neighborhood with the Chinese Cemetery, Veterans Hall, Muir House, access to the State Rec area and a quaint park and playground. It is my opinion all these facilities will be impacted. I also believe the crematorium will affect our property values.

Please don't allow the crematorium in our residential area. It belongs in a commercial-Industrial area. Would you like it in your neighborhood?

Thank You for your time,

David Higgins

## Josh Kinkade

---

**From:** Elaine Andersen  
**Sent:** Sunday, August 8, 2021 11:36 AM  
**To:** Josh Kinkade  
**Subject:** FW: No to the Crematorium

**From:** david higgins [REDACTED]  
**Sent:** Sunday, August 8, 2021 8:55 AM  
**To:** daronbr@pacbell.net; danwestmit@yahoo.com; ankhelyi@comcast.net; kcolepolicy@gmail.com; kevin.duewel@gmail.com; m.dascallos@yahoo.com; johnfelts@e55tech.com; Scott Johnson <sjohnson@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; kerri@atlanticcorrosionengineers.com; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** No to the Crematorium

Some people who received this message don't often get email from [dh441568@gmail.com](mailto:dh441568@gmail.com). [Learn why this is important](#)

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

August 8, 2021

Folsom Historic Commission  
Folsom Planning Department

My name is Dave Higgins, I am a retired Fire Captain from the City of Fremont, Ca. with over 30 years of experience, 10 of which I was a member of the HazMat Response Team. I live next to Lakeside Memorial Lawn where the proposed crematorium is planned. I am writing to express my concerns.

My concern centers around the two 250 gallon propane tanks proposed. This proposed facility is 30 feet from the Open Space/Wildland Zoned part of Folsom. 600 feet from my house. Should these tanks be exposed to fire, physical damage, or vandalism this neighborhood would be in serious trouble. Protection of the tanks, in my opinion, would be difficult.

There is a fire hydrant on the street at the entrance to Lakeside Memorial Lawn. The distance from the hydrant to the old shed is approximately 650 feet. The driveway, one way in and out is narrow, however, it could support two pieces of apparatus if not blocked by fire hose or parked vehicles. Clear access to the tanks would be difficult because of the tanks location. The tanks will be blocked by a fence, shrubbery, and trees. Placement of hoselines to reach the tanks could prove hazardous for firefighters.

Propane being a compressed gas expands 270:1 when released. This vapor is heavier than air and will creep along the ground and settle in low pockets. Should a leak occur at night a large section of the Preserve Neighborhood could be impacted. The Preserves Neighborhood has one access / exit corridor that passes directly in front of Lakeside Memorial Lawn. Should an event occur not all of the residents are getting out.

According to the “**City of Folsom Community Wildfire Protection Plan**” dated April 2013, The Sacramento County Multi-Hazard Mitigation Plan identifies Folsom as having the greatest density of housing subject to wildfire in Sacramento County. (page 5)

Folsom is a registered community at risk. The Folsom Fire Department has identified the greatest threat to the community from fire would be a fast moving wildfire in the brush and oak woodland fuel bed that line the American River where it flows through Folsom. (page 6)

The City of Folsom also has the responsibility to insure future planning and zoning decisions for development adjacent to open space areas including sufficient provisions for the clearance required to protect new and future structures. These provisions may include adequate setbacks, buffer areas, or other measures to reduce the wildfire risks. (page 7) In my opinion, the authors of this document overlooked the “City of Folsom Community Wildfire Plan”. The Negative Declaration states, page 61, “The project is not located in or near a State Responsibility Area or in a Very High Fire Hazard Severity Zone ( Calfire2020;csg2020)”. On page 92, “Environmental Setting”, “The project site is not located in or near a state responsibility area or lands classified as a very high fire hazard severity zone”. It seems the

Negative Declaration overlooked or failed to seek out all relative information as to the fire hazards in the area.

In the past couple of months there have been several grass/wildland fire incidents in Folsom and within the Lake Natoma Recreation area.

- On June 2, 2021 storage shed at Negro Bar and the exterior of the Cliff House Restaurant was set on fire.
- On June 5, 2021, 3.5 acres was burned off Prairie City Road near the transient encampment.
- On July 7, 2021 encampment fire near Blue Ravine and Sibley.
- On July 16, 2021 several acres of vegetation burned in the Humbug-Willow Creek with reported difficulty accessing.
- On July 23, Folsom Fire Department requested the City to declare a “Local Fire Emergency” .  
Already this year, 47 brush fires, majority human caused.

Several times I have witnessed transient activity at the lake and in the nearby woodlands. I believe a fire from a transient camp or vandalism could impact the propane tanks. 500 gallons of propane is a lot of propane for a residential neighborhood with limited access.

I am not opposed to crematoriums. I am opposed to crematoriums in residential neighborhoods. “Folsom Distinctive by Nature”. This project belongs in a commercial industrial zoned area.

Thank You for your time,

Dave Higgins  


## **Propane Tank Hazards**

*Miscellaneous Fireline Hazards*

Liquefied Propane Gas (LPG) tanks are commonly found in the wildland-urban interface and present hazards to firefighters in that environment. LPG tanks may be found in a number of other environments such as motor homes,

travel trailers, grills, camp stoves, lanterns, etc. Directly attacking LPG tank fires is a structural fire task involving hazardous materials and should only be attempted by trained personnel using full structural personal protective



equipment and equipped with a volume of water adequate to safely attack the fire.

### ☐ Boiling Liquid Expanding Vapor Explosions (BLEVE)

· The most recognized hazard with LPG tanks is BLEVE (Boiling Liquid Expanding Vapor Explosions) or sudden complete failure of the tank. Some training courses have directed responders to approach the tank from the sides, believing that the force of the explosion will occur on the ends of the tank. However, this is not a guarantee that you will be safe from projectiles or missiles from the explosion, as they may travel in ALL directions up to 2,500 feet away. Leave the area immediately if you smell propane; hear a rising sound from venting safety devices or see discoloration or deformation of the tank. If you leave the area, get at least 2,500 feet away and do not go down wind or down slope of the leaking propane. BLEVEs are a major hazard to emergency responders!

### ☐ Fuel Reduction Around Tanks

· Wildland firefighters may take action to prevent direct flame impingement on LPG tanks by removing wildland fuels in the area. However, be aware that lines from the tank to structures may be above or below ground, and may be cut by tools or equipment. Propane gas is heavier than air, and may move along the ground at some distance, and may be ignited when it reaches open flame or another ignition source. Use extreme caution when doing fuel reduction around tanks, and flag any lines you encounter.

### ☐ Other Wildland Fire Considerations

· Do not position engines or other apparatus near LPG tanks or downwind / down slope from tanks.  
· Do not deploy fire shelters near LPG tanks or downwind / down slope from tanks. ☐ Cooling Tanks

· In light fuels such as grasses, where any heat exposure to the tank will be very limited, rapid application of cooling water on the outside of the tank above the liquid level can reduce the likelihood of container failure by lowering the external temperature of the shell of the exposed tank. Water should not be directed at the valve safety devices, due to the potential of "icing" the valve closed.

· In heavy fuels where long duration heat exposure to the LPG tank is likely, evacuate all personnel and equipment 2,500 feet away and not down slope or down wind. NFPA says that direct flame impingement protection requires water flow of at least 500 gpm from an unmanned monitor nozzle. This is a situation for properly trained, equipped and supported structural firefighters.

References: [Propane Safety Web Site](#), [NIOSH Web Site](#), [National Propane Gas Association's Web Site](#), [NFPA Web Site](#)

**Have an idea? Have feedback? Share it.**

EMAIL | Facebook | MAIL: 6 Minutes for Safety Subcommittee • 3833 S. Development Ave • Boise, ID 83705 | FAX: 208-387-5250

February 4, 2022

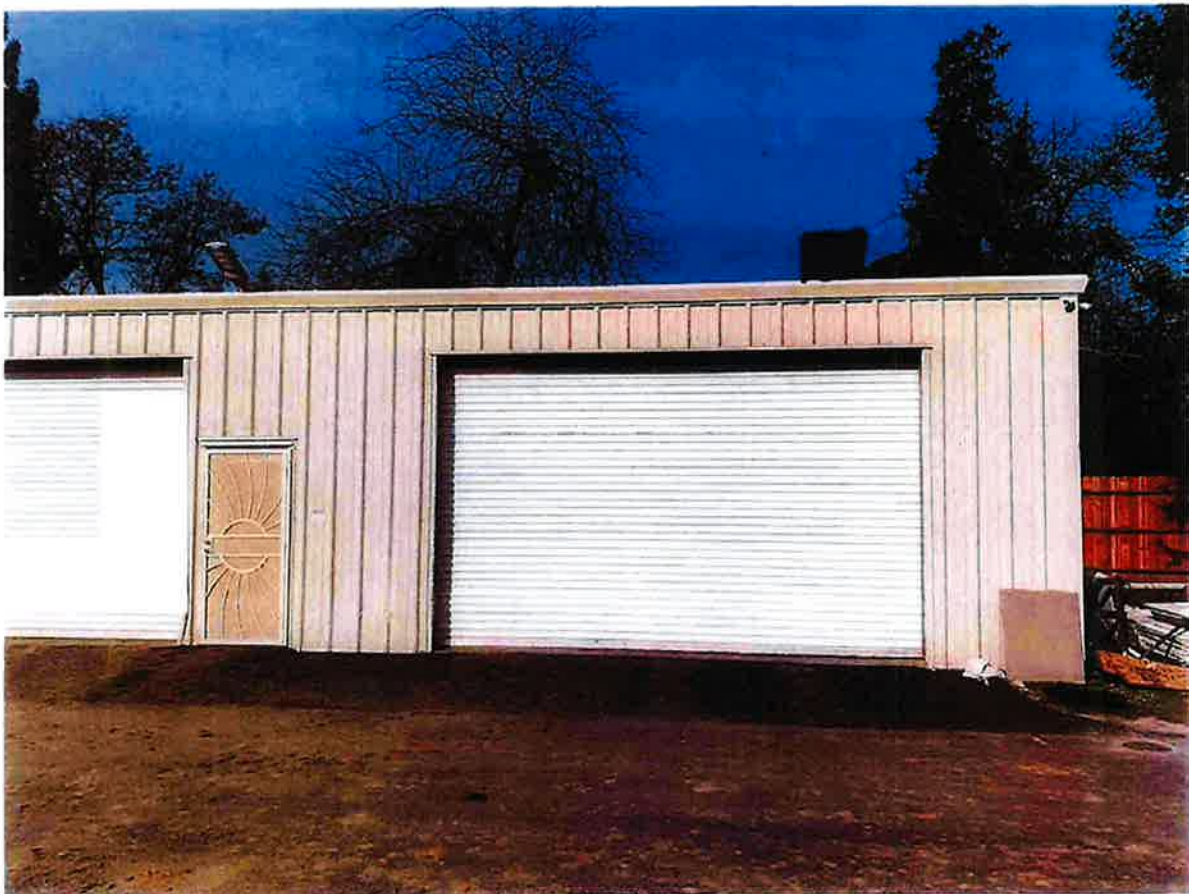
Historic District Commissioners  
City Council Members  
City Manager  
Kelly Mullett

My name is Dave Higgins, I live across the street from Lakeside Memorial Lawn where the proposed crematorium is to be built. Over the course of summer to the present time I have taken pictures of activity at the cemetery. I wish to share.

This picture was submitted by the Caring Service Group and Miller Funeral Home's 2-27-2020 application for the Conditional Use Permit to install a crematory. Two years ago. This is what the metal storage shed and surrounding grounds looked like in 2-27-2020.



This picture was also submitted 2-27-2020 to illustrate the look and size of the smokestack on the roof. The amateurish hand drawn chimney does not truly illustrate the true look or height of the proposed stack. According to the Negative Declaration the stack is to be 19 ½ feet total height from grade.



This picture was taken January 13th, 2022. This is what the maintenance grounds look like currently. The new storage shed is in the background and the existing shed is on the right. The metal security fencing surrounds the grounds and has a locked security gate. Note the Dredger Tailing Pile condition. It has been disturbed over the years.

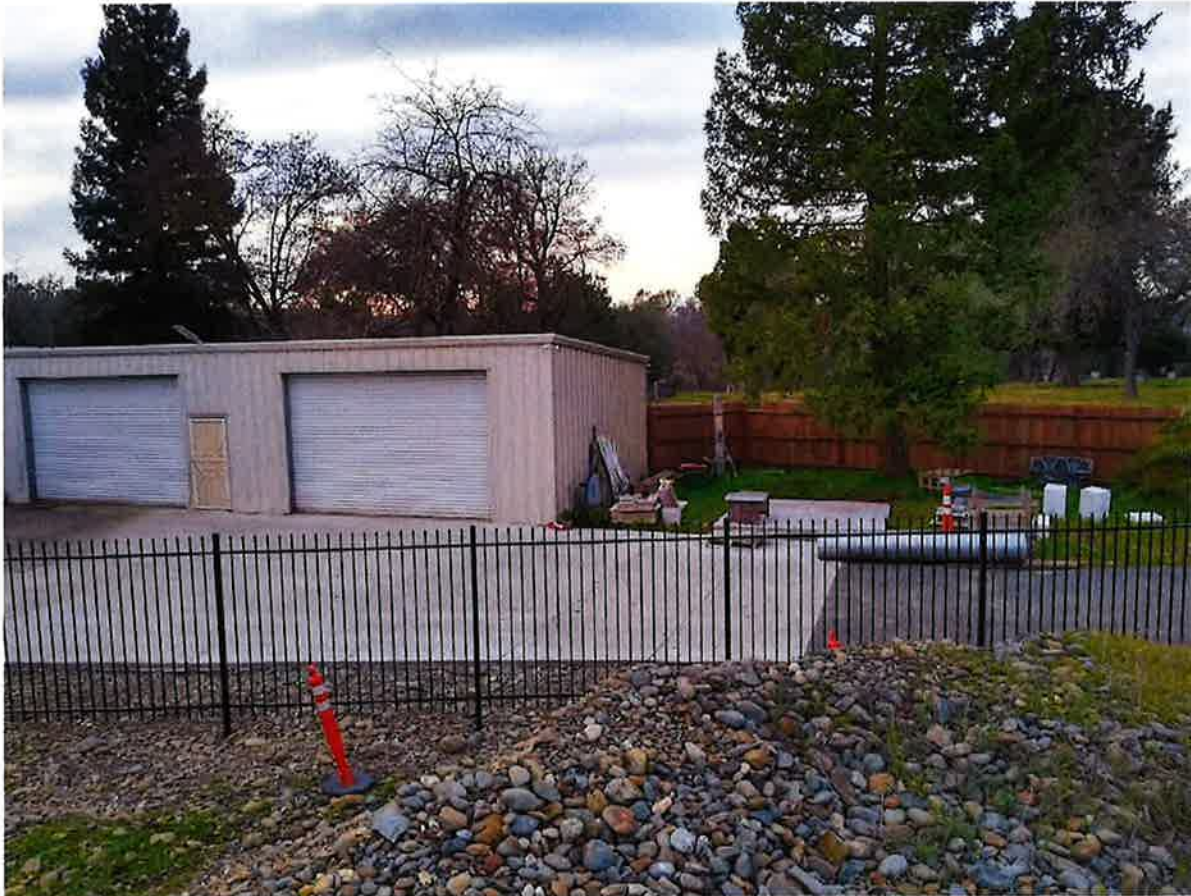


This picture was taken January 13th, 2022. This picture illustrates the current look of the maintenance grounds, sheds and security fencing. The metal shed on the right is where the proposed crematory is to be installed.





This picture shows the propane tank pad right of the building under the large tree. This photograph was taken January 13th, 2022. The application site plan confirms the location of the propane pad. In addition, the site plan calls for 2 x 500 gallon tanks, not the 2 x 250 gallon tanks in the Negative Declaration text.



This photograph taken January 13th 2021 displays another angle of the location of the propane tanks pad. Blocked by a wooden fence, metal security fencing, a large redwood tree and the metal shed.



This picture was taken on August 4th, 2021. This is Lakeside Memorial Lawn groundskeeper, Valdimir Semenyuk, driving out of the cemetery with a 250 gallon propane tank. This picture is disturbing on many levels. It is my opinion that the Caring Service is very confident in the outcome of the Conditional Use Permit. If indeed this tank is for the Crematory it is very arrogant for the Caring Service Group to show no discretion in their activities.



Pictures are worth a thousand words.

Thank You  
Dave Higgins

## Josh Kinkade

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**From:** Deb Ozdinski [REDACTED]  
**Sent:** Monday, August 16, 2021 1:29 PM  
**To:** Josh Kinkade  
**Subject:** Crematorium Project

[You don't often get email from [REDACTED] Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification.>]

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

Josh,

Thanks for taking my call this morning.

As we discussed the Caring Services Group (Miller Funeral Home) applicant is applying to place a crematorium in a shed on that Lakeside Cemetery site.

What I want to do is remind you of our discussion that this crematorium affects so many people. Not only the city, the environment, homes close by, the river, Lake Natoma State Park and the other historic cemetery.

I am requesting the Applicant must also contact the owners of all the niches and family members that have buried their loved ones and disclose the proposed project to them. These people should be informed just like other projects MUST send out notices. YES, this is a unique situation and YES it should get unique attention. There is no excuse this far in advance that this added Notice can't be done. Again, this is a unique situation.

I own my own niche for my husband and I. Other siblings of mine living today have purchased niches along the same wall that is closest to the metal shed. When I visit my parents, we stand and talk to them, and what we would be having to endure is a crematorium staring us in the face. How unpleasant do you think that will be? It would affect our use and enjoyment of the cemetery and visiting our loved ones. It makes me sick to think of visiting them while knowing bodies are being cremated just feet from my parents remains.

I please, please ask that the Applicant and City must take additional time and work to notify the people involved that purchased in that cemetery. There must be records of what they sold and to whom. If they have no records or lost records that tells you they have poor business practices.

Again, please make this a condition that those folks are informed and heard. They have the right to know! I am certain the numbers of people opposing this project will be ten times the numbers you would get otherwise. We purchase a spot for our loved ones to rest and now to think we may need to sell niches and move our parents. This is what we are faced with.

Please review with appropriate city folks and let me know what has been decided.

Just remember if you were in our shoes how would you feel? Ask those Planners that question too. It's the right thing to do.

Regards.

Deb and Greg Ozdinski  
[REDACTED] Water View Way  
Folsom

## Josh Kinkade

---

**From:** Deborah Grassl [REDACTED]  
**Sent:** Thursday, January 27, 2022 2:51 PM  
**To:** Josh Kinkade  
**Subject:** Re: Crematorium Noticing

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

Hi Josh,

I noticed that this Project's CUP is not included in the public review documents IS/MND released. CEQA refers to the CUP being an integral part of the public comment review period. The Governor's Office of Research and Planning wrote a guide titled, 'The Conditional Use Permit.' It states on page 3, paragraph 3, " ...If the proposal is not exempt from environmental review, the city or county is required to prepare either a negative declaration indicating that the conditional use permit will have no significant effect, or an Environmental Impact Report (EIR) which describes the potential negative impacts of the proposal and the means to avoid or lessen those impacts.

Please see the CEQA references to the public's right to review below :

### **CEQA CALIFORNIA PUBLIC RESOURCES CODE, DIVISION 13. ENVIRONMENTAL QUALITY Chapter 1: Policy**

#### **§ 21003. PLANNING AND ENVIRONMENTAL REVIEW PROCEDURES; DOCUMENTS; REPORTS; DATA BASE; ADMINISTRATION OF PROCESS**

The Legislature further finds and declares that it is the policy of the state that:

(a) Local agencies integrate the requirements of this division with planning and environmental review procedures otherwise required by law or by local practice so that all those procedures, to the maximum feasible extent, **run concurrently, rather than consecutively** ,...

#### **§ 21003.1. ENVIRONMENTAL EFFECTS OF PROJECTS; COMMENTS FROM PUBLIC AND PUBLIC AGENCIES TO LEAD AGENCIES; AVAILABILITY OF INFORMATION**

The Legislature further finds and declares it is the policy of the state that:

(a) Comments from the public and public agencies on the environmental effects of a project shall be made to lead agencies as soon as possible in the review of **environmental documents, including, but not limited to**, draft environmental impact reports and **negative declarations**, in order to allow the lead agencies to identify, at the earliest possible time in the environmental review process, potential significant effects of a project, alternatives, and mitigation measures which would substantially reduce the effects.

(b) Information relevant to the significant effects of a project, alternatives, and mitigation measures which substantially reduce the effects shall be made available as soon as possible by lead agencies, other public agencies, and interested persons and organizations.

(c) Nothing in subdivisions (a) or (b) reduces or otherwise limits public review or comment periods currently prescribed either by statute or in guidelines prepared and adopted pursuant to Section 21083 for environmental documents, **including, but not limited to**, draft environmental impact reports and **negative declarations**.

#### **§ 21064.5. MITIGATED NEGATIVE DECLARATION**

“Mitigated negative declaration” means a negative declaration prepared for a project when the initial study has identified potentially significant effects on the environment, but

(1) revisions in the project plans or proposals made by, or agreed to by, the applicant **before the proposed negative declaration and initial study are released for public review** would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and

(2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

#### **§ 21080. DIVISION APPLICATION TO DISCRETIONARY PROJECTS; NONAPPLICATION; NEGATIVE DECLARATIONS; ENVIRONMENTAL IMPACT REPORT PREPARATION**

(a) Except as otherwise provided in this division, this division shall apply to **discretionary projects** proposed to be carried out or approved by public agencies, including, but not limited to, the enactment and amendment of zoning ordinances, the issuance of zoning variances, **the issuance of conditional use permits**, and the approval of tentative subdivision maps ...

(c) If a lead agency determines that a proposed project, not otherwise exempt from this division, would not have a significant effect on the environment, the lead agency shall adopt a negative declaration to that effect. The negative declaration shall be prepared for the proposed project in **either** of the following circumstances:

(1) There is no substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.

(2) An initial study identifies potentially significant effects on the environment, **but**

(A) revisions in the project plans or proposals made by, or agreed to by, the applicant **before the proposed negative declaration and initial study are released for public review** would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur....

#### **§ 21092. PUBLIC NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT OR NEGATIVE DECLARATION; PUBLICATION**

(b)(1) The notice shall specify the period during which comments will be received on the draft environmental impact report or negative declaration, and shall include the date, time, and place of any public meetings or hearings on the proposed project, a brief description of the proposed project and its location, the significant effects on the environment, if any, anticipated as a result of the project, the address where copies of the draft environmental impact report or **negative declaration, and all documents referenced in the draft environmental impact report or negative declaration, are available for review**, description of how the draft environmental impact report or negative declaration can be provided in an electronic format.

Josh, I request that you post the Conditional Use Permit in accordance to CEQA, and adjust the period of time for public review for this Project.

Deborah Grassl

On 1/7/22 10:20 AM, Josh Kinkade wrote:

Hello,

If you are receiving this email, you have previously emailed or sent a letter to City of Folsom staff and/or City Council members and their Historic District Commission representatives regarding the proposed Lakeside Memorial Lawn Crematory project. Because you are an interested party, I am sharing the attached public hearing notice (which is being published in the February 6<sup>th</sup> Folsom Telegraph and sent to property owners within a 300-foot radius of the project site) and informing you that the Historic District Commission is considering the Conditional Use Permit (CUP) and Initial Study/Mitigated Negative Declaration (IS/MND) for the project at the February 16, 2022 Historic District Commission meeting.

The final version of the IS/MND, as well as additional project documentation, is located here: <https://www.folsom.ca.us/government/community-development/planning-services/current-project-information>. Physical copies of the document will also be made available at City Hall, at the Community Development Counter. The public comment period for the IS/MND begins on January 7, 2022 and ends on February 7, 2022.

The staff report for the CUP will be available here at least 5 days prior to the February 16 hearing date: <https://www.folsom.ca.us/government/community-development/planning-services/historic-district-commission>. A physical copy of the document will also be made available at City Hall, at the Community Development Counter.

Note that if you have emailed or mailed a comment to staff, or if your letter/email to City Council members or Historic District Commissioners was forwarded to staff, that comment will be included in the staff report for the CUP and will be available to the commission and general public prior to the hearing on February 16<sup>th</sup>. All additional comments received prior to the publication of the staff report will also be published in the staff report. You may also make a verbal comment at the February 16<sup>th</sup> meeting (up to 3 minutes in length per person).

Thank you,

**Josh Kinkade**  
*Associate Planner*

**Community Development Department**



Deborah Grassl  
[REDACTED] Young Wo Circle  
Folsom, CA 95630  
[REDACTED]

February 7, 2022

Historic District Commission  
City of Folsom  
50 Natoma Street  
CA 95630

RE 2022 Lakeside Memorial Lawn Crematorium Folsom,  
Project PN-19-182 and 2002 Lakeside Cemetery  
Crematorium Project PN-02-058

Dear Commissioners:

I would like to make a comment on the above-mentioned 2022 Lakeside Memorial Lawn Project Application. In 2002, the Lakeside Cemetery Crematorium made an identical application based on an Initial Study and Mitigated Negative Declaration prepared by the City of Folsom. Those 2002 documents survive any subsequent consideration of an application with an identical project that, has no new substantial information, based on the holding in *Friends of the College of San Mateo Gardens v. San Mateo County Community College* (2016) 1 Cal. 5<sup>th</sup> 937. :

OPINION J. Kruger “To ensure that governmental agencies and the public are adequately informed about the environmental impact of public decisions, the California Environmental Quality Act (CEQA) (*Public Resources Code 21000 et seq.*) requires a lead agency to prepare an environmental impact report (EIR) before approving a new project that “may have a significant effect on the environment” (*id.* 21151 (a)). When changes are proposed to a project for which an EIR has already been prepared, the agency must prepare a Subsequent or Supplemental EIR only if the changes are “[s]ubstantial” and require “major revisions” of the previous EIR. (*Id.* 21166.) **Guidelines ... extend this subsequent review framework to projects for which a negative declaration was initially adopted, and no EIR was prepared...(CEQA Guidelines 15162.)”**

According to the above court’s ruling, the existing 2002 Mitigated Negative Declaration (MND) stands and must be the controlling document for an identical project.

Staff’s 2002 Findings on the CUP application were recommended for denial based the MND’s lack of substantial environmental information on: whether the operation of the crematorium would or would not affect the health, safety and welfare of the neighborhood residents; that a crematorium was not a compatible use with a historic cemetery because it did not agree with the Historic District Design and Development Guidelines or General Plan goals of history resource preservation of Folsom’s three unique historic resources (Chung Wah, Lakeside Cemetery’s 8 historic cemeteries, and State Preserve Dredger Tailings) , and, because of the substantial reaction against the crematorium by the residents and history preservation groups.

Because the 2022 Lakeside Memorial Lawn Crematorium Project MND and CUP do not have any standing the 2022 MND and CUP should be denied by the Historic District Commission based on (*Friends of the College of San Mateo Gardens v. San Mateo County Community College* (2016) 1 Cal. 5<sup>th</sup> 937).

If the Lakeside Cemetery wants to re-apply they can do so with the 2002 MND and a new CUP application. However, the Findings for the 2002 CUP denial would still be unanswered and a new CUP application would still have to answer to those deficiencies - by doing the CEQA environmental work that the MND failed to provide.

I recommend HDC deny the 2022 Lakeside Memorial Lawn Cemetery Project with a recommendation to go back and do an Environmental Impact Report. If substantial information regarding the environmental studies should provide answers as to why the Staff recommended denial of the CUP originally, then reapply with a Subsequent EIR. A Subsequent EIR would have legal standing before HDC. The general public, residents surrounding the cemetery and history preservation groups are vigilant and will settle for nothing less.

Sincerely,

Deborah Grassl

cc: [kcolepolicy@gmail.com](mailto:kcolepolicy@gmail.com); [justin@revolutionsdocs.com](mailto:justin@revolutionsdocs.com); [danwestmit@yahoo.com](mailto:danwestmit@yahoo.com);  
[ankhelyi@comcast.net](mailto:ankhelyi@comcast.net); [johnfelts@e55tech.com](mailto:johnfelts@e55tech.com); [m.dascallos@yahoo.com](mailto:m.dascallos@yahoo.com); [jkincade@folsom.ca.us](mailto:jkincade@folsom.ca.us)  
[kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us)

Deborah Grassl  
[REDACTED] Young Wo Circle  
Folsom, CA 95630  
[REDACTED]  
[REDACTED]

February 7, 2022

Historic District Commission  
City of Folsom  
50 Natoma Street  
Folsom, CA 95630

RE Lakeside Memorial Lawn Crematorium Project  
PN-19-182

Dear Commissioners:

I would like to make three comments with regards to *standards of guidance* that control the approval or denial of the above mentioned Project and its request for a Conditional Use Permit (CUP). And then summarize a recommendation for denial of the Lakeside Memorial Lawn Crematorium Mitigated Negative Declaration and CUP operation.

*Standards of Guidance:* California's Hierarchy of Planning Laws

1) Under State of California law, charter cities have the legal authority to issue conditional use permits (CUP) using their own written *standards of guidance*, with one proviso: the *standards of guidance* must be contained in the charter city's Municipal Zoning Code, which must be in compliance with its adopted General Plan, which must be in compliance with the California Environmental Quality Act (CEQA) state laws.

The validity of a charter city's CUP approval process derives from compliance with this hierarchy of planning laws (*Neighborhood Action Group v. County of Calaveras (1984) 156 Cal. App.3d 1176*). A charter city can name any number of documents as *standards of guidance* as long as they are contained in their Municipal Zoning Code, in compliance with their General Plan; and in compliance with CEQA. The reason for this hierarchy of planning laws is to check any unbridled discretionary act or decision by an administrative agency, and to help guide the administrative body's Findings.

The City of Folsom is a charter city that authorizes the Historic District Commission to approve CUPs for projects in the Historic District. Some of Folsom's *standards of guidance* are not in compliance with California's hierarchy of planning law.

2) Folsom Municipal Zoning Code (FMC) 17.52 HD-Historic District is a good example.

The FMC 17.52 was crafted from a Master Environmental Impact Report (MEIR), taken from the Historic District Specific Plan mentioned in the 1988 General Plan as almost completed. When finished, this Plan was to be adopted by the City Council and become the controlling *standard of guidance* for the Historic District.

The Historic District Specific Plan was NOT adopted by the City Council. However, the Plan and MEIR were later used to develop the City's Zoning Code 17.52 HD-Historic District, and to craft the Historic District Design and Development Guidelines, both as a *standards of guidance* for the Historic

District. The unadopted Historic District Specific Plan and MEIR, were still used as *standards of guidance* for Folsom's Municipal Code 17.52 and the Historic District Guidelines.

The historic record for how this *standard of guidance* came into being can be found in the (c.1995) Historic District Design and Development Guidelines Introduction, Chapter 1.03 CEQA Compliance:

“The City conducted environmental review of a proposed Historic District Specific Plan. Due to the nature and complexity of the Plan and the projects which will follow under it, a Master Environmental Impact Report (MEIR) was prepared. The City ultimately elected to implement zoning changes to Chapter 17.52 of the Folsom Municipal Code and *design standards* through the adoption of these Design and Development Guidelines. Many of the provisions of the proposed Historic District Specific Plan and the amendments to Chapter 17.52 are contained within these *guidelines*. Accordingly, the City Council relied upon the MEIR for evaluation and consideration of environmental impacts.

... The intent is to allow the creation of an environmental impact analysis and mitigation foundation in an MEIR for a broad planning project which will then enable significant reduced CEQA documentation for future projects built according to Chapter 17.52 and the Design and Development Guidelines.”

The Historic Specific District Plan and MEIR, the foundational instruments for FMC 17.52 and the Historic District Design and Development Guidelines, are in direct conflict with Folsom's General Plan because they were/are used as *standards of guidance* but were not adopted by the City Council into the General Plan. Up until 2 weeks ago, the Historic District Specific Plan was on the City's website as a Resource for the public who need information from the Planning webpage.

3) The Folsom Historic District Commission (HDC) has been given the authority to perform discretionary actions, i.e. the granting of a major CUP, without *standards of guidance* to facilitate mandated deliberation ( **CEQA Guidelines Section 15121**) on whether a project qualifies for a major CUP as expressed in its FINDINGS (*Protecting Our Water and Environmental Resources v. County of Stanislaus (2020) 10 Cal.5th 479*).

Accordingly, the City of Folsom describes its *standards of guidance* for issuance of a CUP from its Historic District Design and Development Guidelines however one must go to FMC 17.60.101 Issuance Conditions and applicable laws, and to FMC 1.08 Enforcement of the Folsom Municipal Code and Other Applicable Laws to find standards of guidance for both the Planning Commission and the Historic District Commission. None of these webpages on the City's website refer to CEQA as a controlling *standard of guidance* triggered by the discretionary act of approving a CUP.

CEQA is referred to in the General Plan Update PEIR as a controlling *standard of guidance* for discretionary acts. So, the FMC is in direct conflict with Folsom's General Plan Update PEIR. Here is a conflict in Folsom's planning law that enables unbridled discretionary decisions on Historic District projects.

#### *Summary of Recommendation*

The Lakeside Memorial Lawn Crematorium Project and its CUP application is just such a project that requires CEQA deliberation and consideration, which is contained in the General Plan Update PEIR, but not in the FMC.

Approval of the Lakeside Memorial Lawn Crematorium Project and its CUP operations would have very big impacts on residents' health, safety and welfare who live in the neighborhood, and big impacts on treasured historic resources based on the 2022 Mitigated Negative Declaration. I recommend careful CEQA study of the 2003 Initial Study Staff Report and Findings on the last time that the Lakeside Memorial Lawn Cemetery made the same application for a CUP and was denied. Please read the 2003 Findings on the CUP before you deliberate and make your Findings.

To summarize the questions that CEQA could generate on the 2022 MND (which are identical to the Findings in the 2003 MND), and that would satisfy the obligation to show deliberation and where Findings (sans Staff Findings) came from, are:

Is there enough definitive information contained in the 2022 Mitigated Negative Declaration (MND) that is a health study, evidence based, published in a respected scientific medical journal, showing that this crematorium operation will not directly impact, or indirectly impact the health, safety and welfare of the 300+ residents that live next to it?; Do you have enough evidence that says it's okay to ignore General Plan policies, Historic District Design and Development Guidelines' policies regarding preservation of, and protection of, unique historic resources?; Is your decision respectful of the pioneers' and Chinese cultures and their funerary rights? Does your decision reflect the respect the National Register of Historic Places, Sacramento County's Cemetery Commission, the City of Folsom's Master Preservation List of Historic Resources have for the Lakeside Lawn Cemeteries and the Chung Wah Cemetery? And, based on the evidence in the whole record, can you definitively say the Crematorium's operation would have no impact on Folsom's residents performing sacred ablutions graveside, visiting their interred loved ones, and living next to treasured cemeteries that are inundated with fine particles generated by 800 lbs of burning human flesh each day?

The operation of a crematorium at Lakeside Memorial Lawn Cemetery is not a compatible use with historic cemeteries, or proved to have no impact on the health, safety and welfare of the community.

I recommend denial based on the 2003 Staff Findings that still contain the original, unanswered CEQA questions when applied to the new, 2022 Lakeside Memorial Lawn Crematorium Mitigated Negative Declaration and CUP operation.

Sincerely,

Deborah Grassl

cc email: Historic District Commissioners

[kcolepolicy@gmail.com](mailto:kcolepolicy@gmail.com); [justin@revolutionsdocs.com](mailto:justin@revolutionsdocs.com); [danwestmit@yahoo.com](mailto:danwestmit@yahoo.com);

[ankhelyi@comcast.net](mailto:ankhelyi@comcast.net); [johnfelts@e55tech.com](mailto:johnfelts@e55tech.com); [m.dascallos@yahoo.com](mailto:m.dascallos@yahoo.com); [jkincade@folsom.ca.us](mailto:jkincade@folsom.ca.us)

## Josh Kinkade

---

**From:** Deborah Grassl [REDACTED]  
**Sent:** Friday, July 2, 2021 4:56 PM  
**To:** Josh Kinkade  
**Cc:** Terry Sorensen; Steve  
**Subject:** Re: Zoom meeting with Igor Semenyuk and HFRA/Lake Natoma Shores residents

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

Thanks Josh. I don't know how I missed that the Initial Study and MND were combined.

A comment on the IS/MND: There is scant information on the crematorium's cumulative future impacts regarding traffic, circulation, air quality and wildfire safety.

Example: Igor didn't seem to know how often activities at the Cemetery generate a high level of cars parking on Forrest, Young Wo and Sutter Streets. He thinks that the Cemetery has 50 parking spaces and that is all he needs for future ceremonies and interments that future cremations will generate. In addition, he thinks that although he will conduct 500 cremations a year, this might generate 30 actual ceremonies and interments at the Cemetery...

Example: When asked about the Level of Service change at the intersection of Folsom Blvd and Forrest anticipated by the increased level of cars heading into the Cemetery to attend ceremonies and interments generated by the 30 cremations, he didn't know...

Example: When asked about what kind of wildfire design he used for the crematorium, he said that as far as he knew there weren't any wildfire problems. (He was unaware of Folsom's Community Wildfire Protection Plan. And although the IS stated that the Folsom Fire Chief signed off on the project, there was no input from the Fire Chief in the IS.) He then described how the blast zone of one of the propane tanks was 600' and he thought the propane tanks would be far enough away from homes to not blow them up. He didn't mention the National Registry of Historic Place Chung Wah Cemetery, the State Park filled with dry grasses and trees - or his own Cemetery filled with trees and dry grasses in the back abutting the State Park lands and on the old abandoned Figueroa Street behind 21 Young Wo Circle homes...

Example: Couldn't find any reference about if the crematorium will operate on days when our area is impacted by wildfire smoke or Spare The Air days. When asked if he realized that we are in a non-attainment area and that Folsom doesn't meet State or County government regulations to reducing overall air pollution, Igor didn't know whether the crematorium's air pollution footprint would help the City of Folsom meet the General Plan air quality goals or not...

These future operational impacts are important to people living at The Preserve, Lake Natoma Shores and the Historic District - not so much the IS's construction procedures of the actual building of the crematorium. We would like Igor to get the environmental information for the cumulative effects of his future operation. That information will tell us whether the quality of our lives will be impacted by a crematorium or not.

Thanks,

Deborah Grassl  
[REDACTED]

**From:** [Elaine Andersen](#)  
**To:** [Josh Kinkade](#)  
**Subject:** FW: Proposed Crematorium  
**Date:** Friday, August 6, 2021 8:22:31 AM

---

**From:** Debra Williams [REDACTED]  
**Sent:** Wednesday, July 28, 2021 3:10 PM  
**To:** Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** Proposed Crematorium

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

July 28, 2021

Dear Ms. Anderson,

I am writing to voice my concerns regarding the proposed Lakeside Memorial Lawn crematorium project. The crematorium would be built and operate just a few hundred feet from my home. After reading the Initial Study/Mitigated Negative Declaration posted on the Folsom City website and doing further research of reliable sources, I am not convinced that the effects would be "less than significant" for those living so near the project. I have serious concerns regarding the impact to air quality, including the release of toxins such as mercury that an operating crematorium would have on my family (my 83 year old mother lives on the same street), and other residents of the neighborhood.

My mother has lived on this street for 23 years and I have lived four doors up the street from her and been a teacher at the public middle school just one mile from our neighborhood since 2006. I ask that this proposal be denied and that the business owners find a location that is not so near a residential area. Please consider how you would feel if you were in our shoes. I imagine that most persons involved in this decision making process and those who would make a profit from the business, would not want their own family living so close to it.

Thank you very much for your time and attention to this very sensitive and important issue.

Sincerely,

*Debra Williams*

[REDACTED] Young Wo Circle  
Folsom, CA 95630  
[REDACTED]

## Josh Kinkade

---

**From:** Diana Matheny <zinlady1@yahoo.com>  
**Sent:** Tuesday, August 31, 2021 4:16 PM  
**To:** Josh Kinkade  
**Cc:** [REDACTED]  
**Subject:** Re: Proposed Crematory CUP

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

Dear Josh Kinkade:

Lakeside Memorial Lawn, owned by the Caring Service Group, has applied for a conditional use permit to install a crematory on the grounds, here in our backyard in Historic Folsom. This has serious implications for the physical, environmental, and fiscal health of our community and the Folsom Historic District.

Our homes and business in Historic Folsom have been here for many years. We do not want to jeopardize our beautiful community with the consequences of having a crematory installed.

Rancho Cordova has the Rendering Plant. The business and residents who live in the area complain of the horrible smell from the rendering plant. It's stinky and you don't want to go outside in your backyard. I've researched crematory online with different cities who have had complaints from residents with dark smoke and smell. We definitely do not want this in our neighborhood.

Historic Folsom is a charming place where people come to live, enjoy the outdoors with biking, and walking. The Historic Folsom Sutter Street attracts tourist and locals. If the crematory is approved this will change the Historic Folsom charm and lose the tourist and locals supporting the business on Sutter Street. It will also bring down the value of our homes.

We love and live here locally in the Historic Folsom area. I asked you to do the right thing and **deny** the conditional use permit to install a crematory on the grounds at Lakeside Memorial Lawn, owned by Caring Service Group.

Can you suggest to relocate somewhere else like Folsom Ranch on the other side of Hwy 50? Of course not near homes. There is plenty of open space land to build a crematory in that area.

Do not build crematory in a residential area. Its not fair to the home owners.

Please provide my email to the Historic Commission who will make the decision to deny or grant the decision of the permit.

Thank you

Diana Luzader

[REDACTED] Wool St, Folsom Ca



916 [REDACTED]

Sent from my iPhone

On Aug 31, 2021, at 10:19 AM, Josh Kinkade <jkinkade@folsom.ca.us> wrote:

Diana,

I had your message forwarded to me regarding the proposed crematory facility at the Lakeside Memorial Lawn. The Conditional Use Permit (CUP) is subject to a vote by the Historic District Commission. We present a staff report to the commission along with any comments that have been received prior to the meeting, so if you wish to present any written comments to the decision-makers, you can email them to me and I can include them in the packet that we sent to the commission. Current information about the project, including the draft Initial Study that discusses the project in detail, can be found here: <https://www.folsom.ca.us/government/community-development/planning-services/current-project-information>

Thanks,

**Josh Kinkade**  
*Associate Planner*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6209

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<image001.png>

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<image003.png>

<image004.png>  
[www.folsom.ca.us](http://www.folsom.ca.us)

<image005.jpg>

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Friday, August 27, 2021 11:47 AM  
**To:** Josh Kinkade  
**Subject:** Fwd: No Historic Folsom Crematory

Sent from my T-Mobile 5G Device  
Get [Outlook for Android](#)

---

**From:** Diana Matheny [REDACTED]  
**Sent:** Friday, August 27, 2021 11:37:29 AM  
**To:** Scott Johnson <sjohnson@folsom.ca.us>  
**Subject:** No Historic Folsom Crematory

You don't often get email from zinlady1@yahoo.com. [Learn why this is important](#)

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

Diana Luzader

[REDACTED] Wool Street

Folsom, CA 95630

August 27, 2021

Scott Johnson

Folsom, Planning Manager

Dear Scott Johnson :

Lakeside Memorial Lawn, owned by the Caring Service Group, has applied for a conditional use permit to install a crematory on the grounds, here in our backyard in Historic Folsom. This has serious implications for the physical, environmental, and fiscal health of our community and the Folsom Historic District.

Our homes and business in Historic Folsom have been here for many years. We do not want to jeopardize our beautiful community with the consequents of having a crematory installed.

Rancho Cordova has the Rendering Plant. The business and residents who live in the area complain of the horrible smell from the rendering plant. It's stinky and you don't want to go outside in your backyard. Historic Folsom is a charming place where people come to live, enjoy the outdoors with biking, and walking. The Historic Folsom Sutter Street attracts tourist and locals. If the crematory is approved this will change the Historic Folsom charm and lose the tourist and locals supporting the business on Sutter Street. It will also bring down the value of our homes.

We love and live here locally in the Historic Folsom area. I asked you to do the right thing and **deny** the conditional use permit to install a crematory on the grounds at Lakeside Memorial Lawn, owned by Caring Service Group. Please provide your feedback as soon as possible.

Sincerely ,

Diana Luzader

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Wednesday, February 2, 2022 2:53 PM  
**To:** Josh Kinkade  
**Subject:** FW: Vote NO on Folsom Crematorium Proposal

### Scott A. Johnson, AICP

*Planning Manager*

Community Development Department  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6206



**From:** Edwin Grattan [REDACTED]  
**Sent:** Wednesday, February 2, 2022 2:52 PM  
**To:** Scott Johnson <sjohnson@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>; kcolepolicy@gmail.com; danwestmit@yahoo.com; ankhelyi@comcast.net; johnfelts@e55tech.com; m.dascallos@yahoo.com; Elaine Andersen <eandersen@folsom.ca.us>; kerri@atlanticcorrosionengineers.com; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>  
**Subject:** Fw: Vote NO on Folsom Crematorium Proposal

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

To: City Council representatives and Folsom Historic District Commissioners

Re: Vote NO on Folsom Crematory Proposal  
Public hearing scheduled for February 16, 2022

I am writing to you as a concerned resident in the Folsom Historic District. I am strongly opposed to the conditional use permit to install a crematorium on the grounds of a residential open space. I believe allowing a permanent, industrial incinerator in the residential open space does not meet the criteria of the Folsom Historic District.

I further believe this contradicts the city of Folsom motto, 'Distinctive by Nature'. I urge you to vote NO on the proposed Folsom Crematorium. Please consider the impacts to the environment, physical health of the residents and the fiscal health of the Folsom Historic District.

Vote NO on the Folsom Crematory Proposal.

Sincerely,

Edwin Grattan  
Historic Folsom Resident

## Josh Kinkade

---

**From:** Erika Hamer [REDACTED]  
**Sent:** Wednesday, January 12, 2022 5:12 PM  
**To:** danwestmit@yahoo.com; daronbr@pacbell.net; kcolepolicy@gmail.com; kevin.duewel@gmail.com; m.dascallos@yahoo.com; johnfelts@e55tech.com; Mike Kozlowski; Sarah Aquino; YK Chalamcherla; kerri@atlanticcorrosionengineers.com; Rosario Rodriguez; Elaine Andersen; Josh Kinkade  
**Subject:** Crematorium  
**Attachments:** Erika bluff photo.jpg

Some people who received this message don't often get email from erika.onwards@gmail.com. [Learn why this is important](#)

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

To whom it may concern,

I live on the bluffs in Orangevale overlooking Lake Natoma. I have learned that a crematorium may be put in the Lakeside Cemetery next to the lake. This is a terrible idea.

I understand this is zoned as open space, and it should be kept natural. I paddle board frequently on the lake, enjoy being outside walking the paths and relishing the beauty I am so lucky to have in my backyard. A crematorium does not belong near residents and visitors to Folsom recreation, shopping and dining. Nor does this crematorium belong in an area that is next to a state park. Nobody wants to see or smell puffs of human remains/smoke while they are trying to enjoy the outdoors and neighboring areas; this should be put within an industrial zone or the like. Please help us keep the view and open space natural and (live) people-centered.

On another note, I would be furious and deeply disappointed if I heard this crematorium would be installed across or down the actual street from my home. Would you like it near yours?

Thank you for your time and attention to this important community matter.

Sincerely,  
Erika Hamer  
[REDACTED]

**From:** [Kelly Mullett](#)  
**To:** [Josh Kinkade](#)  
**Subject:** FW: crematorium  
**Date:** Tuesday, November 23, 2021 10:21:03 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

FYI

**Kelly Mullett**

*Administrative Assistant*

**Community Development Department**

50 Natoma Street, Folsom, CA 95630

O: 916.461.6231

F: 916.355.7274



**From:** Evelyn Gates [REDACTED]  
**Sent:** Saturday, November 20, 2021 4:33 PM  
**To:** danwestmit@yahoo.com; daronbr@pacbell.net; ankhelyi@comcast.net; kcolepolicy@gmail.com; kevin.duewel@gmail.com; m.dascallos@yahoo.com; Mike Kozlowski <mkozlowski@folsom.ca.us>; johnfelts@e55tech.com; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; kerri@atlanticcorrosionengineers.com; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; Josh Kinkade <jkinkade@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>  
**Subject:** crematorium

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

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I am 8 years old, and I really don't want a crematorium in my neighborhood. My family lives in this neighborhood, and I don't want all of us to breathe bad air. I just moved here, and I don't want to move again. My grandparents live directly across from the cemetery. And my cousin lives 5 houses away from my grandparents, and she's only one! Please don't put a crematorium in my neighborhood there are lots of kids in the neighborhood.

Sincerely,  
Evelyn Gates



# **ACTION NEEDED:**

# **NOTICE OF PUBLIC HEARING**

**Lakeside Memorial Lawn** cemetery off Folsom Blvd. next to Sutter Street, owned by **Miller Funeral Home**, has applied for a conditional use permit to install a crematory here in the heart of our community. Their proposal has changed--they have doubled the number of bodies they propose burning each day. Burning 800 pounds of human bodies per day has serious implications for the physical, environmental, and fiscal health of the Folsom Historic District. Allowing a permanent, industrial incinerator in open space does not meet the criteria of the Historic District.

The time for action is **NOW!**

## **1. Mark Your Calendars!**

- The public hearing is scheduled for **February, 16, 2022 at 5:00 pm.**
- Our attendance and participation is critical to ensure our interests are represented.

## **2. Write a Letter & Sign the Community Petition**

- The public review period, where public comment is collected, is from January 7 - February 7.
- Write a letter to our Historic District and City Council elected representatives to tell them to vote "NO!"
- Sign the community petition at [noburningbodies.com](http://noburningbodies.com)

## **3. Phone a Friend (or 3)!**

- Please ask other community members, friends and family to write letters, sign the petition and attend on February 16th!

## **4. Want to Help?**

- Email [protectthepreserves@gmail.com](mailto:protectthepreserves@gmail.com) to sign up to help!

**[Noburningbodies.com](http://Noburningbodies.com)**



**Contact Folsom Historic District Commissioners:**

<b>Scott Johnson, Planning Manager</b>	<b>sjohnson@folsom.ca.us</b>
<b>Steve Banks, Principal Planner</b>	<b>sbanks@folsom.ca.us</b>
<b>Kelly Mullett, Administrative Assistant</b>	<b>kmullett@folsom.ca.us</b>
<b>Kathleen Cole - Vice Chair</b>	<b>kcolepolicy@gmail.com</b>
<b>[REDACTED]</b>	<b>[REDACTED]</b>
<b>Daniel West</b>	<b>danwestmit@yahoo.com</b>
<b>Mickey Ankhelyi</b>	<b>ankhelyi@comcast.net</b>
<b>John Felts</b>	<b>johnfelts@e55tech.com</b>
<b>Mark Dascallos</b>	<b>m.dascallos@yahoo.com</b>

**Contact City Officials via Email:**

<b>Elaine Anderson, City Manager</b>	<b>eandersen@folsom.ca.us</b>
<b>Kerri Howell, Mayor</b>	<b>kerri@atlanticcorrosionengineers.com</b>
<b>Rosario Rodriguez, Vice Mayor</b>	<b>rrodriguez@folsom.ca.us</b>
<b>Sarah Aquino, Council Member</b>	<b>saquino@folsom.ca.us</b>
<b>YK Chalamcherla, Council Member</b>	<b>ykc@folsom.ca.us</b>
<b>Mike Kozlowski, Council Member</b>	<b>mkozlowski@folsom.ca.us</b>

**Contact City Officials via USPS Mail:**

**50 Natoma Street  
Folsom, CA 95630**

**Contact Historic Folsom Residents Association:**

**thehfra@gmail.com**

## Josh Kinkade

---

**From:** Kelly Mullett  
**Sent:** Wednesday, July 7, 2021 3:37 PM  
**To:** Josh Kinkade  
**Subject:** FW: Lakeside Memorial Lawn Crematorium

FYI

### Kelly Mullett

*Administrative Assistant*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6231  
F: 916.355.7274



**CITY OF FOLSOM**  
DISTINCTIVE BY NATURE



[www.folsom.ca.us](http://www.folsom.ca.us)

**From:** Genie Moeszinger [REDACTED]  
**Sent:** Wednesday, July 7, 2021 3:06 PM  
**To:** Kelly Mullett <kmullett@folsom.ca.us>  
**Subject:** Lakeside Memorial Lawn Crematorium

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Dear K. Mullett,

I am a resident of the "Historic District" just across Folsom Blvd. within walking distance to old town Sutter St. I live on Sutter St. in one of the few historic homes that were spared when the Natoma Crossing Bridge was constructed. I love the neighborhood that I reside in. At first glance you would think it must be a dream come true area to call home. Well, we have had to accept and learn to live with relentless loud Light Rail dinging for 10 consecutive minutes on the half hour of every hour all day long and well into the evening EVERY single day. Roaring motorcycles that feel and sound like a freight train going through our home at all hours of the day, perhaps due to the close proximity of the Harley Davidson retail establishment just down the street, regardless, impossible to EVER enjoy a quiet summer morning or evening in our sweet yard. Add to the mind numbing roar of the motorcycles and we have constant noise pollution from the never ending backup of traffic on Folsom Blvd., not to mention the choking toxic exhaust and unhealthy fumes from this staggering amount of congestion of traffic, that truly does not lighten up until maybe 3:00am in the early morning and the quiet only lasts a couple of hours until it all begins again. This brings me to the proposal of building a crematorium on site of the Lakeside Memorial Lawn Cemetery that is not a very big cemetery to begin with. The Preserves is a lovely neighborhood with a beautiful mix of elderly and young and everything in between. I can tell you though, that not many of us can take much more. I have had to accept an Air B&B next door (currently now a Beauty Salon), the homeless trying to set up residence in city owned triangles of tiny land, arrogant and selfish bicyclists that absolutely refuse to respect the numerous "please walk your bikes" signs and fly at breakneck speed through the pedestrian walkway access to the Light Rail Station and to old town Sutter St. I have heard and witnessed many close calls and am terrified of the day when a young child or an elderly will be hit by one of these self centered and entitled individuals that are very

reckless and dangerous, thinking they have found a fabulous shortcut to the bike trail along the river. The crematorium will, needless to say, be the "last straw" for many. I, for one, will not stay. I already ceaselessly worry about the toxic exhaust and dangerous unhealthy fumes from the close proximity to busy Folsom Blvd. It will truly be the one last thing that so many will see as one thing just too much to have to accept and make the best of.

Sincerely,  
A quiet lovely senior citizen

**From:** [Elaine Andersen](#)  
**To:** [Josh Kinkade](#)  
**Subject:** FW: Lakeside crematorium.  
**Date:** Monday, February 7, 2022 7:15:21 AM

---

**From:** Heather Hayes [REDACTED]  
**Sent:** Saturday, February 5, 2022 3:00 PM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>; Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>; Kelly Mullett <[kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us)>; kcolepolicy@gmail.com; danwestmit@yahoo.com; ankhelyi@comcast.net; johnfelts@e55tech.com; mdascallos@yahoo.com; Elaine Andersen <[eandersen@folsom.ca.us](mailto:eandersen@folsom.ca.us)>; kerri@atlanticcorrosionengineers.com; Rosario Rodriguez <[rrodriguez@folsom.ca.us](mailto:rrodriguez@folsom.ca.us)>; Sarah Aquino <[saquino@folsom.ca.us](mailto:saquino@folsom.ca.us)>; YK Chalamcherla <[ykchalamcherla@folsom.ca.us](mailto:ykchalamcherla@folsom.ca.us)>; Mike Kozlowski <[mkozlowski@folsom.ca.us](mailto:mkozlowski@folsom.ca.us)>; thehfra@gmail.com  
**Subject:** Lakeside crematorium.

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Dear Folsom City Officials,

I have grown to cherish our city with its well thought out planning and infrastructure. I guess that's why I'm so confused that the city would even consider building a crematorium literally one block from my house. In fact I'm quite frustrated that on a Saturday instead of enjoying time with my 9 month old and teenage sons I'm having to write an email defending what seems like a common sense decision. Building a crematorium one block from my house will not only do psychological harm to myself and my family but will also worsen the air quality in my neighborhood where I am trying to raise my family. We already have some of the worst air quality in the country. With annual wildfires causing horrible conditions every year that on many days it's not even recommended that we go outside. I cannot believe that you would even consider adding to that horrible pollution with the smoke of dead bodies being billowed into my backyard as we try to enjoy our lives in historic Folsom. As we try to BBQ with family and friends, all the while breathing the smoke of the deceased.

Please do the right thing and reject this proposal. Have the crematorium be moved to a remote and rural location where it belongs. Please protect the health and well being of my family and preserve the sanctity of historic Folsom.

Heather Hayes

Dear Mr. Johnson,

I am writing in regard to the proposed crematorium at Lakeside Cemetery. I am a resident of the Preserve neighborhood in Folsom.

My first concern with having a crematorium in my neighborhood is the release of harmful toxins into the air during the cremation process and the long term effects on me and my family. One such example is the mercury from the dental amalgam fillings being vaporized and released into the atmosphere. The emissions of mercury will not be regulated. There is no national standard for mercury emissions from a crematorium. There is no known lower level of toxicity of mercury. As stated in the 2019 Final Senate Crematoria Committee Report of Georgia:

***“ while there are emissions of other chemicals during the cremation process, mercury is of the most concern to communities near crematoriums. When mercury is burned, it becomes a colorless and odorless gas that can travel long distances. While mercury exposure has the potential to cause a variety of health problems, the brain and kidneys are especially vulnerable.”***

<https://www.senate.ga.gov/sro/Documents/StudyCommRpts/I2CrematoriaStudy.pdf>

The following 2020 study from the Canadian Journal of Public Health highlights the fact that crematoriums are a source of air pollution and should be monitored due to cumulative effects.

***“This study underlines that the main concern about mercury from crematoriums is not acute exposure to immediately dangerous ground-level concentrations but long-term indirect exposure from the contamination of the environment and the food chain, although more difficult to assess quantitatively. It is important to inform decision -making around environmental permitting and pollution prevention to motivate further regulation. Crematoriums are a source of air pollution as a result of combustion of caskets and human bodies, as well as companion clothing, and should be subject to the regulatory framework covering all sources of air pollutants, notably including mercury. Environmental monitoring of mercury emission from crematoriums is warranted.”***

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7728964>

Another concern is the cremation of bodies that have had radiation treatment therapy or chemotherapy. If there are no ongoing emissions regulations, how is it determined there is no negative impact to the residents or environment?

A recent study from Journal of American Medical Association (JAMA) reported on an incident of radioactive contamination to the facility equipment and an employee that occurred in Arizona crematorium when a cancer patient was cremated.

*“As of 2006 (the most recently reported data), 18.6 million nuclear medicine procedures were performed in the United States, with nearly 40 million performed worldwide.<sup>1</sup> Safety regulations are well established for radiopharmaceutical administration in living patients. However, radiopharmaceuticals present a unique and often overlooked postmortem safety challenge. Cremating an exposed patient volatilizes the radiopharmaceutical, which can then be inhaled by workers (or released into the adjacent community) and result in greater exposure than from a living patient. Regulations for cremation of exposed patients vary by state, as well as internationally, and there are no regulations at the federal level in the United States.”*

<https://jamanetwork.com/journals/jama/fullarticle/2725673>

It just seems common sense to not place a crematorium in close proximity to residents, a state park and a lake. Besides the above environmental concerns, there is the concern of fire or accidents at crematoriums. Here are a few examples. Many more can be found with a simple internet search:

***Human Remains Spewed into Air After Accident at San Diego Crematorium, May 2018***

<https://abc7news.com/crematorium-accident-human-remains-san-diego-county-smoke-with/3519060/>

***Investigation Underway After Fire At Sacramento Crematorium, June 2019***

<https://sacramento.cbslocal.com/2019/06/11/nor-cal-crematory-south-sac-fire/>

***Erie funeral home avoids serious damage from roof fire; cremation suspected as cause***

<https://www.goerie.com/story/news/local/2021/11/24/funeral-home-fire-erie-firefighters-respond-roof-fire-potentially-linked-cremation-burton/8747480002/>

Thank you for your consideration, Helen Walsh

**HERITAGE PRESERVATION LEAGUE OF FOLSOM  
INITIAL STUDY REVIEW**

February 4, 2022

**PROJECT:** 1201 Forrest Street, Lakeside Memorial Lawn Cemetery in the State Open Space Area along Lake Natoma (Project File: 19-182)

**REQUEST:** Design Review including the installation of a crematorium in an existing metal shed and the installation of two freestanding propane tanks adjacent to the shed.  
Conditional Use Permit to operate the Crematorium at Lakeside Cemetery.

**PROJECT**

**HISTORY:** The Public Review Period for the Initial Study and Mitigated Negative Declaration started on January 7, 2022 and ends on February 7, 2022.

A similar application was processed through the City in 2002 and 2003.  
(Project File: 02-258)

**BACKGROUND**

Lakeside Cemetery was started by the miners at Negro Bar. In the days that followed the early gold rush the state property became a Pioneer Cemetery with a cluster of individual burial sites. As documented by Sacramento County Cemetery Advisory Commission, the cemetery incorporates areas designated to the Jewish community, the Masons, the Oddfellows, the Cook Family, the Citizens of Folsom and a special area reserved for infants and young children. Cremations were not a part of the traditions during these times.

On November 24, 1998, Folsom's City Council approved the Historic Preservation Master Plan. As a part of this document, Lakeside Cemetery was placed on the Preliminary Cultural Resources Inventory of properties and structures eligible for local listing. In 2006, the Masons and Oddfellows cemeteries were processed for listing and added to the City's official Inventory.

**THE PREVIOUS CREMATORIUM APPLICATION**

When a crematorium addition was proposed for Lakeside Cemetery in 2002, planning staff recommended that the Historic District Commission should deny the Conditional Use Permit based on the age and history of the cemetery. The following issues were raised:

- The cemetery can provide unique information about the early days of Folsom and the various groups of citizen that lived in the City during this time.
- A crematorium was not included with Pioneer Cemeteries and a crematorium addition will impact the historic character of Lakeside Cemetery.
- Sacramento County Historic Cemetery Commission has identified Lakeside Cemetery as locally significant. *(Six individual sub-areas of Lakeside Cemetery are included with Sacramento County Cemetery List.)*

## **INITIAL STUDY**

The Cultural Resources Chapter of the current Initial Study fails to mention that the City of Folsom and Sacramento County considers Lakeside Cemetery a locally significant historic site. It also does not describe the early use of the cemetery by various local groups of citizens.

The mitigation measures for cultural resources (CUL-01, 02, and 03) does not address the expanded use of the cemetery property. Instead these mitigation measures provide standard language for projects that require excavation (including the uncovering of archeological resources and human remains). Because the crematorium project will only require leveling of the ground before a concrete pad is installed (for fuel tanks), these mitigation measures does not apply to the proposed crematorium project.

## **CONCLUSION**

The Lakeside Crematorium project has not changed since the previous application in 2002. The same findings that staff prepared in 2002 to justify a recommendation for denial still applies.

- The Heritage Preservation League of Folsom urges the Historic District Commission to deny the Lakeside Crematorium project.

The Initial Study does not discuss how the existing project will impact the historic significance of the Pioneer Cemetery. Any conclusion that environmental issues can be covered by a Mitigated Negative Declaration is therefore premature.

- The Heritage Preservation League of Folsom recommends that the Historic District Commission deem the Initial Study regarding the Lakeside Crematorium project incomplete.

Attachments: 1. Findings for Denial PN02-258  
2. Letter from the Chairman of Sacramento County Cemetery Advisory Commission



# Attachment 1

Findings for Denial  
PN02-258

**STAFF RECOMMENDATION**

Staff recommends denial of a Conditional Use Permit to operate a crematorium at an existing cemetery at 1201 Forrest Street in the Historic District, based on the following findings.

**HISTORIC DISTRICT COMMISSION ACTION**

**MOVE TO DENY THE CONDITIONAL USE PERMIT TO OPERATE A CREMATORIUM AT AN EXISTING CEMETERY AT 1201 FORREST STREET IN THE HISTORIC DISTRICT.**

**FINDINGS FOR DENIAL**

- A. NOTICE HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE USE APPLIED FOR IS DETRIMENTAL TO THE HEALTH, SAFETY, OR GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, AND DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD AND THE GENERAL WELFARE OF THE CITY BECAUSE THE INTRODUCTION OF THIS USE WILL IMPACT THE HISTORICAL CHARACTER OF THE EXISTING CEMETERY AND HISTORICAL USE OF THE AREA.
- C. THE CONGLOMERATION OF HISTORIC CEMETERIES, COMBINED WITH THE CALIFORNIA STATE DREDGER TAILINGS DATING BACK TO THE 1850'S, CREATE A RARE COMBINATION OF UNIQUE CULTURAL RESOURCES THAT WILL BE IMPACTED BY THIS PROPOSAL.
- D. THE USE OF THE PROPOSED PROJECT IS NOT CONSISTENT WITH GOAL 2 OF THE DESIGN AND DEVELOPMENT GUIDELINES IN THAT IT DOES NOT MAINTAIN THE HISTORIC USE OF THE SITE. IN ADDITION, THE PROJECT DOES NOT FURTHER DESIGN AND DEVELOPMENT GUIDELINE POLICIES 2.1, 2.2, AND 2.3 IN THAT:
  1. COMMISSIONERS FROM SACRAMENTO COUNTY HISTORIC CEMETERY COMMISSION HAVE IDENTIFIED THIS SITE AS LOCALLY SIGNIFICANT, AND COMMISSIONERS INTEND TO PRESENT LAKESIDE CEMETERY TO THE SACRAMENTO BOARD OF SUPERVISORS FOR DESIGNATION AS AN HISTORIC CEMETERY.
  2. APPROVAL OF A CONDITIONAL USE PERMIT FOR A CONTEMPORARY USE THAT WILL JEOPARDIZE THE ELIGIBILITY STATUS OF THE SITE WOULD WORK TO DISCOURAGE, RATHER THAN TO ENCOURAGE, NATIONAL REGISTER NOMINATION.
  3. BASED ON A LETTER FROM JAMES A. PURCELL, CHAIRMAN OF THE SACRAMENTO COUNTY HISTORIC CEMETERY COMMISSION DATED JANUARY 2, 2003, A CREMATORIUM IS NOT A CONSISTENT USE WITH A HISTORIC CEMETERY.

## Attachment 2

Letter from the Chairman of  
Sacramento County Cemetery Advisory Commission

**Sacramento County Cemetery Advisory Commission**  
4800 Broadway, Suite 100  
Sacramento CA 95820

City of Folsom Historic District Commission  
50 Natoma Street  
Folsom, CA 95630

Attn: Jane Talbot

Dear Ms Talbot::

The Sacramento County Cemetery Advisory Commission is in receipt of your Notice of Public Hearing regarding PN 02-258 Conditional Use Permit and Mitigated Negative Declaration 1201 Forrest Street.

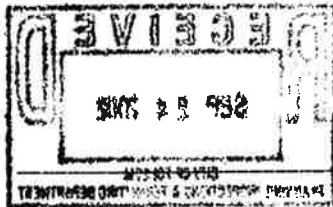
The commission is charged with the duty to encourage the preservation and designation of historical cemeteries. We are currently preparing a list of those cemeteries in Sacramento County, which should be considered historic. It is my opinion that Lakeview Cemetery will be one of the cemeteries in Sacramento County that will be on the list that is to be presented to the Board of Supervisors for designation as an historic cemetery.

While no official action has yet been taken by either The Cemetery Advisory Commission or The Board of Supervisors regarding Lakeview Cemetery we ask that you consider the above mentioned conditional use permit in the context of Lakeview's historic significance and endeavor to preserve its historic elements.

Sincerely,



James A. Purcell, Chairman  
Cemetery Advisory Commission



Chair, James A. Purcell

Vice Chair, Dr. Robert La Perriere

## Josh Kinkade

---

**From:** Kelly Mullett  
**Sent:** Friday, August 27, 2021 8:13 AM  
**To:** Josh Kinkade  
**Subject:** Fwd: Concern for pending Lakeside Memorial Crematorium

FYI

---

**From:** Isaac Monical [REDACTED]  
**Sent:** Thursday, August 26, 2021 9:28:54 PM  
**To:** Mike Kozlowski <mkozlowski@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; 1156ykc@folsom.ca.us <1156ykc@folsom.ca.us>; kerri@atlanticcorrosionengineers.com <kerri@atlanticcorrosionengineers.com>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>; thehfra@gmail.com <thehfra@gmail.com>  
**Subject:** Concern for pending Lakeside Memorial Crematorium

Some people who received this message don't often get email from isaacmonical@gmail.com. [Learn why this is important](#)

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

Dear Council members, Planning Commission members, and Residence Association members,

The Lakeside Memorial Lawn crematorium proposal is deeply troubling to me and my family for a number of reasons. The Caring Service Group is not a small business and states outright on their website that they're in the business of buying up and aggregating small funeral home businesses. This model further distances the business from its community's concerns and it shows with the "Initial Study/Mitigated Negative Declaration" dated April 2021.

The TAC (Toxic Air Contaminants) assessment in Appendix B of the "Lakeside Memorial Lawn Crematorium Initial Study/Mitigated Negative Declaration" dated April 2021 is flawed and irresponsible. Most specifically in terms of the evaluation of the impact to "Sensitive Receptors". The report by Helix Environmental Planning notes that the adjacent residential houses are as close as 450 feet which is not that far! That's about the width of 5 or 6 lots in our neighborhood, 5 houses down the street. The report makes it sound like the combustion stack is remotely located away from our neighborhood which couldn't be farther from the truth. I walk the neighborhood regularly with my 1 and 3 year old children and it's a short walk from the closest house to the proposed site which is where my son likes to occasionally ride his balance bike. The Historic District Historical Society write-up of the cemetery (<https://www.folsomhistoricalsociety.org/post/lakeside-cemetery>) concludes with "The next time you are in town I highly suggest you take a visit to the cemetery; the older burial sites are beautiful, and its quiet location makes a perfect Fall afternoon walk." This will certainly change when there are constant emissions adjacent to the cemetery and increased vehicular activity carting the deceased to and from the crematorium "shed".

The report also neglects to recognize that the American River Bike Trail is adjacent to the proposed site where numerous people of all ages including sensitive groups, i.e. elderly and families with young children religiously use the trail. The proposed industrial process does not fit within the open space plan of the adjacent area. It should not be used for a pollution buffer zone, it's a recreation area. While using the trail, the folks that are exercising will be subject to toxic emissions, at times while breathing heavily. The Air Quality Board recommends restricted exertion levels of people when air quality is poor, so to introduce a source of constant emissions renders the trail effectively unusable, especially by sensitive individuals.

The assumption that the meteorological data used from the Sacramento Executive Airport station, almost 20 miles away, which regularly gets the delta breeze where the planned site does not, appears to be laughably unethical. The canyon near the proposed site has significantly different geography. It often has stagnated air that collects along the river trail which can be witnessed when exercising along the trail in the summer and winter months. At these times when the air is perfectly still, combustion gas from leaf blowers from the adjacent business parking lots simply stagnates right on the trail. Trail users should not have to worry about breathing in toxic hydrocarbon and heavy metal combustion products along with new unpleasant smells. The near-zero initial vertical gas velocity assumption of the stack configuration in the source parameters paragraph will only exacerbate the emissions settling issue on the trail and adjacent neighborhood. The 500 meter radius geography sample used in the analysis is not enough to capture the adjacent yet substantial cliffs in the region and could be interpreted to be an attempt to replicate geography near the airport which would also be unethical in terms of being non-representative.

For a city that wants to define itself as distinctive by nature, this is a far cry from the current mission statement. The benefits to the community are substantially outweighed by the safety risk and misuse of the planned site.

I strongly encourage the Folsom City Leadership to reevaluate the applicant's intentions to monetize a currently quaint property with a toxic industrial process directly adjacent to a family oriented neighborhood and world class nature trail.

Sincerely,

Isaac Monical

██████████ Fong Ct  
Folsom, CA 95630  
██████████

## Josh Kinkade

---

**From:** Jackson Gates [REDACTED]  
**Sent:** Sunday, January 16, 2022 11:26 AM  
**To:** Danwestmit@yahoo.com; ankhelyi@comcast.net; kcolepolicy@gmail.com; kevin.duewel@gmail.com; m.dascallos@yahoo.com; johnfelts@e55tech.com; Mike Kozlowski; Sarah Aquino; YK Chalamcherla; kerri@atlanticcorrosionengineers.com; rrodriguez@folsom.ca; Elaine Andersen; Josh Kinkade; kkmullet@folsom.ca.us  
**Subject:** crematorium

Some people who received this message don't often get email from jacksongates11@gmail.com. [Learn why this is important](#)

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Hi my name is jackson I am very very sad. Every day me and my neighbor friends play outside and I am not sure if that will be able to continue in the future . I am 10 years old and had my birthday party here. Will I be able to have another birthday party outside? will animals stay in our neighborhood?

Jackson  
young wo circle

**From:** [Steven Banks](#)  
**To:** [Josh Kinkade](#)  
**Subject:** FW: Crematories are located only in industrial and light industrial zoning in other localities . If you feel Folsom should be an exception to this, I suggest you help the Miller group to locate adjacent to Serrano. Jim Tiberti  
**Date:** Tuesday, January 18, 2022 8:05:54 AM

---

FYI

-----Original Message-----

**From:** James Tiberti [REDACTED]  
**Sent:** Monday, January 17, 2022 11:55 AM  
**To:** Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>  
**Subject:** Crematories are located only in industrial and light industrial zoning in other localities . If you feel Folsom should be an exception to this, I suggest you help the Miller group to locate adjacent to Serrano. Jim Tiberti

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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Sent from my iPhone



## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Tuesday, February 1, 2022 12:54 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: Proposed - Lakeside Cemetery Crematorium

Sent from my T-Mobile 5G Device  
Get [Outlook for Android](#)

---

**From:** JANICE BRIAL [REDACTED]  
**Sent:** Tuesday, February 1, 2022 12:15:29 PM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>; Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>; Kelly Mullett <[kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us)>; kcolepolicy@gmail.com <[kcolepolicy@gmail.com](mailto:kcolepolicy@gmail.com)>; justin@revolutionsdocs.com <[justin@revolutionsdocs.com](mailto:justin@revolutionsdocs.com)>; danwestmit@yahoo.com <[danwestmit@yahoo.com](mailto:danwestmit@yahoo.com)>; ankhelyi@comcast.net <[ankhelyi@comcast.net](mailto:ankhelyi@comcast.net)>; johnfelts@e55tech.com <[johnfelts@e55tech.com](mailto:johnfelts@e55tech.com)>; m.dascallos@yahoo.com <[m.dascallos@yahoo.com](mailto:m.dascallos@yahoo.com)>  
**Subject:** Proposed - Lakeside Cemetery Crematorium

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### To: The Folsom Historic District Commission

The Caring Service Group and the Miller Funeral Home have applied for a conditional use permit to install a crematorium in an area that is zoned open space in the Folsom Historic District. I am very opposed to their plan of burning hundreds of bodies a year. Burning up to 800 pounds of bodies each day has serious implications for the physical, environmental, and fiscal health of our community.

I live in The Preserve/Lake Natoma Shores (over 100 homes) area which is located next to Lakeside Cemetery. Forrest Street, which is the sole entry point to our neighborhood, is narrow and curved. I have lived here over 25 years and at this point in time, it is frequently challenging to even enter or exit my neighborhood for a variety of reasons: Light Rail increased the traffic problems; The current traffic from our neighbors and visitors to the state park, the Lakeside Cemetery, the Murer House and the VFW cause time-consuming inconveniences that are sometimes dangerous. Please do not approve of the crematorium which will cause more danger and additional traffic.

The crematorium has proposed two, 250 gallon propane tanks above ground, in a wild fire danger area. There have been fires in the state park over the years. Countless people come to our neighborhood daily to walk, run, ride bikes, trikes, boating and to enjoy Lake Natoma. Please do not put those of us who live here and the people that come here to enjoy the state park and lake, in danger by approving the crematorium.

In addition, I am extremely concerned about the air quality if the crematorium is approved. Poor air quality, smell, increased fire risk and toxic particulate matter will cause lasting damage on the physical and environmental health of our community. According to the Sacramento County's Air Quality Management District, the crematorium would be self-regulated, with the County having very little

oversight over the mercury-based emissions. The Initial Study by HELIX Environmental Planning Inc., notates levels for harmful toxins including chromium, mercury, and organics. Our local experts have warned that those toxins are most dangerous when vaporized. The smaller the particulate matter, the more dangerous it becomes. The report designates the level as "not significant." That only applies to the average, healthy adults. The study does not report significant and potentially deadly levels for unborn children, developing children, elderly, and those with existing health conditions. I am a senior citizen with health issues and there are many young children that live here and many more that come to play in the nearby Preserve Mini Park on Sutter Street.

Please protect Historic Folsom. I am not opposed to a crematorium in a rural or industrial area. I am extremely opposed to a crematorium next to open space, neighborhoods, and a recreational area where people come here to enjoy Lake Natoma and our lovely Historic Folsom.

Sincerely,

Janice Brial  
[REDACTED] Sutter St.  
Folsom, CA 95630

## Josh Kinkade

---

**From:** Daron Bracht <daronbr@pacbell.net>  
**Sent:** Tuesday, March 2, 2021 11:09 AM  
**To:** Josh Kinkade; Steven Banks  
**Subject:** Fwd: Proposed - Lakeside Cemetery Crematorium

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----- Forwarded Message -----

**Subject:** Proposed - Lakeside Cemetery Crematorium  
**Date:** Tue, 23 Feb 2021 12:12:21 -0800  
**From:** JANICE BRIAL [REDACTED]  
**To:** [daronbr@pacbell.net](mailto:daronbr@pacbell.net)

To: Chairman Daron Bracht  
Chairman of the Folsom Historic District Commission

Dear Chairman Bracht,

It is my understanding that there is going to be a meeting about a proposed Crematorium at Lakeside Cemetery, at the Folsom Historic District Commission soon. It has been challenging to try to be up to date about what is going on during the last year of COVID. I am not aware of the developer contacting anyone in my neighborhood about the crematorium. I wonder if they have contacted the state park that is also near by?

I live in The Preserve/Lake Natoma Shores which is located next to Lakeside Cemetery. There are over 100 homes. Also, people using The Murer House, Lakeside Cemetery, the VFW and the Preserve Mini Park only have **one way** to drive in or out of this area on Forrest St. Forrest St. is small, curved and has very narrow parts. I have lived here over 25 years and at this point in time, it is frequently challenging to even enter or exit my neighborhood.

The state park is also next to this neighborhood. We have many people coming through riding their bikes, trikes, scooters, walking and running through our neighborhood. We also have traffic with people driving to Young Wo Circle and parking next to the state park and accessing the state park for biking, kayaking, running, walking, etc.

One frequent problem in trying to get in and out of Forrest Street, is the frequent train traffic. At this point in time, I believe that a train comes and goes to Old Town Folsom every 30 minutes (to and from Old Town Folsom). I have been told that the train traffic is going to be increased to every 15 minutes. When that happens, it will be much more difficult to exit and enter Forrest Street, which is the only way all of the above mentioned drivers can get in and out of the neighborhood.

A driver frequently must wait to exit Forrest St, for the traffic lights to cycle through 2 times, because a train is either going to or coming from Old Town Folsom. All of this is tedious and inconvenient. However, the biggest concern is when there is an actual emergency such as a fire at the state park (which has happened) or a fire or other emergency

anywhere in this area. People could be **trapped** and unable to safely leave the **ONLY EXIT** on Forrest St. It seems only sensible that nothing else should be built in this area when a safe exit does not exist in case of any type of emergency.

Drivers who are familiar with the complicated intersection at Folsom Blvd, Natoma Street/Forrest St. and are attempting to leave Forrest Street, know that there are two very small slots to exit next to Folsom Blvd. The right slot in the lane, is for right turns only. The left slot of the lane, is for turning left on Folsom Blvd. or going straight to Natoma St. Unfortunately, the individuals who are unfamiliar with the intersection frequently sit in the right hand lane slot and block the only exit that does not require a green light to leave. Any increased traffic to the Lakeside Cemetery will cause the intersection to be even more dangerous.

Our hard working Folsom Police Department also uses the entrance at Forrest St. and pulls over vehicles that have been speeding on Folsom Blvd., or breaking the law in other ways. It is rather routine to see one or more vehicles pulled over on Forrest St., opposite the entrance to Lakeside Cemetery. It is crowded and a driver must cross, to drive to the other side of the street, to get by.

I am not aware that the Lakeside Cemetery has notified any of the nearby residents or businesses about the proposed crematorium. We would all be involved in our attempts to exit and enter our neighborhood with any increased traffic. It seems like such a facility should only be installed in an industrial or commercial area, not near a neighborhood and state park.

My other concern is air quality. I am sure there must be safety precautions regarding fumes and dangerous particles going into the air with crematoriums. However, things happen, and sometimes even the best made plans do not work. We already have unsafe days and are sometimes told to not even walk outdoors. We are hundreds of people of all ages from babies to senior citizens. Many of us already have existing asthma, allergies and other breathing issues. Please do not allow a crematorium to be put into this lovely area where people are exercising (walking, biking, running, etc.) in our neighborhood and also going to and from the state park. I moved here to have a healthy life style near beautiful Lake Natoma and charming Old Town Folsom.

Please share my letter with the rest of the Historic District Commission. Please let me know that you received this email.

Thank you for your service.

Sincerely,

Janice Brial  
Sutter St.  
Folsom, CA

916

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Wednesday, February 2, 2022 2:21 PM  
**To:** Josh Kinkade  
**Subject:** FW: Vote NO on Folsom Crematorium Proposal

### Scott A. Johnson, AICP

*Planning Manager*

Community Development Department  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6206



---

**From:** Jennifer Grattan [REDACTED]  
**Sent:** Wednesday, February 2, 2022 2:20 PM  
**To:** Scott Johnson <sjohnson@folsom.ca.us>; Steven Banks <sbanks@folsom.ca.us>; Kelly Mullett <kmullett@folsom.ca.us>; kcolepolicy@gmail.com; danwestmit@yahoo.com; ankhelyi@comcast.net; johnfelts@e55tech.com; m.dascallos@yahoo.co; Elaine Andersen <eandersen@folsom.ca.us>; kerri@atlanticcorrosionengineers.com; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>  
**Subject:** Fwd: Vote NO on Folsom Crematorium Proposal

Some people who received this message don't often get email from [jennifer.a.grattan@gmail.com](mailto:jennifer.a.grattan@gmail.com). [Learn why this is important](#)

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To: City Council Representatives and Folsom Historic District Commissioners

Re:Vote NO on Folsom Crematory Proposal  
Public hearing scheduled for February 16, 2022

I am writing to you as a concerned resident in the Folsom Historic District. I am strongly opposed to the conditional use permit to install a crematorium on the grounds of a residential open space. I believe allowing a permanent, industrial incinerator in the residential open space does not meet the criteria of the Folsom Historic District.

I further believe this contradicts the city of Folsom motto, 'Distinctive by Nature'. I urge you to vote NO on the proposed Folsom Crematorium. Please consider the impacts to the environment, physical health of the residents and the fiscal health of the Folsom Historic District.

Please preserve the environment, the physical health of the residents and the community as a whole.

Vote NO on the Folsom Crematory Proposal.

Kindly,

Jennifer Grattan  
Historic Folsom Resident

## Josh Kinkade

---

**From:** Steven Banks  
**Sent:** Friday, February 4, 2022 10:20 AM  
**To:** Josh Kinkade  
**Subject:** FW: NO crematorium

FYI

-----Original Message-----

**From:** jeri livesay [REDACTED]  
**Sent:** Friday, February 4, 2022 10:00 AM  
**To:** Steven Banks <sbanks@folsom.ca.us>  
**Subject:** NO crematorium

[You don't often get email from [REDACTED]. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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Please vote NO....our air quality does not need gramma and grampas ashes floating around.....vote NO NO NO

Sent from my iPad

**Josh Kinkade**

---

**From:** Kelly Mullett  
**Sent:** Friday, February 4, 2022 10:05 AM  
**To:** Josh Kinkade  
**Subject:** FW: NO crematorium

-----Original Message-----

**From:** jeri livesay [REDACTED]  
**Sent:** Friday, February 4, 2022 10:02 AM  
**To:** Kelly Mullett <kmullett@folsom.ca.us>  
**Subject:** NO crematorium

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Please vote NO.....our air quality is already compromised enough throughout the year....we don't want this.....vote NO NO NO

Sent from my iPad



## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Friday, February 4, 2022 9:58 AM  
**To:** Josh Kinkade  
**Subject:** FW: No crematorium

Scott A. Johnson, AICP  
Planning Manager  
Community Development Department  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6206

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.folsom.ca.us%2F&data=04%7C01%7Cjkinkade%40folsom.ca.us%7Cdbce6f94165b412ec21408d9e807e46b%7C1cfb4b4a254c47b48448af71335fd6c0%7C0%7C0%7C637795942874787606%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ij1haWwiLCJXVCi6Mn0%3D%7C3000&data=65kuXCKzqzk1GDwwL5DX6tmMNN4ziVZS4VrOgL6IB2Q%3D&reserved=0>

-----Original Message-----

**From:** jeri livesay [REDACTED]  
**Sent:** Friday, February 4, 2022 9:57 AM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>  
**Subject:** No crematorium

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Please vote NO.....our air quality cannot have ashes.....NO NO NO Sent from my iPad

## Josh Kinkade

---

**From:** Elaine Andersen  
**Sent:** Friday, February 4, 2022 12:30 PM  
**To:** Josh Kinkade  
**Subject:** FW: NO crematorium

-----Original Message-----

**From:** jeri livesay [REDACTED]  
**Sent:** Friday, February 4, 2022 10:08 AM  
**To:** Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** NO crematorium

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Please vote NO.....our air quality is already compromised we don't need even more issues with ashes hindering our oxygen.....vote NO NO NO Sent from my iPad

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Wednesday, February 2, 2022 1:14 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: The Preserve Crematorium

Sent from my T-Mobile 5G Device  
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**From:** Jessica Foster [REDACTED]  
**Sent:** Wednesday, February 2, 2022 12:35:13 PM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>; Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>; Kelly Mullett <[kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us)>; kcolepolicy@gmail.com <[kcolepolicy@gmail.com](mailto:kcolepolicy@gmail.com)>; justin@revolutionsdocs.com <[justin@revolutionsdocs.com](mailto:justin@revolutionsdocs.com)>; danwestmit@yahoo.com <[danwestmit@yahoo.com](mailto:danwestmit@yahoo.com)>; ankhelyi@comcast.net <[ankhelyi@comcast.net](mailto:ankhelyi@comcast.net)>; johnfelts@e55tech.com <[johnfelts@e55tech.com](mailto:johnfelts@e55tech.com)>; m.dascallos@yahoo.com <[m.dascallos@yahoo.com](mailto:m.dascallos@yahoo.com)>; Elaine Andersen <[eandersen@folsom.ca.us](mailto:eandersen@folsom.ca.us)>; kerri@atlanticcorrosionengineers.com <[kerri@atlanticcorrosionengineers.com](mailto:kerri@atlanticcorrosionengineers.com)>; Rosario Rodriguez <[rrodriguez@folsom.ca.us](mailto:rrodriguez@folsom.ca.us)>; Sarah Aquino <[saquino@folsom.ca.us](mailto:saquino@folsom.ca.us)>; YK Chalamcherla <[ykchalamcherla@folsom.ca.us](mailto:ykchalamcherla@folsom.ca.us)>; Mike Kozlowski <[mkozlowski@folsom.ca.us](mailto:mkozlowski@folsom.ca.us)>  
**Subject:** The Preserve Crematorium

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Hi there,

I am writing to you as a plea to vote "no" on the crematorium proposal in the residential Preserve neighborhood of Historic Folsom. My mom lives there and we frequently visit her with our small children, especially in the Spring and Summer when the weather is nice and we can play outside at her house and nearby the river.

A crematorium doesn't belong there. The noise of machinery, the increase of cars in and out of the neighborhood, AND the pollution in the air will devastate the livelihood of the people who live and visit there.

A crematorium should be placed in an industrial area. Please vote in favor of the residents who need you to protect their neighborhood.

Thank you,

Jessica Grob

[Sent from Yahoo Mail for iPhone](#)

## From the desk of Joan Boyle

I am writing to you today because it has come to my attention that Lakeside Memorial Lawn Cemetery is working to put a crematorium on the property located at the intersection of Folsom Blvd and Forrest St. The **crematorium** will be housed in a **shed**, serviced by **two 250-gallon propane tanks**, and have a **smoke stack** installed for ventilation.

Lakeside Memorial Lawn Cemetery is part of the Miller Funeral Home which is owned by Caring Services Group. When looking at Caring Services Group's website their opening statement is, and I am quoting here, "**Caring Services Group was established in 2010 with a primary goal of purchasing Funeral Home businesses.**" With this as their primary goal, they do not appear to be a family-owned business with the best interests of the community at heart, but more a corporation that only cares about their bottom line. I attended a Zoom meeting where Igor Semenyuk, the Chief Operations Officer for Caring Services Group, was speaking on the topic. When asked why they wanted to place the crematory in the Lakeside Memorial Lawn he said something to the effect that 'the location is cost effective'. Again, no regard for the community or it's people, just their bottom line.

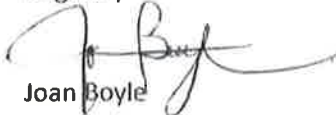
Lakeside Memorial Lawn is currently designated as Open Space which excludes it from operating a crematorium. The owners are applying for a Conditional Use Permit to change that. This is very concerning for a number of reasons, including but not limited to:

- **Toxicity levels** – harmful toxins such as chromium, mercury and organics become most dangerous when vaporized. While the initial report by HELIX Environmental Planning, Inc. notes the levels as "not significant" this applies to only average healthy adults. The study fails to report the effect on unborn children, developing children, the elderly and those with existing health conditions.
- **Air Quality** – poor air quality, smell and toxic particulate matter will cause lasting damage on the physical, environmental and fiscal health of our community.
- **Fire Danger** – two 250 gallon above ground propane tanks pose a real threat to the area. The proposed crematory site is located within a wildfire danger area. It is also adjacent to the American River Bike Trail, Lake Natoma and a residential neighborhood. If there were to be a wildfire or vandalism, the propane tanks could cause untold damage to the area.
- **Traffic** – there is only one ingress and egress to the area. This intersection of Folsom Blvd and Forrest St is already compromised by the light rail train interruptions. Additional business, or the need for an emergency evacuation could be very problematic.

Please deny the Conditional Use Permit to operate a crematorium at this location.

In closing, I am not opposed to a crematorium. But it should be placed in an appropriately zoned area, not in Historic Folsom, adjacent to the American River Bike Trail and Lake Natoma.

Regards,

  
Joan Boyle

From the desk of Joan Boyle

It is clear from this picture that the shed, actually both of them, are visible from Folsom Blvd. How can the report conclude that "Tailing piles between the site and Folsom Boulevard prevent the site from being visible from that street."? That is not a true statement. You can clearly see the shed, and the smokestack is not even installed yet. That's at least another 10 feet in the air, but the report says the smokestack was taken into consideration. How can the report be trusted?

Second:

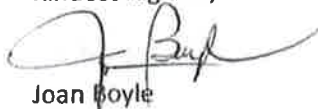
- In **Section 9.0 Environmental Initial Study Checklist Subsection XVII. Transportation** it states "As the crematorium would not be located in or near a funeral home and would be separate from any funeral services or public gatherings provided by the project applicant, access would only need to accommodate a small number of staff members with a business at the site." While in the **Lakeside Memorial Lawn, Scope of work – Installing a Crematory – Point at Issue** it states "There are several large cultural communities residing and moving into Folsom. Regretfully, we do not have the ability nor the capability to serve the Sikh, Hindu, Buddhist or other cremation-based cultures as they require an on-site crematory so that they are able to exercise their funeral rights and customs. Currently there is no crematory in the city of Folsom so they must find the services outside the city."
  - Is the proposed crematorium going to be opened the public so "the Sikh, Hindu, Buddhist or other cremation-based cultures as they require an on-site crematory so that they are able to exercise their funeral rights and customs", or is it just open to a "small number of staff members"?
  - If it is the former, will the Initial Study be updated to reflect that? I have reached out to the consultant to ensure clarity on this

I have yet to hear back from Josh on this topic. But, if the primary purpose of the Conditional Use Permit is to have "the capability to serve the Sikh, Hindu, Buddhist or other cremation-based cultures as they require an on-site crematory so that they are able to exercise their funeral rights and customs" but, as the Mitigated Negative Declaration says, only a few workers will be on site, then there's no need to put the crematorium at the cemetery. It should be located in a properly zoned area. At best these are two completely contradictory statements. It appears to me that this issue needs to be resolved prior to voting on the request.

I understand this is a difficult decision you are championed to make. I implore you to consider the nature of Historic Folsom, the American River Bike Trail, Lake Natoma, as well as the welfare of the residents when making your decision.

Thank you for your time.

Kindest regards,



Joan Boyle

## From the desk of Joan Boyle

Hi. Let me introduce myself, my name is Joan Boyle and I am a resident of the Preserve neighborhood. I am writing to you today regarding the upcoming vote on the proposed crematorium at the Lakeside Memorial Lawn Cemetery.

I have spent some time reading through documents from both Caring Services Group and the City of Folsom, including The Scope of Work and the Initial Study/Mitigated Negative Declaration, and I have some concerns and questions. I sent a number of questions to Josh Kinkade, the Project Planner at the City of Folsom, regarding statements and conclusions made in the Initial Study/Mitigated Negative Declaration. Below I have highlighted two of my questions that are particularly concerning to me (Josh's responses are in red).

### First:

- **In Section 9.0 Environmental Initial Study Checklist Subsection I. Aesthetics** it also states "Tailing piles between the site and Folsom Boulevard prevent the site from being visible from that street." Note: Attached is a photo showing that the shed (even without the smokestack) is visible from Folsom Blvd.
  - Was the installation of the smokestack taken into account when this statement was made? **Yes**
- **In Section 9.0 Environmental Initial Study Checklist Subsection I. Aesthetics c)** concludes "Less Than Significant Impact". I would argue that the view of a smokestack in a Historic cemetery, adjacent to the American River Bike Trail and a residential neighborhood is significant.
  - What criteria was used to determine the impact is "Less Than Significant"? **It was determined that the smokestack would be adequately screened by existing walls and landscaping. If the commission would want additional screening, they can add that to the conditions of approval as part of their decision on whether to approve the project.**



## Josh Kinkade

---

**From:** Joan Boyle [REDACTED]  
**Sent:** Monday, January 17, 2022 3:47 PM  
**To:** Josh Kinkade  
**Cc:** Joan Boyle  
**Subject:** Lakeside Memorial Lawn Crematory Initial Study questions  
**Attachments:** Shed - Folsom Blvd.jpg; Shed - Forrest St.jpg

You don't often get email from joanmarieboyle@outlook.com. [Learn why this is important](#)

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Dear Josh,

Hi. Let me introduce myself, my name is Joan Boyle and I am a resident of the Preserve neighborhood. It has come to my attention that Lakeside Memorial Lawn Cemetery is working to put a crematorium on the property located at the intersection of Folsom Blvd and Forrest St. I am reviewing the Initial Study/Mitigated Negative Declaration to try and understand the details of the proposal. I have a few questions. This is all very new to me, so I apologize in advance if my questions are basic.

Just for background, I did attend a Zoom meeting where Igor Semenyuk, the Chief Operations Officer for Caring Services Group, was speaking on this topic. I mention this, because in some of my questions I will be referencing things Igor said in that meeting.

Okay so, here we go...

- **In Section 11.0 Initial Study Preparers** it states that you are one of the preparers of the document along with HELIX Environmental Planning Inc. and ECORP Consulting, Inc. But Igor said over and over again in the Zoom meeting that he paid \$30,000 for the report.
  - Who prepares the report?
  - Who pays for the report?
  - If Caring Services Group is paying for the report how is impartiality achieved in determining the conclusions presented in the report?
- **In Section 3.3 Project Characteristics** in the Initial Study dated April 2021 it states "The applicant anticipates one or two cremations on most business days (Monday through Friday) and expects that the total will not exceed 500 cremations per year." while in the Initial Study dated January 2022 it states "The applicant anticipates 1 - 4 cremations on business days (Monday through Friday) with the total number of cremations not exceeding 500 per year."
  - Why was this verbiage changed?
  - Who requested this verbiage change?
- **In Section 3.3 Project Characteristics** it states that "The applicant anticipates 1 - 4 cremations on business days (Monday through Friday) with the total number of cremations not exceeding 500 per year." But in the Zoom meeting Igor commented that it could be up to 5 per day.
  - Is this Initial Study/Mitigated Negative Declaration study and all its subsequent findings (including Air Quality), based on 1, 2, 3 or 4 cremations a day?

- Who monitors the number of cremations performed daily to ensure the total number of annual cremations do not exceed 500?
- **In Section 3.3 Project Characteristics** it also states that HCT Apex-250 crematory will be installed in a shed, and “The shed would be modified to accommodate this device, but the shed’s footprint would not be expanded.”
  - What modification(s) are being made to the shed?
- **Section 3.3 Project Characteristics** it also states that “Two 250-gallon propane tanks would be installed on a proposed concrete pad along the northern side of the shed to provide power for the crematorium, as no gas lines currently exist on the property.” In Appendix A it states “(N) 2 X 500 gallon propane tanks”
  - What is the size of the propane tanks 250 gallons or 500 gallons?
- **In Section 9.0 Environmental Initial Study Checklist Subsection I. Aesthetics** it states “A small exhaust stack would be added to the roof of the shed. The stack would be approximately 19.5 feet above grade, and would project approximately 10 feet above the existing roof of the shed.”
  - This statement uses the words **small** and **approximately**. Why is this statement so vague?
  - Shouldn’t Caring Services Group be able to provide specific enough information to calculate exactly how tall the smokestack would be, and provide that information to the writer of this report?
  - Example: If the smoke stack is installed 19.5 feet above grade and the shed is a single story building of approx. 12 feet, won’t the stack be more realistically about 15 feet above the existing roof? Doing the math - an 8 foot crematory (estimate) plus 19.5 foot smoke stack, minus a 12 foot tall shed equals 15.5 feet. I know it doesn’t seem like much, but aesthetically when you live in the neighborhood, a 15 foot smokestack towering above a 12 foot shed is much different than a ‘small’ smokestack.
- **In Section 9.0 Environmental Initial Study Checklist Subsection I. Aesthetics** it also states “Tailing piles between the site and Folsom Boulevard prevent the site from being visible from that street.” Note: Attached are two photos showing that the shed (even without the smokestack) is visible from Folsom Blvd as well as Forrest St.
  - Was the installation of the smokestack taken into account when this statement was made?
- **In Section 9.0 Environmental Initial Study Checklist Subsection I. Aesthetics c)** concludes “Less Than Significant Impact”. I would argue that the view of a smokestack in a Historic cemetery, adjacent to the American River Bike Trail and a residential neighborhood is significant.
  - What criteria was used to determine the impact is “Less Than Significant”?
- **In Section 9.0 Environmental Initial Study Checklist Subsection III. Air Quality** there is so much information in this section, so my questions on this section are very general.
  - The initial report by HELIX Environmental Planning, Inc. notes the levels as “not significant”. It is my understanding that this applies to average healthy adults. Is that true?
  - If so, does the study have findings that report the effect on unborn children, developing children, the elderly and those with existing health conditions?
- **In Section 9.0 Environmental Initial Study Checklist Subsection XVII. Transportation** it states “As the crematorium would not be located in or near a funeral home and would be separate from any funeral services or public gatherings provided by the project applicant, access would only need to accommodate a small number of staff members with a business at the site.” While in the **Lakeside Memorial Lawn, Scope of work – Installing a Crematory – Point at Issue** it states “There are several large cultural communities residing and moving into Folsom. Regretfully, we do not have the ability nor the capability to serve the Sikh, Hindu, Buddhist or other cremation-based cultures as they require an on-site crematory so that they are able to exercise their funeral rights and customs. Currently there is no crematory in the city of Folsom so they must find the services outside the city.”



- Is the proposed crematorium going to be open the public so “the Sikh, Hindu, Buddhist or other cremation-based cultures as they require an on-site crematory so that they are able to exercise their funeral rights and customs”, or is it just open to a “small number of staff members”?
- If it is the former, will the Initial Study be updated to reflect that?

Thank you in advance for your time. If you have any questions please feel free to contact me at [REDACTED]

Kind regards,  
-Joan Boyle



## Josh Kinkade

---

**From:** Kelly Mullett  
**Sent:** Friday, August 27, 2021 8:59 AM  
**To:** Josh Kinkade  
**Subject:** FW: Crematorium

FYI

### Kelly Mullett

*Administrative Assistant*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6231  
F: 916.355.7274



   [www.folsom.ca.us](http://www.folsom.ca.us)

---

**From:** Joanne Dudgeon [REDACTED]  
**Sent:** Friday, August 27, 2021 8:53 AM  
**To:** Kelly Mullett <kmullett@folsom.ca.us>  
**Subject:** Crematorium

You don't often get email from [jodudg@comcast.net](mailto:jodudg@comcast.net). [Learn why this is important](#)

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

My husband and myself, Stephen and Joanne Dudgeon are against the crematorium being considered for the Folsom area. Please think about the children and citizens of our community and how it will adversely affect us.

We vote NO for this crematorium.

Joanne Dudgeon  
[REDACTED] Crestridge Lane  
Folsom, Ca. 95630

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Saturday, January 29, 2022 12:14 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: Proposed Crematorium, please read

Sent from my T-Mobile 5G Device  
Get [Outlook for Android](#)

---

**From:** Joy Hays [REDACTED]  
**Sent:** Saturday, January 29, 2022 11:47:24 AM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>  
**Cc:** Joy Hays [REDACTED]  
**Subject:** Proposed Crematorium, please read

You don't often get email from [djhays02@comcast.net](mailto:djhays02@comcast.net). [Learn why this is important](#)

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

Dear Planning Manager Scott Johnson:

I am writing again today as a very concerned citizen and resident of Historic Folsom. The issue is the proposed crematorium at Lakeside Cemetery near the intersection of Folsom Boulevard and Forrest Street. Because the Commission represents all of the people of Historic Folsom, I urge you to deny the building of the proposed crematorium at this location.

My concerns include fire safety and air quality. The City of Folsom has signed agreements. Because the City needed a certain amount of Open Space, Lakeside Cemetery was zoned as **Open Space**. This seemed fitting in that the Cemetery adjoins an historic Chinese heritage cemetery, and the American River Bike Trail. Access to our adjacent Preserve residential community is limited, with one way in, and one way out. Fire engine access to the neighborhood can be difficult. It is fitting that the City of Folsom signed the document declaring our whole area as a **high-risk fire zone**.

Our neighborhood hosts a trailhead to the American River Bike Trail, and Lake Natoma. The recreational opportunities of both bring many people to our neighborhood. (And money to the local businesses.) Biking or hiking along the trail, one can see that the dead wood from the drought and heavy winds is everywhere. Some clearing has been done, but still much tinder remains. **I encourage you to come walk or bike this area.** Right now, we enjoy green grass. But from early spring through what we hope will be a rainy season, the grasses are extremely dry, tinder waiting to be ignited. Individually we pray that no one drops a match, or all of this area will be up in flames. It is common knowledge that we are in, and presumably will stay in a **major drought**. This **potential flammability** is a reality which intensifies each season.

Imagine the residents' concerns when we heard of the project which will put a blast furnace and two propane tanks above ground in the middle of all this! And with no additional water lines! The cemetery management seems to think this proposal is a done deal. No one plans for an **"accident"**

to happen, but we all know that accidents do happen, and then questions are asked, “**Who approved such a thing?!**” Should just one of these tanks ignite, the blast range is 1800 feet, and the resulting fires could wipe out most of Historic Folsom. Do you want the loss of life, in addition to property, both residential and commercial, attached to **your** approval of such a risky project?

**Air quality is another concern.** Last summer, we all suffered from forest fire smoke, (notably smoke trapped in our Preserve neighborhood) to the point that we were advised we should not leave our houses. Because of what smoke does to our lungs, and to our children's health, we were hesitant to go shop or eat at, the multiple Folsom small businesses that depend on locals' patronage to survive. This economic challenge for our merchants was in addition to Covid slowdowns and closures. Do we need to add to the economic issues by building a crematorium walking distance away? Smoke of human remains does escape a crematorium, and cremating obese human bodies emits a dark smoke that smells horribly. The wind will carry these fumes to all of Historic Folsom. Air quality affects both human and fiscal health of our Historic Folsom. Would **you** choose to eat outside at a restaurant on Sutter Street and breathe burning bodies, or drive minutes and eat at the Palladio?

An additional concern is that the cemetery management has expressed an entitled **attitude by starting construction before the approval has been issued.** Might that attitude extend to **safety issues?** Lakeside Cemetery originally projected an average of one cremation a day, **now doubled!** but what can stop the increase to **multiple cremations per day?** When asked about permits, the reply was “Oh, the city will take care of that.” Does Lakeside Cemetery speak for the Historic Folsom Commission? Does it speak for the City of Folsom? Do we need more air pollution in this area, let alone **escaping fumes of human remains? No, we do not.**

I do not oppose a crematorium, but it **must not be built** in this **Open Space** and **High-Risk Fire Zone.** It should be approved and built in an **industrial area** with adequate access to **water, fire prevention and containment.** Thank you for your time and your attention to this very important issue.

Sincerely,

Joy Hays

██████ Young Wo Circle

Folsom, CA 95630

January 29, 2022

cc: [sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)



## Josh Kinkade

---

**From:** Adam and Katie Musfelt [REDACTED]  
**Sent:** Thursday, January 27, 2022 3:56 PM  
**To:** danwestmit@yahoo.com; kcolepolicy@gmail.com; kevin.duewel@gmail.com;  
m.dascallos@yahoo.com; johnfelts@e55tech.com; Mike Kozlowski; Sarah Aquino; YK Chalamcherla;  
kerri@atlanticcorrosionengineers.com; Rosario Rodriguez; Elaine Andersen; Josh Kinkade; Kelly  
Mullett  
**Subject:** Crematorium

[You don't often get email from akmusfelt@yahoo.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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Commission and Council Members,

Folsom is a second home to me; I spend a lot of time there as I have many life-long friends, including my children's godparents, who live in the housing development next to Lakeside Cemetery. Some of the things I love most about Folsom are the trails along the river and quintessential Sutter Street. When visiting, we are almost always outside enjoying the fresh air, kind people and beautiful scenery that Folsom has to offer. During the pandemic we have celebrated numerous events outdoors including backyard birthday parties, playdates in the little park, baby showers, and family gatherings where we would take walks on the trails and to Sutter Street to pick up food. It is a unique city rich with history and charm, that would be greatly diminished by the establishment of a crematorium at the cemetery.

It would be devastating if this crematorium is put in. I can't imagine anyone would want to visit the resting place of their loved ones at the cemetery, while breathing in the smell of the crematorium. None of us would want to gather outside together or let our children play at the playground when it's a burn day. The people who walk and bike on the trails and eat at the restaurants on Sutter Street would disappear on these days as well. People will stop visiting Folsom.

Ask yourselves how would you feel if you or your loved ones lived or owned a business next to a crematorium? Our quality of life will have a significant negative impact if this crematorium is allowed to be built; families and businesses will suffer repercussions for years to come. Please keep letting us live life and enjoy the clean air in the neighborhood, on the trails, and when spending time on Sutter Street.

Thank you,

Katie Musfelt

## Josh Kinkade

---

**From:** Dave Higgins [REDACTED]  
**Sent:** Tuesday, July 20, 2021 7:31 AM  
**To:** danwestmit@yahoo.com; daronbr@pacbell.net; ankhelyi@comcast.net; kcolepolicy@gmail.com; kevin.duewel@gmail.com; m.dascallos@yahoo.com; johnfelts@e55tech.com; Mike Kozlowski; Sarah Aquino; YK Chalamcherla; kerri@atlanticcorrosionengineers.com; rrodriquez@folsom.ca.us; Elaine Andersen; Josh Kinkade  
**Subject:** Proposed Lakeside Memorial Lawn Crematorium

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July 20, 2021

NO.... to the Crematorium

My Name is Kim Higgins. I live directly across from the entrance of Lakeside Memorial Lawn. My backyard and kitchen window is in direct sight of the cemetery driveway. I believe, with a crematorium at Lakeview we will receive the most impact from the increased use of the facility.

Memorial Lawn has been a good neighbor. My husband and I enjoy the open space and the wildlife that frequents there. We respect it. The Preserves Neighborhood is very small, unique and quaint. We have a park for children and a beautiful lake with eagles and diverse wildlife, hiking and bike trails, and a short walk to downtown Historic Folsom. It's all a gem.

However, it is a busy place. Veterans Hall, Muir House, Chinese Cemetery, Access to Lake Natomas, our park and playground brings with it alot of traffic. Not to mention the endless UPS, Fedex, Amazon and delivery trucks to the Vets Hall. We have only one way in and out of this neighborhood.

My husband and I purchased our home three years ago. During those years we encouraged our adult children with their families to move into the Preserves Neighborhood. Our lives with our kids and grandkids is a dream come true. With the proposal of the Crematorium at the cemetery it has become a game changer to the quality of life we have become accustomed to. Members of my family suffer from severe asthma and allergies. I am very concerned for their well being.

I watched the Zoom meeting presented by HFRA on June 20. Igor Semenyuk and Peter Hartwick explained that we won't know when a cremation is taking



place. Mr. Semenyuk stated all we might see is an "initial puff of white smoke" and heat waves. Mr. Hartwick stated there won't be any smoke or smell. I am concerned that there is still going to be particulate matter in the air.

In the meeting Mr. Semenyuk guesstimated a possibility of 2 to 3 bodies a day. What would the number of cremations be in the future with our current population growth. More cremations, more service trucks, more emissions from more smoke stacks?

I realize Miller Funeral Home is a business. It makes good business sense to them to put a crematorium there. But a crematorium does not belong in a residential neighborhood. I am sure they can find a great location in a commercial-industrial area where they can operate day and night.

Should this crematorium get installed I will be looking at the American flag that flies in the cemetery to see which way the wind is blowing. This will dictate what type of day to expect. Will we be inside or outside? I suspect our quality of life will be diminished during operating hours because we will be trapped in our homes for health reasons.

I believe our property values will be affected by having a crematorium so close. According to an article from "Applied Economics Magazine" by Mark Agee, dated June 19, 2008,

"Data Spans 27 months of house sales: 7 months before and 20 months after the startup of crematory operations. Results indicate that proximity, measured in terms of direction and distance from the crematory, imparts a statistically significant negative impact on average house sale prices - an increase of 0.3% to 3.6% of average sale price for every tenth mile increase up to a half mile in distance from the crematory."

California disclosure law requires us to disclose. Not many people desire to live near one. Do you?

We love our small unique neighborhood. The Preserves Neighborhood is where we are planning to spend the rest of our lives. All our family is here. Our quality of life will be affected if the crematorium goes forward. Honestly, would you want this in your backyard?

Thank You  
Kim Higgins

To whom it concerns,

Folsom "Distinctive by Nature". While we move deeper into the twenty first century we have become more aware of the choices we must make to protect the future. Small choices might not make immediate impacts but we understand that the small choices we make today add up to the large impacts we seek.

I am writing regarding the proposed crematorium planned at lakeside memorial lawn cemetery. Many people will have written to you about the theoretical risk associated with the carcinogens living near one. While my concern is about protecting the future and we have a small chance to make a meaningful change today. At the same time eliminating all risk associated with a crematorium.

**Reverend Desmond Tutu provided direction on this matter. Upon his recent death he chose to use aquamation to promote green burial. Reducing greenhouse gases by 90% associated with normal cremation. Some estimates state that each time aquamation is used it is the equivalent of taking a car off the road for 1000 miles in co2 creation. As cremation becomes closer to being the standard choice in California these numbers start to add up.**

Some might be concerned about water use. Per one manufacture website each use requires about 100 gallons of water. We are in the process of adding 10,000 homes which per your own literature uses on average of 600gallons of water a day. So this extra amount used would be the equivalent of one home if used to full capacity.

I actually would prefer that the city of Folsom would choose to not allow any crematorium projects moving forward and encourage the use of this proven technology. In fact we already have an aquamation facility in Folsom. Sacramento Pet Aquamation is located on Bidwell provides this service for residents cherished pets.

Now is the time to make this choice. It is much harder to change directions on this path once you allow the crematorium to be put in operation. The decision to preferably not allow a crematorium in the city of Folsom and encourage the use of green burial technology is not something to make a decision on in two decades. It is today.

Thank you,  
Kyal Von Gunten  
1335 Fong St

To whom it concerns,

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Thank you,  
Kyal Von Gunten  
[REDACTED] Fong St

## Josh Kinkade

---

**From:** Karen Sanabria  
**Sent:** Friday, August 6, 2021 7:42 AM  
**To:** Josh Kinkade; Kelly Mullett  
**Subject:** FW: CREMATORIUM

FYI

**From:** Kyal VonGunten [REDACTED]  
**Sent:** Thursday, August 5, 2021 7:52 PM  
**To:** Karen Sanabria <ksanabria@folsom.ca.us>  
**Subject:** CREMATORIUM

You don't often get email from [kyalpv@gmail.com](mailto:kyalpv@gmail.com). [Learn why this is important](#).

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August 4, 2021

TO: City Council Members  
Historic District Commission  
Planning Department - Scott Johnson

My name is Kyal VonGunten. I live next to Lakeside Memorial Lawn on [REDACTED] Fong St.

Lakeside Memorial Lawn proposed crematorium is 460 feet from the closest residence. The majority of the homes are on Young Wo Circle.

I have read the assessment report from Helix Environmental Planning, appendix "B" and I have anxiety about what will occur in my neighborhood.

In the "Air Quality and Greenhouse Gas Emissions Assessment", appendix "B" written by Helix Environmental Planning, page 5, under "**Sensitive Receptors**", they state the closest residences are 450 feet. They are correct, there are nine homes on Young Wo Circle that fall within the distance of 450 feet. From there it fans out to all of the Preserves Neighborhood.

**"Sensitive Receptors" Corporate speak for people, people with homes, families and lives.**

**According to an article by Julliette O'keeffe, dated march 24, 2020, "Crematoria Emissions and Air Quality Impacts". page 4, item 3**

**What is standard practice for siting of crematorium in proximity to residential areas?**

Table 1 identifies the many factors affecting emissions from crematoria. Ground level concentrations can also be affected by local prevailing wind direction and topography. In North America, there are no standard requirements for crematoria setback distances and no minimum separation distances are set at a federal level in either the US or Canada. Crematoria are regulated at the provincial/territorial level and regional or municipal authorities determine whether minimum setbacks are required based on relevant planning and environmental considerations.

The literature search for public agency resources and the grey literature identified many different practices, with some selected examples from around the world listed in Table 3.

**Table 3.** Selected example setback distances for crematoria from around the world

Country/Jurisdiction	Minimum distance
England and Wales  (UK Cremation Act) <sup>46</sup>	200 yards (183 m) between a crematorium and any dwelling house and 50 yards from a public highway to protect residents from nuisance smoke and fumes and provide privacy to funeral proceedings
West Australia <sup>47</sup>	200-300 m between crematoria and sensitive land uses
South Australia and the Australian Capital Territory <sup>48,49</sup>	150 m minimum separation distance
South Africa, Department of Health <sup>50</sup>	500 m from any habitable building
US (Sacramento County, California) <sup>51</sup>	500 feet (152 m) from any agricultural-residential, residential, or interim residential zoning district

Back to the Helix Report. On page 2 of the document, under Air Quality, it explains the "Environmental Setting" of Folsom. This is important data.

**AIR QUALITY ANALYSIS - Environmental Setting**

The City of Folsom lies within the Sacramento Valley Air Basin (SVAB), near the southeastern edge. The SVAB consists of all or parts of eleven counties spanning from Solano and Sacramento counties to the south, and Shasta County to the north.

The Sacramento Metropolitan Air Quality Management District (SMAQMD) is responsible for implementing emissions standards and other requirements of federal and state laws for Sacramento County, including the project area. The climate of the SVAB is characterized by hot dry summers and mild rainy winters. During the year the temperature may range from 20 to 115 degrees Fahrenheit with summer highs usually in the 90s and winter lows occasionally below freezing. Average annual rainfall is about 20 inches with snowfall being very rare. The prevailing winds are moderate in strength and vary from moist breezes from the south to dry land flows from the north. The mountains surrounding the Sacramento Valley create a barrier to airflow, which can trap air pollutants in the valley when certain meteorological conditions are right and a temperature inversion (areas of warm air overlying areas of cooler air) exists. Air stagnation in the autumn and early winter occurs when large high-pressure cells lie over the valley. The lack of surface wind during these periods and the reduced vertical flow caused by less surface heating reduces the influx of outside air and allows pollutants to become concentrated in the air. The surface concentrations of pollutants are highest when these conditions are combined with

increased levels of smoke or when temperature inversions trap cool air, fog and pollutants near the ground.

The ozone season (May through October) in the SVAB is characterized by stagnant morning air or light winds with the breeze arriving in the afternoon out of the southwest from the San Francisco Bay. Usually the evening breeze transports the airborne pollutants to the north out of the SVAB. During about half of the days from July to September, however, a phenomenon called the "Schultz Eddy" prevents this from occurring. Instead of allowing for the prevailing wind patterns to move north carrying the pollutants out of the valley, the Schultz Eddy causes the wind pattern and pollutants to circle back southward. This phenomenon's effect exacerbates the pollution levels in the area and increases the likelihood of violating the federal and state air quality standards (SMAQMD 2020a)

**This data is important to note as pollutants, particulate matter, ozone and smoke would most likely lay within the neighborhood because of the elevation decrease to Lake Natomas.**

#### **Regulatory Setting - Criteria Pollutants**

As permitted by the Clean Air Act, California has adopted the more stringent California ambient air quality standards (CAAQS) and expanded the number of regulated air constituents. **Ground-level ozone is not emitted directly into the environment but is generated from complex chemical and photochemical reactions between precursor pollutants, primarily reactive organic gases (ROGs; also known as volatile organic compounds [VOCs]), 1 and oxides of nitrogen (NOX). PM10 and PM2.5 are generated from a variety of sources, including road dust, diesel exhaust, fuel combustion, tire and brake wear, construction operations and windblown dust. In addition, PM10 and PM2.5 can also be formed through chemical and photochemical reactions of precursor pollutants in the atmosphere.**

The California Air Resources Board (CARB) is required to designate areas of the state as attainment, nonattainment, or unclassified for the ambient air quality standards. An "attainment" designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area.

**A "nonattainment" designation indicates that a pollutant concentration violated the standard at least once.**

This data is valuable because it is an evaluation of today, before the crematorium is operational. This ozone and particulate matter pollution most likely comes from the busy traffic on Folsom Blvd. With a crematorium initially proposing 2 bodies or 400lbs of matter a day, 100,000 lbs a year, one can only imagine the additional contaminants flowing into The Preserves Neighborhood. In my opinion, once established, Caring Service Group is only going to increase the number of cremations in the future.

Please consider the residents of the Preserves Neighborhood's quality of life. Thank you,

Kyal VonGunten

**Josh Kinkade**

---

**From:** LJ Laurent [REDACTED]  
**Sent:** Thursday, January 6, 2022 1:07 PM  
**To:** Josh Kinkade; Pam Johns  
**Cc:** Lydia Konopka; Steve Krahn; daoffice@sacda.org; ernest.conant@usbr.gov; Drew Lessard  
**Subject:** PN 19 182 crematory CUP NegDec Filed for "enactment"

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

To: Folsom community development director; Asso. planner  
cc: Asst City Clerk for file; City Engineer for "public project files"  
From: Laurette Laurent  
January 6, 2022

Re: Public Notice PN 19 182 Requests for Investigations filed  
in re HDC "design review group" CUP final Approval

It has never been my practice to offer Expertise in Land Use Issues, to those who are intent upon Violations of such Laws. However, please accept Notice herein. Formal Requests for Investigation have been filed with appropriate Agencies. Lists of detailed "discrepancies" and "departures" from normal Legal Due Process, were included, as well as False Filings.

Notice of Public Hearing appears in January 6, 2022 Folsom Telegraph as Historic District Commission Legal Notice, PN 19 182. Parcel 070 0260 001 0000  
Owner Lakeside Memorial Law Entity #

C0307506	08/15/1955
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Site Zoning is "OPEN SPACE/OS Conservation", underlying Zone District OPEN SPACE.

Your PN 2019 182 contains strange reference to California State Laws which you purport have direct Relevance to PN 19-182. With respect to same, you would do well to consult with and obtain Written Opinion of Legal Counsel with respect to state laws cited. If you do not so so, you may place yourselves in untenable positions, or may have already done so. Have our paid city lawyers done complete due diligence, which you apparently rely upon?



**CITY OF FOLSOM**  
DISTINCTIVE BY NATURE

## **NOTICE OF PUBLIC HEARING AND NOTICE TO ADOPT A MITIGATED NEGATIVE**

### **CITY OF FOLSOM HISTORIC DISTRICT**

**DATE OF HEARING:** February 16, 2022  
**TIME OF HEARING:** 5:00 P.M.  
**PLACE OF HEARING:** City Council Chambers, 50 Natoma Street, Folsom, CA 95630

**NOTICE IS HEREBY GIVEN THAT:** A public hearing will be held before the Historic District Commission of the City of Folsom to consider the merits of the following:

**PROJECT NAME** Lakeside Memorial Lawn Crematorium  
**Property Owner/Applicant:** Lakeside Memorial Lawn/Igor Semenyuk  
**Project Location/APN:** 1201 Forrest Street / 070-0260-001-0000  
**Planning No.:** PN-19-182  
**Staff Contact:** Josh Kinkade, Associate Planner, 916-461-6200  
[jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us)  
**Entitlements:** a. Conditional Use Permit

**Project Description:** The proposed project includes operation of a crematorium in a 1,071-square foot metal shed located at 1201 Forrest Street, within the Lakeside Memorial Lawn cemetery. The site is zoned OS/P (Open Space/Public Primary Area) with a General Plan designation of OSC (Open Space and Conservation) and has a General Plan designation of Historic District. The Historic District Commission will take final action on this request unless the City Council.



cemetary. The site is zoned OPR (Open Space and Primary) which  
OSC (Open Space and Conservation) and has a General Plan designation of  
Historic District Commission will take final action on this request unless the  
the City Council.

**Environmental Review: An Initial Study and Mitigated Negative Declaration**  
accordance with the requirements of the California Environmental Quality Act  
review period begins January 7, 2022 and ends February 7, 2022. Copies of the  
Declaration are available for review at the City of Folsom Planning Department  
Folsom CA 95630, Monday through Friday from 8:30 a.m. to 1:00 p.m. The  
downloaded from the City of Folsom website at <https://www.folsom.ca.us/government/development/planning-services/current-project-information>

All persons interested in these matters are invited to present and submit statements orally  
public hearing. The environmental documents are available for review at, and further information  
from the Community Development Department, 50 Natoma Street, during regular business hours.  
Development Department can be reached by phone at (916) 461-6202. A staff report will be  
City Hall or at [www.folsom.ca.us](http://www.folsom.ca.us) on the Thursday preceding the Public Hearing.

Pursuant to all applicable laws and regulations, including without limitation, California  
65009 and/or California Public Resources Code Section 21177, if you wish to challenge  
decisions (regarding planning, zoning and/or environmental decisions), you may be limited to  
you or someone else raised at the public hearing(s) described in this notice/agenda, or  
delivered to the City at, or prior to, the public hearing. An appeal to the City Council from  
District Commission may be brought by any interested party within then (10) days of the

**PAM JOHNS  
COMMUNITY DEVELOPMENT DIRECTOR**

*Published in the January 7, 2022 Sacramento Bee*



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All LNS 18' wide lanes are subject to Folsom PUD Law enacted for creation of s.f. houses only, not 2,400F furnaces.

## Josh Kinkade

---

**From:** LJ Laurent [REDACTED]  
**Sent:** Friday, January 7, 2022 11:20 AM  
**To:** Josh Kinkade; Pam Johns  
**Cc:** Steve Krahn; Steven Wang; daoffice@sacda.org; Drew Lessard; Ken Cusano; Rick Hillman  
**Subject:** PUBLIC COMMENT PN19 182 for FILES/ PRA REQUEST City Eng. APPROVED RECORDS, Furnace necessity PN 19 182 crematory CUP NegDec Filed for "enactment"

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

To: Folsom city clerk office  
to: Comm. Development asso planner Kinkade, manager Johns  
cc: interested parties  
From: Laurette Laurent  
Re: PUBLIC COMMENT which includes PRA for MISSING mandatory documents not Filed with Clerk, nor with SCH, nor OPR.

Please accept the below Itemized Lists as Public Comment on the potential Failure of city and applicant to obey all Laws governing such dangers uses as 2,400F furnaces, 500 gallon explosive LPG gas storage -- on 12 acres of land with only a three inch diameter water supply pipe. Where is the Fire Marshall True Report with signature & seals?

Please be aware your Noticing email was received minutes ago, however it merely proves city staff are NON-Compliant with the Legal Noticing Requirements. Guess you don't listen to Licensed Civil Engineers nor to Licensed city lawyers. tsk tsk...

----- Forwarded Message -----

**From:** LJ Laurent [REDACTED]  
**To:** Asst. Clerk <lkonopka@folsom.ca.us>; City Engineer Steve Krahn <skrahn@folsom.ca.us>  
**Cc:** "blm\_ca\_web\_re@blm.gov" <blm\_ca\_web\_re@blm.gov>; ernest.conant@usbr.gov <ernest.conant@usbr.gov>; Drew Lessard <dlessard@usbr.gov>; "daoffice@sacda.org" <daoffice@sacda.org>; Ken Cusano <kcusano@folsom.ca.us>; Rick Hillman Chief FPD <rhillman@folsom.ca.us>; Fire Marshal Ono <lono@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Kerri Howell <khowell@folsom.ca.us>; Steven Wang <swang@folsom.ca.us>; The HFRA <thehfra@gmail.com>; Sarariverwatch Info <info@sarariverwatch.org>  
**Sent:** Friday, January 7, 2022, 08:34:43 AM PST  
**Subject:** Re: PRA REQUEST City Eng. APPROVED RECORDS, Furnace necessity PN 19 182 crematory CUP NegDec Filed for "enactment"

Urgent PRA REQUEST January 7, 2022, for Folsom City Engineer Documentation, Permits, Sealed/Signed Reports, Building Permits, and all public records pertaining to three year old "application" for furnaces on OPEN SPACE Zone District surrounded by Public Open Space and s.f. homes.

To: Folsom City Engineer  
Asst City Clerk Konopka

cc: interested parties OPEN SPACE Parcel protectors Adjacent to proposed 500 gallons LPG, on site with 3" water supply pipe.  
cc: silent city staff; council  
From: Laurette Laurent  
January 7, 2022

PRA REQUEST: Documents Requested: City Engineer Sealed/Signed Approved drawings for furnaces abutting federal forests/river, including Perjury Sworn Applicant Statement, City Engineer APPROVED Report of Findings of Necessity, Hardship, Unique 'circumstances', WATER SUPPLY lines, required for such furnaces 2,400 F, Fire Marshall portion of City Engineer's Report;  
All Building Permit applications [perjury sworn accurate & Complete] granted to this Parcel with Legal Address 2020 Mormon St. since 1858 Judah Map of Folsom Streets; All Memos, notes, minutes of meetings, and communications, between "Community Development director, Asso. Planner and others with City Engineer on this "Public Project" as advertised.  
Also requested are City Engineer and community development director/manager **Duties and Ordinances** establishing said CE and manager's duties.

As always, State Law allows ten days for production of these Ordinary Public Records for this "Public Project." Since this Public Project has been a Matter of Record since 2019, three whole years, surely all Required Public Records and City Engineer Approved Reports, with recommendations should be available January 18, 2022.

Second Request, Pursuant to Law Mailed Public Notices to Abutting Parcels are mandatory. Please supply Verified & CE Certified **Proof of said Mailings to all Public Agencies** and s.f. home residents abutting Parcel 070 0260 001 0000, which city identifies with False Address as being located with Ordinance-Created Lake Natoma Shores Planned Unit Development Subdivision.

Repeated, ignored Prior PRA Requests: not once in over ten years has Folsom City Engineer of Record produced even one single PRA RESPONSE for Public Projects -- which include his Seal & Signature proving he did his job of Certifying all Engineer Details of Folsom Public Projects such as this one -- which is the ultimate in License dereliction due to the obvious Hazards he is allowing, abetting, or silently watch being processed as he remains mute, inactive, etc., on his Public Project Duties.

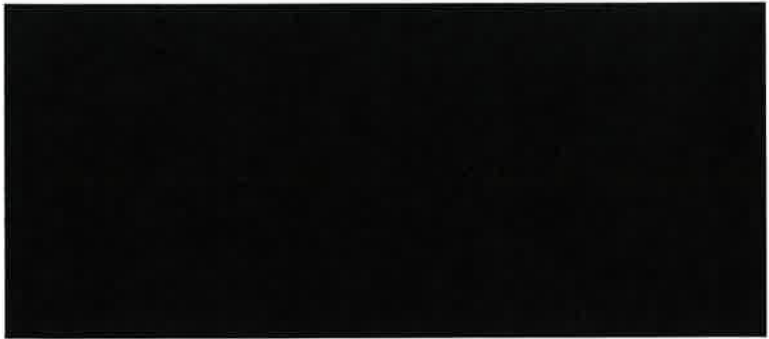
Again, city staff have had three long years of prolonging this "application" and "approved" building Permits which are based upon Perjured information, so all Public Project PN 19 182 Records and Permits should be at-hand for immediate PRA RESPONSEs.

CE Records and PROOF of Open Fire Department Access for all Federal Agencies Parcels surrounding this Public Project, and Historic Site under BLM protection, and State 13 acre parcel are requested.

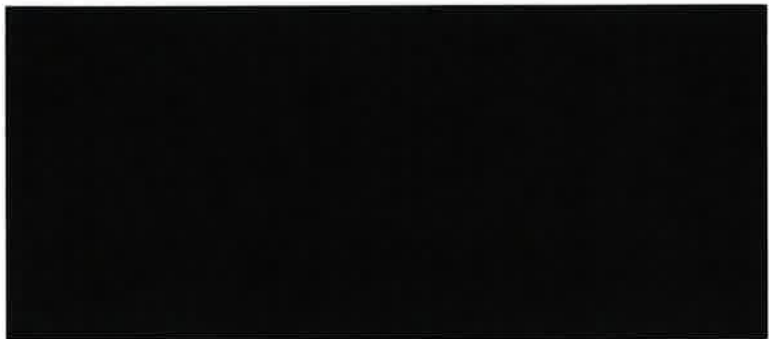
Certification of Safety by City Engineer with respect to Blast Radius of 500 gallons of LPG highly flammable propane gas abutting federal & state Open Space lands & forests is

also part of this PRA Request for following reasons: danger of LPG and NO Water Lines at all and no Access roads for Water Trucks:

Propane Tank Explosion



**Propane Tank Explosion**



**Propane Tank Explosion**

FYI to City Engineer: all loose objects, metal, rocks, will become projectiles capable of flying further than 1,500 feet.

PRA Request for your APPROVAL of this LPG storage with your Certified Safety Analysis is REQUESTED as mandatory portion of Application. How could residents be paying a CE who ignores our very lives and sole Water Supply and Federal Assets?

Kindly Expedite this Portion of PRA Request with immediate PRA RESPONSE as it is your License Obligation.

PRA Request concern: since mayor also holds a state License for an Engineering Field long discontinued in this state, this ought to concern entire city council. How can residents fail to regard her inactions all three years as anything but Negligence or willful disregard of License Duties?

On Thursday, January 6, 2022, 01:07:33 PM PST, LJ Laurent <ljlaurent@att.net> wrote:

To: Folsom community development director; Asso. planner  
cc: Asst City Clerk for file; City Engineer for "public project files"  
From: Laurette Laurent  
January 6, 2022

Re: Public Notice PN 19 182 Requests for Investigations filed  
in re HDC "design review group" CUP final Approval

It has never been my practice to offer Expertise in Land Use Issues, to those who are intent upon Violations of such Laws. However, please accept Notice herein. Formal Requests for Investigation have been filed with appropriate Agencies. Lists of detailed "discrepancies" and "departures" from normal Legal Due Process, were included, as well as False Filings.

Notice of Public Hearing appears in January 6, 2022 Folsom Telegraph as Historic District Commission Legal Notice, PN 19 182. Parcel 070 0260 001 0000  
Owner Lakeside Memorial Law Entity #

C0307506	08/15/1955
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Site Zoning is "OPEN SPACE/OS Conservation", underlying Zone District OPEN SPACE.

Your PN 2019 182 contains strange reference to California State Laws which you purport have direct Relevance to PN 19-182. With respect to same, you would do well to consult with and obtain Written Opinion of Legal Counsel with respect to state laws cited. If you do not so so, you may place yourselves in untenable positions, or may have already done so. Have our paid city lawyers done complete due diligence, which you apparently rely upon?



**CITY OF FOLSOM**  
DISTINCTIVE BY NATURE

## NOTICE OF PUBLIC HEARING AND NOTICE TO ADOPT A MITIGATED NEGATIVE

### CITY OF FOLSOM HISTORIC DISTRICT

**DATE OF HEARING:** February 16, 2022  
**TIME OF HEARING:** 5:00 P.M.  
**PLACE OF HEARING:** City Council Chambers, 50 Natoma Street, Folsom, CA

NOTICE IS HEREBY GIVEN THAT: A public hearing will be held before the Historic District Commission of the City of Folsom to consider the merits of the following:

**PROJECT NAME** Lakeside Memorial Lawn Crematorium  
**Property Owner/Applicant:** Lakeside Memorial Lawn/Igor Semenyuk  
**Project Location/APN:** 1201 Forrest Street / 070-0260-001-0000  
**Planning No.:** PN-19-182  
**Staff Contact:** Josh Kinkade, Associate Planner, 916-461-6200  
[jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us)  
**Entitlements:** a. Conditional Use Permit

**Project Description:** The proposed project includes operation of a crematorium, a 1,071-square foot metal shed located at 1201 Forrest Street, within the Lakeside Memorial Lawn cemetery. The site is zoned OS/P (Open Space/Public Primary Area) with a General Plan designation of OSC (Open Space and Conservation) and has a General Plan designation of Historic District Commission will take final action on this request unless the City Council.

cemetery. The site is zoned OPR (Open Space/ Public Primary Area) with OSC (Open Space and Conservation) and has a General Plan designation of Historic District Commission will take final action on this request unless the the City Council.

**Environmental Review: An Initial Study and Mitigated Negative Declaration** accordance with the requirements of the California Environmental Quality Act review period begins January 7, 2022 and ends February 7, 2022. Copies of the Declaration are available for review at the City of Folsom Planning Department Folsom CA 95630, Monday through Friday from 8:30 a.m. to 1:00 p.m. The document can be downloaded from the City of Folsom website at <https://www.folsom.ca.us/government/development/planning-services/current-project-information>

All persons interested in these matters are invited to present and submit statements orally at a public hearing. The environmental documents are available for review at, and further information can be obtained from the Community Development Department, 50 Natoma Street, during regular business hours. The Community Development Department can be reached by phone at (916) 461-6202. A staff report will be available at City Hall or at [www.folsom.ca.us](http://www.folsom.ca.us) on the Thursday preceding the Public Hearing.

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and/or California Public Resources Code Section 21177, if you wish to challenge any decision (regarding planning, zoning and/or environmental decisions), you may be limited to the issues you or someone else raised at the public hearing(s) described in this notice/agenda, or you may appeal the decision delivered to the City at, or prior to, the public hearing. An appeal to the City Council from the Historic District Commission may be brought by any interested party within then (10) days of the date of the decision.

**PAM JOHNS  
COMMUNITY DEVELOPMENT DIRECTOR**

*Published in the January 7, 2022 Sacramento Bee*



Address is 2020 Mormon St.; Falsified in PN 19 182, and on large number of Perjury-sworn Building Permit Applications.  
All LNS 18' wide lanes are subject to Folsom PUD Law enacted for creation of s.f. houses only, not 2,400F furnaces.

=====

Just rec'd 11am 1/7/2022 Noticing email from city asso. planner:

**LJ Laurent** <ljl Laurent@att.net>

Web: [brian.dewey@parks.ca.gov](mailto:brian.dewey@parks.ca.gov)

CC: [Rodriguez Bianca@DGS](mailto:Rodriguez Bianca@DGS), [ernest.conant@usbr.gov](mailto:ernest.conant@usbr.gov), Drew Lessard, Matthew Ceccato, Dr. Ami Bera and 2 more...

Thu Aug 5 at 10:51 AM

To: Brian Dewey, CA State Parks

cc: Ernest Conant, USBR Mid Pac. Dir.; Wade Crowfoot;

Drew Lessard, Folsom USBR CE; Ami Bera, Matt

cc: Bianca Rodriguez, Counsel, CA DGS [for Ana M. Lasso Director]

August 5, 2021

Re: CA State-owned Parcel: encroachment, dumping, unpermitted uses & grading, by Miller Lakeside Cemetery, dba Caring Service Group.

Mr. Dewey, It has been twelve days since my first attempts to contact you personally; ten days since this email cc'd to CA DGS Counsel. People have difficulty realizing the dis-organization of State Parks, but Lake Natoma Shores Subdivision neighbors do. We know the travesty of Folsom and CA SP ignoring impacts upon Federal land & waters of American River. CA SP is "Managing Partner" of USBR Reclamation, yet SP has done nothing to protect, manage, or provide Enforcement on the surrounding federal Parcels at American River/CA State Park Managing Partner.

For that reason, I am informing USBR Mid Pacific Director Conant and Folsom USBR Manager Drew Lessard CE as well. It is unacceptable that California State Parks is failing Managing Partners Duties, and ignoring Property-Ownership Protection of the Parcel which has been the dumping ground and part of the necessary land for movement/Access to construct more unpermitted, uninspected Structures on "Folsom Open Space & Open Space Conservation" Zone District. Because cemetery owners derive a huge tax benefit from this reporting by city of Folsom, this is copied to Sacramento County authorities and powers as well.

Clearly, my experiences prove California State Parks has major issues and hence it was moved to lesser status in CA Natural Resources Department. My complaints sent via Certified Mail have gained NO Direct Responses to me, whatsoever from either SP or Natural Resources. This is extremely important to me because some of them detailed Violations of Federal Laws, on Federal Property -- which is assigned via Managing Partner Agreement to California State Parks. Research Reports have been created, submitted, but California State Parks top, Sworn LEOs, Legal Counsel, and management have never once responded during the Period September 1, 2020, and today. People whom I've known for years, in CA SP Gold Fields District, have done absolutely nothing about addressing the shortcomings and failures. California State Parks and Natural Resources Department remain nonresponsive to the Peoples' Business.

Therefore, I am asking California Department of General Services to take some action to accomplish two outstanding Issues.

1. Please take actions to stop the mis-use, encroachment onto, dumping, storing of rusty cemetery junk on the Parcel in Question which has enabled a crematory process to exist and to proceed without Permits nor Inspections by city of Folsom.

2. Please ask DGS Legal Staff to fill the obvious void left by California State Parks.



Please refer SP "issues" directly to California Attorney General as there appears to be no hope SP will comply or remediate their failures with respect to obeying and enforcing Laws on Federal Land/Watershed Forest/American River.

Lake Natoma Shores Subdivision homes abut this State Parcel, as well as cemetery parcel zoned "Open Space Conservation". Folsom staff have had a crematory application in Community Development Department for approximately 18 months, without any Public Notice whatsoever. USBR Reclamation is an abutting landowner. Public **OPEN Space Zone surrounds about 80% of cemetery** parcel, and yet USBR, State of California, and Single Family home owners have NOT been mailed Notice of Proposed exceptions, change of land Uses, etc. In the **past**, when this crematory became an issue, ALL state, federal, county, and local neighbors were Notified by Mail. Sacramento County Medical Examiner excoriated owners for proposing not only a Hazardous Use, but desecrating Historic Features, abutting Chinese Cemetery which is a Registered National Historic Site, and failing to respect History and environment.

This time, construction has been on-going with mis-use of State Parcel in question enabling "access" for earth-moving machines. **Will State employees provide a Solution under the Laws?**

If we wait for State Park action, the entire federal land/water area, and our homes may vanish in wildfire from 2,200 F degree burner, with two huge liquid propane gas tanks, and on a 2 inch water-meter-constricted 3 inch diameter Water Service Pipe onto cemetery parcel.

Someone needs to stop Caring Service Group by stopping city of Folsom "quiet" enabling actions and city failure to enforce OPEN SPACE Conservation Zoning, and failure to enforce new stringent Historic Oak tree protection law. Whatever business proposals emerge, there is never a Folsom City Engineer signed & Sealed Report on laws of federal, State, County, and their own Municipal Code -- which prohibits all the 12 buildings on OSC Zone. Without a state licensed Civil Engineer participating, many laws are ignored. We pay licensed people, but they never produce Reports to protect residents, and Enforce Development, Land Use Laws.

Neighbors are justifiably very deeply concerned, as we know Folsom as a city is on the Federal WUI Register: Wildfire Urban Interface Registry.

Anyone wishing copy of links, Folsom WUI Plan, , please request them.  
Managing Partner Agreement attached.

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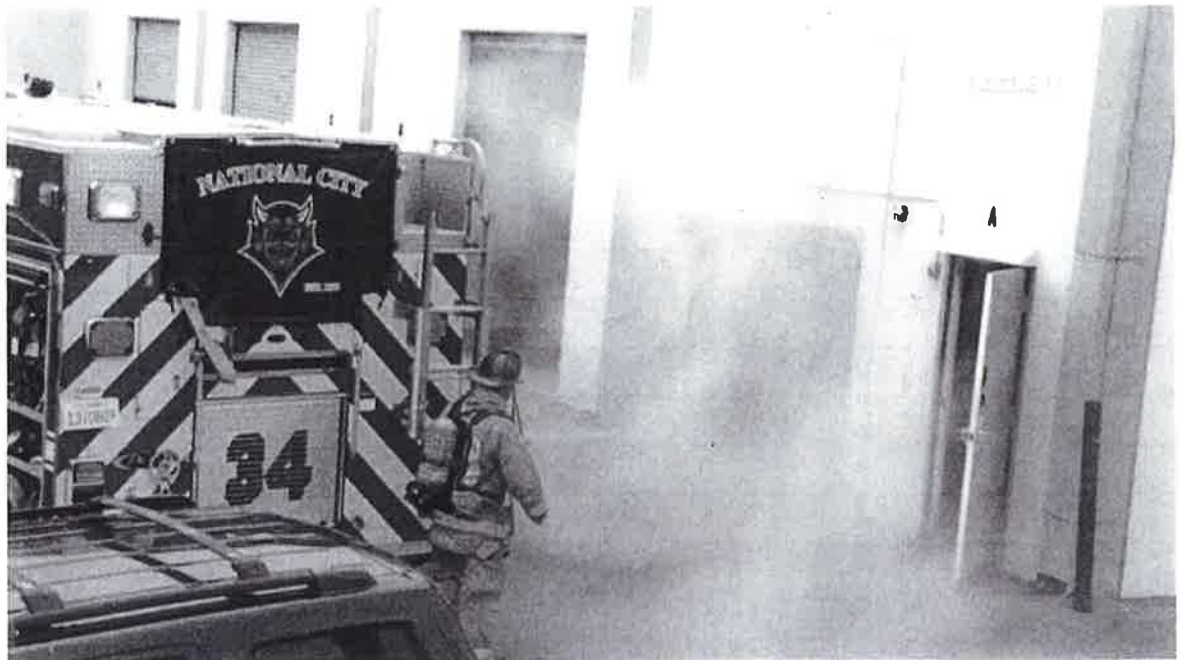
On Tuesday, July 27, 2021, 01:42:53 PM PDT, LJ Laurent <ljl Laurent@att.net> wrote:

SACRAMENTO BEE MAY 25 2018

# Crematorium mishap shoots plume of human ashes into air, San Diego officials say

BY JARED GILMOUR

MAY 24, 2018 06:03 PM



National City, California, firefighters at the scene of a crematorium accident Thursday that sent human ashes into the air.

## NO FURNACE IN FOREST

City council: horrific idea, 2 huge liquid Propane Tanks

**LJ Laurent**

brian.dewey@parks.ca.gov

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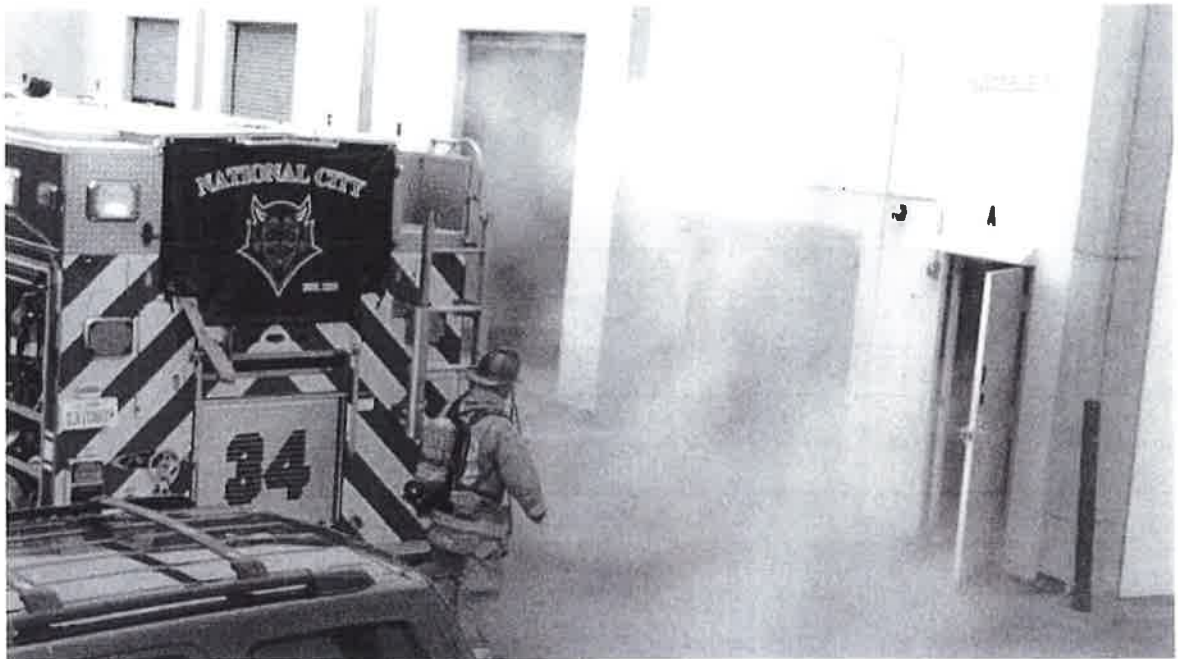
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## NO FURNACE IN FOREST

City council: horrific idea, 2 huge liquid Propane Tanks

## Josh Kinkade

---

**From:** LJ Laurent [REDACTED]  
**Sent:** Friday, December 18, 2020 9:49 AM  
**To:** Josh Kinkade; Steve Krahn; Aimee Nunez; Pete Piccardo; Daniel Wolfe; Bryan Holm; Scott Zangrando; Scott Johnson; Steven Banks; Desmond Parrington; Stephanie Henry; Allison Konwinski; Kristina Eicher; Lauren Ono; Mark Rackovan; Pam Johns; Elaine Andersen; Jason Browning; Dave Nugen; Ryan Neves; Don Brown; Todd Eising; Marcus Yasutake; Vaughn Fleischbein; Greg Bakken; Steven Wang; Cc: "thehfra@gmail.com"; Paul Keast; HPLBoard; "pgeplanreview@pge.com"; "entitlements@smud.org"; "projectreview@airquality.org"; "HunleyC@Saccounty.net"; "cemeterycommission@saccounty.net"; "emailcfb@dca.ca.gov"; "kmtacc@hotmail.com"  
**Cc:** ernest.conant@usbr.gov; Drew Lessard; Mike Kozlowski; Sarah Aquino; Christa Freemantle; Rick Hillman; Ken Cusano; Sue Frost; Hedges. Matt; paul.lau@SMUD.org; Stephen Green; Mary Beth Metcalf; lisa.mangat@parks.ca.gov; brandon.dawson@sierraclub.org; Eileen Sobek; Patrick Pulupa  
**Subject:** Cemetery: FED FOREST, homes IMPACTS of wrongs  
**Attachments:** SAC CTY CEMETERY COMM. CREMATORIUM, 603, HDC Dec 18, 2020.odt; CEMET 1991 improper actions CUP Mods, Variance, Conditions do not match Abandonmt.odt; CEMETERY 12 HDC WITHDRAWN, CREMATORIUM.odt

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

To: city of Folsom officials, employees, Mayor, Vice Mayor  
City Clerk for CIRCULATION to all City Council elected officials  
Sacramento County; et al.

From: Laurette Laurent  
December 18, 2020

Re: Application for Illegal Zoning District Usages, illegal granting of Variance from HDC Commission with NO State Authority to grant such benefits, violation of CA Govt Code Title Zoning; violation of Folsom Zoning Code District restricting NO buildings on any "open space" category -- consistent with VIOLATED State Govt Code; Failure to abide by Sunshine Laws; Failure to conduct Full IS, EIR/EIS; failure to provide PROOF of Publications for all such steps; Failure to OBTAIN State Fire Marshal Approvals due to ABUTMENT to Federal Watershed and Federal Forests; Failure to Notify CA State Parks; Failure to Notify Sacramento County Assessor office of "Proposed changes" [likewise to Cemetery Commission]; Failure to provide NOTICE to an ABUTTING RESIDENT who filed Complaints about SECRECY in this Land Usage improper SECRET Process - by FAILING to NOTIFY ME -- despite my historic and RECENT objects & Comments with regard to this SECOND time around crematory Proposal -- and my WRITTEN NOTICE to Folsom City Clerk and Planning to be given ALL HDC & Plan Commission Notices. Other violations exist, but are previously filed and resulted in PENALTIES against Applicant.

----- Original Message -----

From: Josh Kinkade <jkinkade@folsom.ca.us>

Comment: THIS IS NOT Permit Modification: because there is NO MENTION of ORIGINAL Permit. There is NO EVIDENCE a VARIANCE is due to Miller nor Lakeside because there is NO PROOF of "EASEMENT", Nor abandonment of Figueroa St. in the Parcel boundary legal description

as of September 10, 2020, city clerk, city lawyer, HAVE FAILED TO PROVIDE a Prior legal documents Exist and were approved by city attorney Steve Rudolph. No one proved said cited documents were created, reviewed by Professional lawyer, engineer – FOR LEGALITY [such as unproved Easement Leland Miller granted to 1850s Chinese cemeteries.] Existence of EASEMENT GRANTED by Miller, to Chinese

12 Cond. 12 "Any proposed construction of Lakeside masoleums would NOT OBSTRUCT HISTORICAL EASEMENT or ACCESS to Chinese Cemetery as was AGREED TO YEARS AGO by Leland Miller former owner of Lakeside Memorial Cemetery."

## PC 91-042 Findings for 1991 Permit Modification

NOTE: NO TIME LIMIT on CUP, Variance or MODIFICATIONS – Rudolph WARNED them as city attorney to put a TIME LIMIT on CUP, and Mods.

APPROVAL OF NEG DEC; VARIANCE from 50' Setback  
Planner Matt Franck

Miln Construction stated it would take 50 years to fill 2000 spaces in buildings of 12,682 sq ft.

NO MORE Discussion

Maxfield moved to approve

NEG DEC

APPROVE VARIANCE FROM 50 foot required Open Space Setback

APPROVE CLANEY USE PERMIT

with CONDITIONS:

**APPROVE FINDINGS** including **C. Is consistent with General Plan and Zoning CODE**

D. Not harm health. Masoleums are SIMILAR TO and COMPATIBLE ADJOINING USES.

E. Unique circumstances in this area – i.e. rock piles surrounding it everywhere. “size and shape of parcel make it difficult to build in the OPEN SPACE Area” **ISN’T THAT THE POINT???**

F. VARIANCE is ESSENTIAL to PROPERTY RIGHTS. Plus, an ALLEGED TRIANGULAR shape of “parcel” “BUILDABLE AREA would be limited by shape.” **BECAUSE they think Commercial buildings belong in OPEN SPACE/ Conservation Zone???**

G. Grant of Variance will NOT affect area Residents or workers and is “is of SIMILAR CHARACTER TO USES.”

**CONDIITIONS**

SECTION ONE enforced by Community Development Dept CDD  
CDD will do GRADIN REPORT and ARCHAEOLOGICAL studies.

ESPECIALLY OFFENSIVE: CDD will Regulate and ensure “CHINESE COMMUNITY” & George Chan is NOT denied ACCESS to Chinese Cemeteries.

CDD will ensure Lighting, Landscaping and adherence to Fish & Game Regs.  
CDD HAD NO ENGINEER.

**PUBLIC WORKS ENFORCEMENT AREAS:**

NO MENTION OF CITY ENGINEER, nor that “PW” lacked an Engineer in charge: Director then WAS JOE LUCHI, a typist. – Bob was sidelined.

CONDITION 8 “Improvements shall be installed to the satisfaction of public works dept. PW” Luchi was sidelined City Engineer's typist, really.

Condition 9 “EROSION CONTROL..... shall be directed by PW Director – Luchi – what a laugh.

Cond. 10 Construction shall have 5 – NOT 50 Foot setback --“thereby

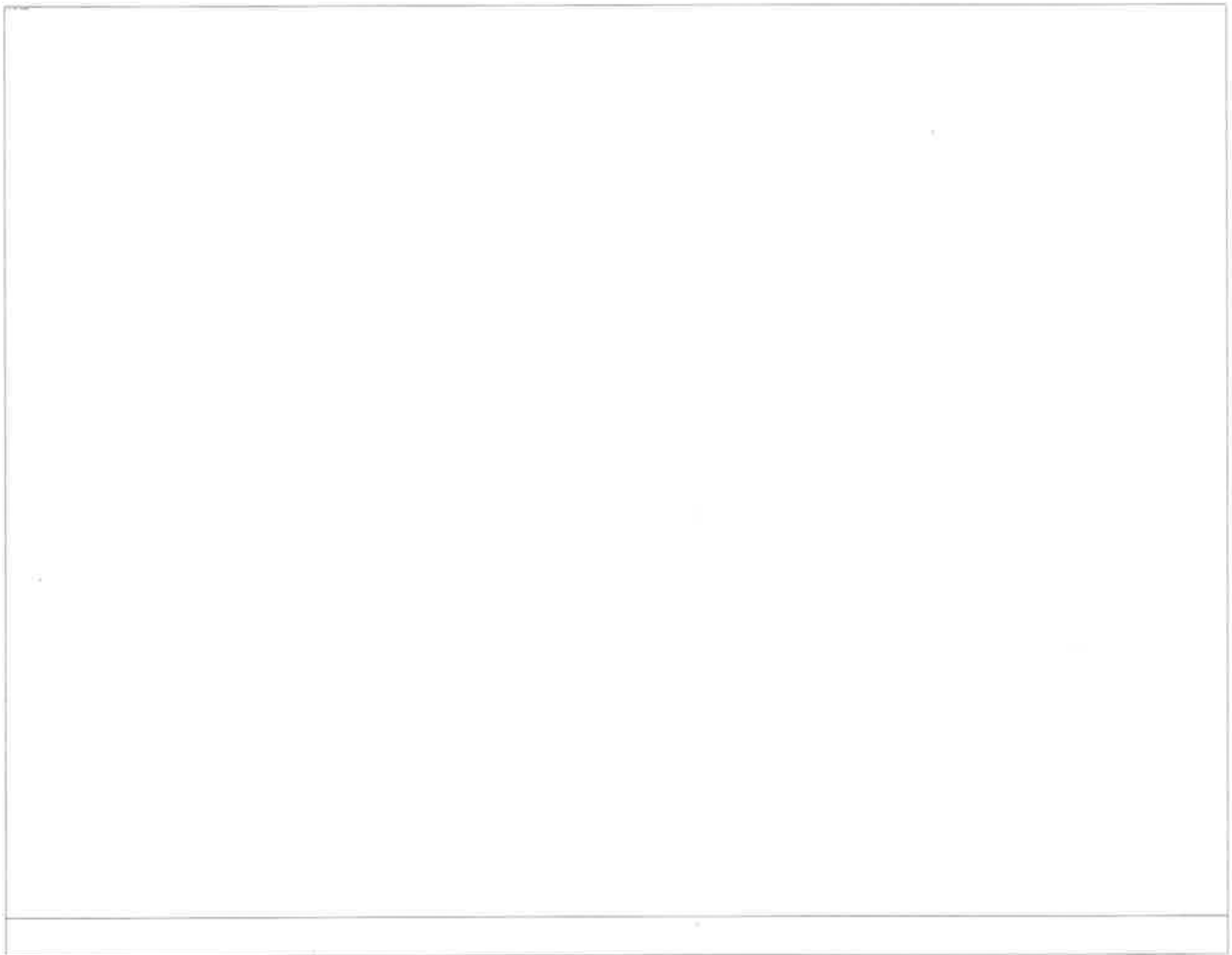


NOT CROSSING INTO Chinese cemetery ITSELF.

11 Proposed ROAD to Lakeside masoleums would BE NEAR TO ENTRANCE to Chinese cemetery thereby allowing ENTRANCE to Chinese cemetery GROUNDS>

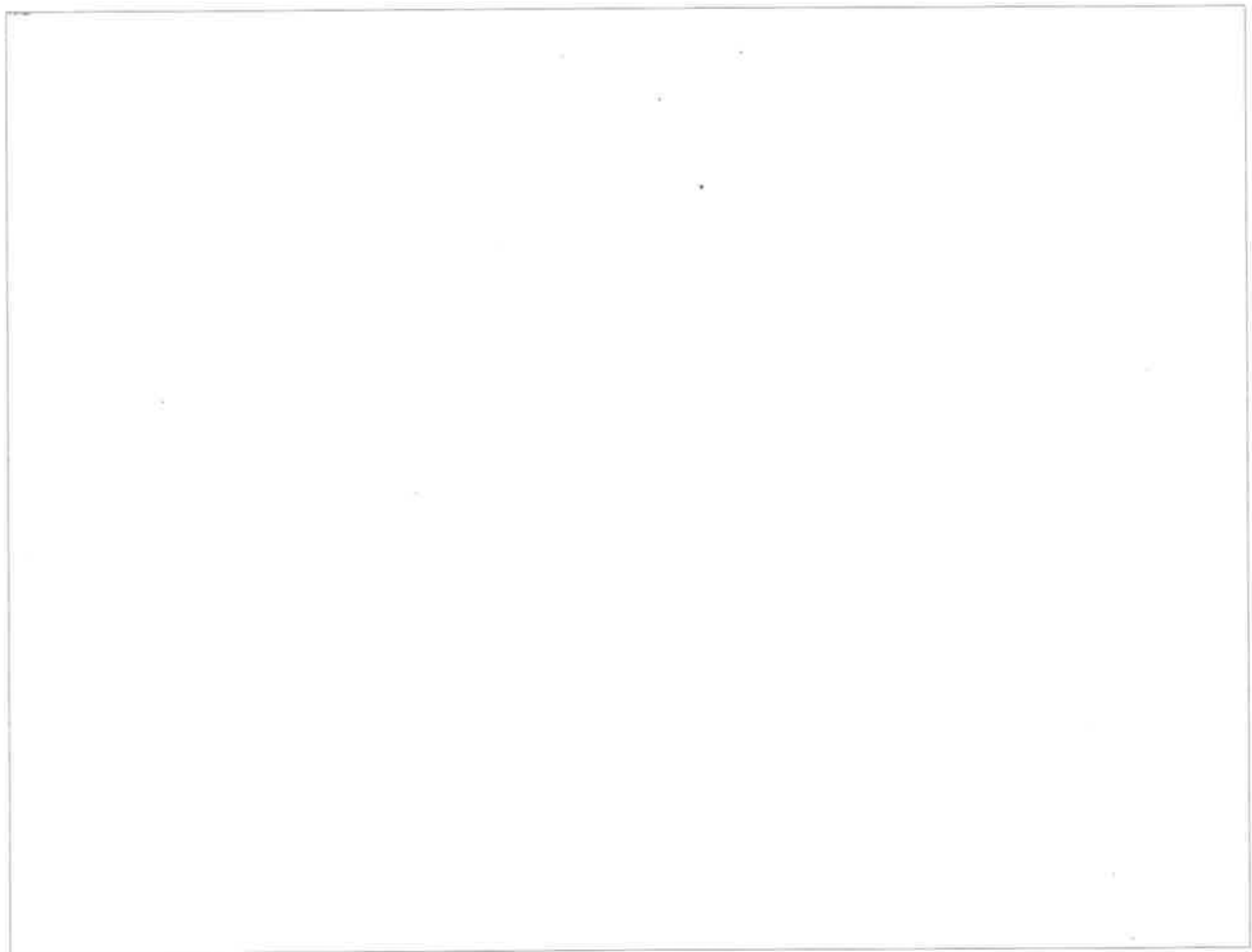
12 Cond. 12 "Any proposed construction of Lakeside masoleums would NOT OBSTRUCT HISTORICAL EASEMENT or ACCESS to Chinese Cemetery as was AGREED TO YEARS AGO by Leland Miller former owner of Lakeside Memorial Cemetery."

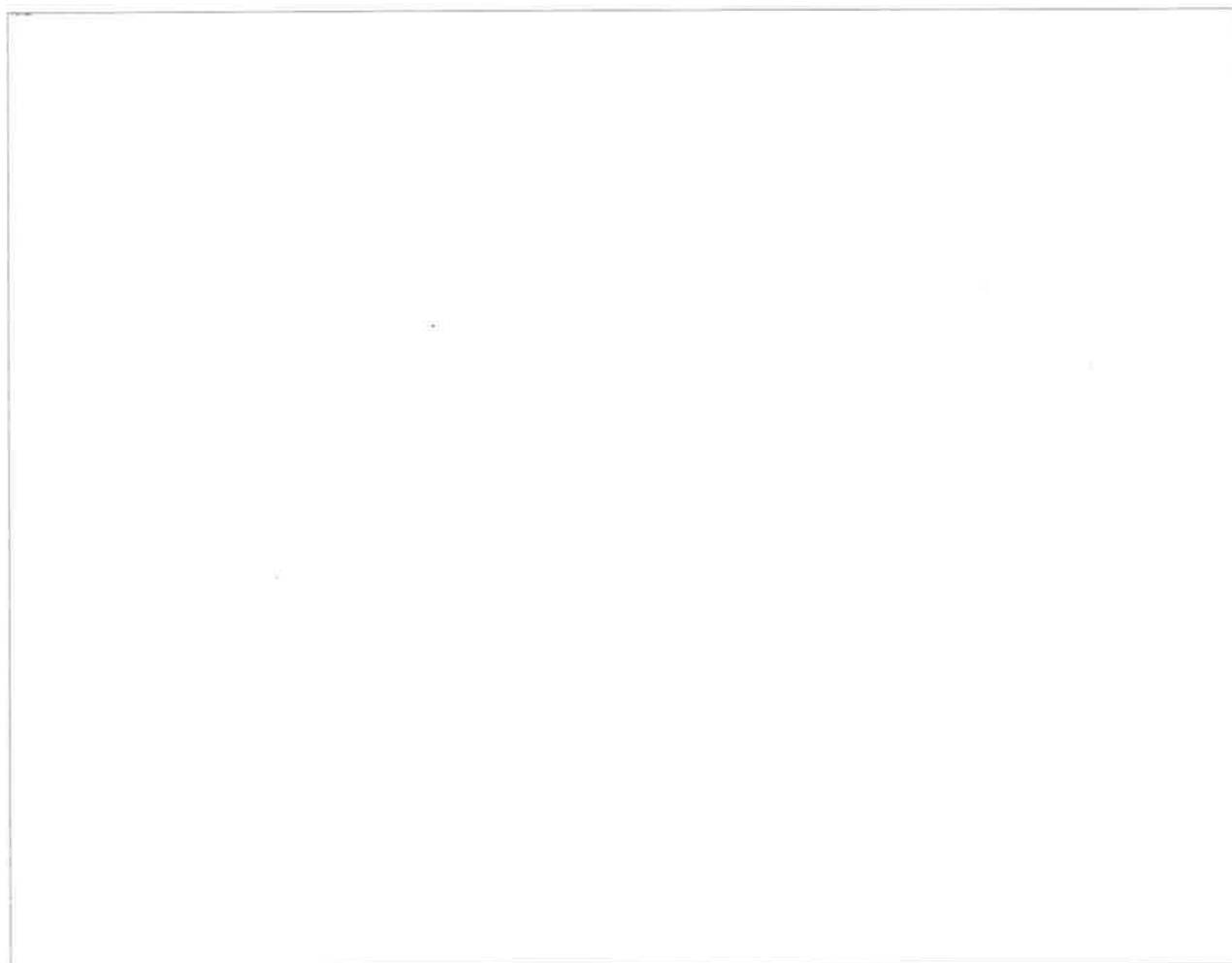
OUT OF ORDER CEMETERY 5b FINDINGS comes after below



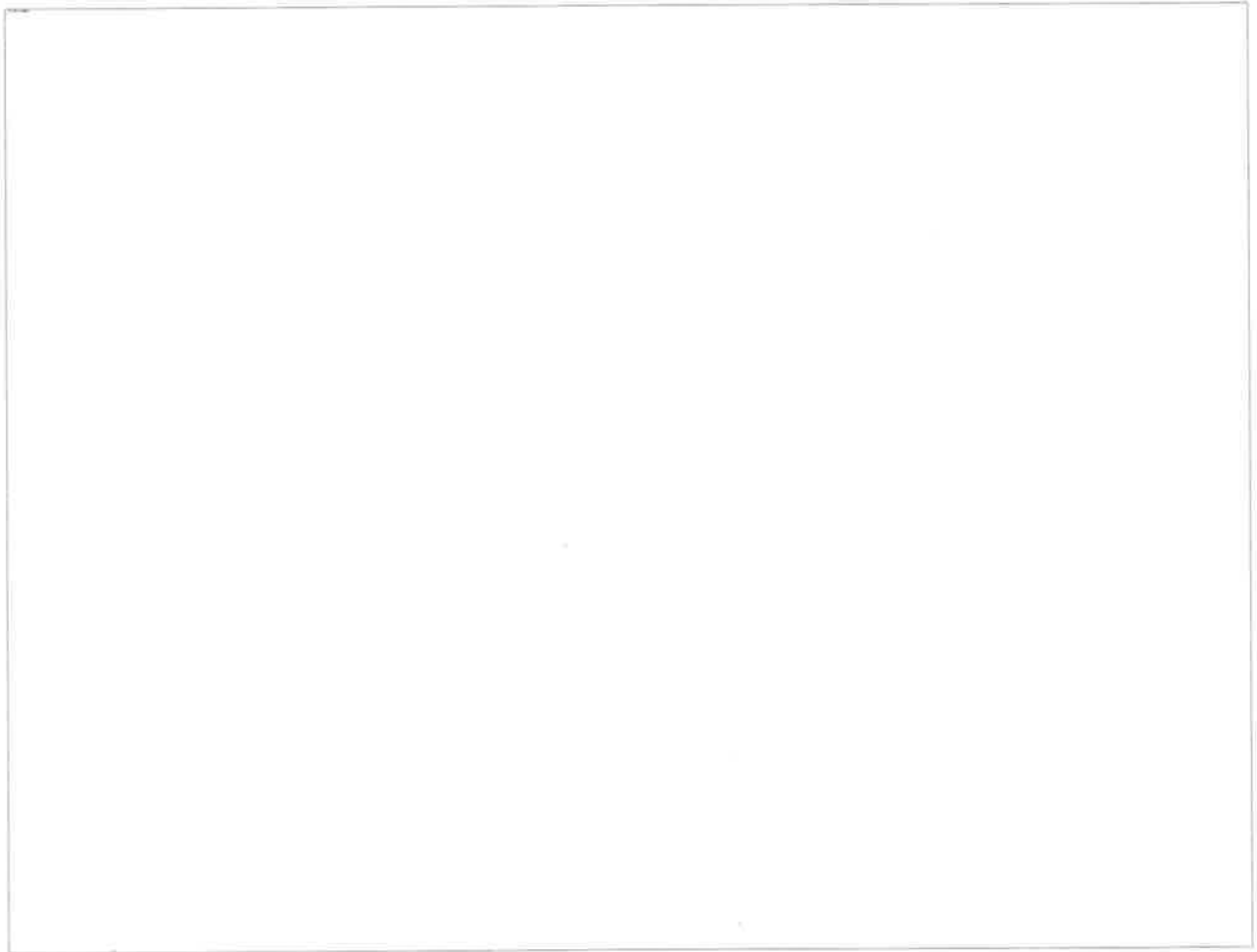








CEMETERY 6 a



CEMETERY 6 Findings CUP 1995 similar to neighborhood

**CEMETERY 6c only "PW dept OK needed for this CUP, and NO BLOCKING Chun Wah NOT OBSTRUCT OR BLOCK the HISTORICAL EASEMENT granted by LELAND MILLER Owner before Claney.**





**CEMETERY 6 d PLAT OF SURVEY Rio Los Americanos Cemetery LAND GOES  
RIGHT INTO MORMON St Right of Way Theo. Judah 1850 Map**



Record of Survey, O.S. Bk. 48, Pg. 4 or. t, t l t l Map 8. Chung Wah Cemetery  
boundaries

CEMETERY 6 d Survey Record O.S. Bk 48, page 4 or. t, t l t l

**POR. SEC. 2, T 9N., R. 78., M.D.B.A.M. ( Pno, l. t { f o navcta nto oE t-os  
AMcnrc [ Nost**

This Rancho Rio Americano is so old it proves Chun Wah owners are part  
owners of Mormon St. George Chan was cheated.

June 15, 1995 TO: Planning Commission FROM: Loretta McMaster, Senior  
planner suBJEcr: Lakeside cemetery conditionat Use permit status  
Agenda Item No. 6 PC Mtg. 6-21-95 PC91-042  
cemetery, National Reoister status

**The Chung Wah cemetery has been approved by the California State**

**Historical Commission and is awaiting national action for listing. One of the major factors in a successful nomination is whether the site maintains the "sense of time and place." There is some concern that development of the Phase XI and XIII mausoleum buildings, and the equipment building, may cause this aspect to be destroyed. Conditions 4, 7, and 10 relate directly to this question. It will be difficult to design the structures and landscape the area to mask their existence completely, but careful choice of materials and design can minimize their noticeability.**

Need to send to city engineer or whoever.....

Besides the items required by the conditions of approval, staff has identified the following actions which could reduce future conflicts: Archaeologist on-site when work is occurring. Recording of an access easement. A second survey of the boundary (or perhaps consultation between the recent surveyor and Mr. Chan regarding basis).

Removal of Phases XI and XIII, by Mr. Claney, from his plans. (He has indicated that it will be many years before they would be constructed.) Taking any of these actions would be a demonstration of good faith on the part of the Claney's and/or the Chans.

Although the responsibility would lie primarily with the property owners, the City may be able to assist in some of these actions. The interested parties have been invited to be present at this meeting. Staff can also provide an update at the Planning Commission meeting of July sth if directed by the Planning Commission. PC91-O42.62t PC Mts. 6-21-95 Page 2

Loretta McMasters

Agenda Item No. 6 PC Mtg. 6-21-95 PC91-O42 June 15, 1995 TO: Planning Commission FROM: Loretta McMaster, Senior planner suBJEcr: Lakeside cemetery conditionat Use permit status BACKGROUND This report is presented to update the Commission on the status of the conditional use permit issued on October 2, 1991 for construction of mausoleums at the Lakeside Cemetery. A site plan, minutes and conditions of approval, and historical map are attached. Concerns regarding the project's effect on the National Register status of the adjacent Chung Wah cemetery were raised by June Chan at the May 17, 1995 Planning Commission meeting. As reported by Commissioner O'Brien at the Commission's June 7, 1995 meeting, a meeting of concerned citizens, Commissioner O'Brien and staff was held on June 2. Loren Claney of tf," Lakeside Cemetery did not attend the meeting, but staff subsequently met with

Mr. Claney at the site. Issues identified relate to grading, archaeological investigation, access, boundary location, and National Register status. The road and parking area have recently been constructed, according to approved improvement plans.

NOTE: All Claney references of Hardship claims, compliance etc. are spurious.

EVEN THEIR PARKING is on Public ROW MORMON St.

Lots of cheating occurs when a mayor has fired the City Engineer/Public Works Director Bob Blaser CE.

This proves the Federal owners and Sacramento County Assessor were never notified of all this COMMERCIAL Development and the State and federal Status protection of Chun Wah cemetery itself.

There's a major problem with this HDC thinking they have a legal force – and they don't even realize the Plan Commission made serious errors because the acting PW Director was Bob Blaser's typist Joe Luchi.

## CEMETERY 7

### Conditional Use Permit Modification

If the Commission feels that completion of a mausoleum is the appropriate use of this property, it would be appropriate to schedule a hearing to modify the conditional use permit to address the issues that have arisen. The applicant has requested a modification of the conditional use permit and has offered to re-design the project as necessary. Until so directed by the Commission, staff has not prepared a complete listing of additional conditions which might be adopted, but the following has been prepared to serve for preliminary consideration: No construction near Chung Wah boundary.

Application for Mormon Street abandonment, with recorded access easement to Chung Wah. Use of gray stone construction; additional screen planting, including oaks.

West-Yost review of surveys, at applicants cost but contracted with City. Fence boundaries.

Additional drainage and erosion control.  
Planning Commission minutes of May 17,  
1gg5 Planning Commission minutes of June 7,  
1gg5 Planning Commission minutes of June 21 ,  
1g9S (draft) Planning Commission minutes of July 19,  
1 ggs staff report for the June 21, 1995 Planning commission meeting

staff report for the July 19, 1995 Planning commission meeting

Site exhibit

Excerpt from the Folsom Municipal Code cultural Resources Investigation  
of Lakeside Memorial cemetery Mausolium Complex

**Project Staff Recommendation Direct staff to notice both a  
revocation hearing and a conditional use permit modification, in  
order to preserve both options for Commission action. :**

PLANNING COMMISSION ACTION MOVE TO DIRECT STAFF TO SCHEDULE  
A REVOCATION HEARING AND A HEARING ON A MODIFICATION OF THE  
CONDITIONAL USE PERMIT FOR SEPTEMBER 20, 1995, PROVIDED THAT  
THE REQUIRED FEE AND ADDITIONAL INFORMATION AND DRAWINGS  
NECESSARY FOR A CONDITIONAL USE PERMIT MODIFICATION ARE  
RECEIVED FROM THE APPLICANT NO LATER THAN THURSDAY, AUGUST  
24,

AND FAILING THAT, TO SCHEDULE ONLY THE REVOCATION HEARING ON  
SEPTEMBER 20, 1995. PCg1-042.816 Page 3

August 10, 1995

New document from PRA Response 8

Oct. 18 1995 CONTINUANCE of item PC meeting

PRA RESPONSE 9 is May 1995 PC meeting minutes DUPLICATE

RESPONSE doc 10 has great deal of controversy including Howell  
objecting. Requests for STOP WORK order; NOTE The Preserve  
Subdivision was grading now. CONTINUANCE to consider STOP WORK  
order. Howell: were bodies found? I saw on TV BODIES WERE  
FOUND outside the white peoples' burial e.g. Jim the Cook.

QUOTE: from Minutes July 1995, continued meeting.

This issue made big news!

Sue Silver handed out a letter and maps to the Commission at the meeting and recommended the commission review them carefully and stated her source of information was cited in the Folsom Telegraph. concerned about the accuracy of the 1991 survey done but hasn't review it' She pulled the original deed from the Folsom Development Company to the chung wah company and it matches the plat exactly of china Mission which was recorded in December 1906' Concerned about of the Assessors Parcel Map, page 70-13 has a discrepancy in the footage measurement along the southeasterly line of the chinese cemetery which disparages approximately 178 feet from the original survey.

chairman Lehman suggested the commission revoke the Use permit. commissioner Howell suggested that a stop-work order be issued. End quotes.

DOCUMENT 10 PRA RESPONSE 9 3 2020

**PLANNING COMMISSSTON MINUTES NOVEMBER 1 , 1995**

Huge controversy and requests again for Stop Work Order and Revocation of CUP.

Adjourned due to late hour, no action.

DOCUMENT 11 PC Minutes December 1995

Very LENGTHY many pages, finally

Vice-Chairman Maxfield Moved To coNTTINUE THE rrEM To JANUARv 3 BUT LtMtlNG tr ro oNLY CONSIDERING ALTERNATIVE 2 AND THE CHANGED CONDITIONS AFTER STAFF HAS HAD TIME TO LOOK THEM OVER THAT WERE SUBMITTED BY MR. PHILLIPS TONIGHT. HE ADDED THAT HE'D LIKE TO HAVE THE ITEM HEARD AFTER 9:00PM BECAUSE HE WOULDN'T BE ABLE TO ATTEND UNTIL THAT TIME. COMMISSIONER MESSNER SECONDED THE MOTION Commissioner O'Brien preferred to have the absent Commissioners present before any motion is made and would prefer having it continued. Steve Rudolph suggested that if the first goal is to resolve the issue regarding revocation, that before continuing, the first motion should be to move that there are no grounds for revocation as the Commission desires. Vice-Chairman Maxfield withdrew his motion. The second agreed. VICE-CHAIRMAN MAXFIELD MOVED THE PLANNING COMMISSION HAD THE HEARING FOR A REVOCATION OF A PERMIT AND THEY FOUND NO GROUNDS FOR REVOCATION OF A PERMIT, UNLESS SOMETHING ELSE HAPPENS AND THE ISSUE IS RAISED AGAIN. COMMISSIONER MILLER SECONDED THE MOTION AND THE MOTION CARRIED WITH THE FOLLOWING VOTE AYES: COMMISSIONERS HOWELL, MESSNER, MILLER, MAXFIELD NOES: COMMISSIONER O'BRIEN ABSTAIN: NONE ABSENT: CHAIRMAN LEHMAN, COMMISSIONER DREW MOTION THAT THE PLANNING COMMISSION FOUND NO GROUNDS FOR A REVOCATION OF THE PERMIT CARRTED 4-1-2. Commissioner O'Brien stated her opposition was because the other two members of the Planning Commission were not present. Steve Rudolph stated it appears the Commission is interested in modifying the conditions

which exist on the permit and recommended the next motion be that the Commission has found there are grounds to warrant the modification of the existing use permit. PC Mtg. 12-6-95 Page 10

COMMISSIONER MILLER MOVED THAT THE PLANNING COMMISSION HAS FOUND THERE ARE GROUNDS TO WARRANT THE MODIFICATION OF THE EXISTING USE PERMIT. VICE-CHAIRMAN MAXFIELD SECONDED THE MOTION AND THE MOTION CARRIED WITH THE FOLLOWING VOTE: AYES: NOES: ABSTAIN ABSENT:

COMMISSIONERS HOWELL, O'BRIEN, MESSNER, MAXFIELD, MILLER NONE NONE

CHAIRMAN LEHMAN, COMMISSIONER DREW MOTION CARRIED: 5-0-2 VICE-CHAIRMAN MAXFIELD MOVED TO CONTINUE TO THE JANUARY 3, 1996 MEETING FOR THE PREPARATION OF REVISED CONDITIONS. COMMISSIONER MESSNER SECONDED THE MOTION Commissioner Howell Alternative No. 2 only. questioned whether the motion was restricting the discussion to Vice-Chairman Maxfield stated it was Commissioner Howell stated she would prefer to leave it only to removal of the revocation issue. Vice-Chairman Maxfield felt he'd prefer to have a staff report without alternatives. Commissioner Miller stated he agreed with Vice-Chairman Maxfield that it's been fine-tuned enough between them with one set of conditions and if a concern is raised with something specific, the Planning Commission can adjust it in January. VICE-CHAIRMAN MAXFIELD MOVED TO CONTINUE TO JANUARY 3 AND ALTERNATIVE 2 WITH CONDITIONS SUBMITTED BY MR. PHILLIPS WITH STAFF FINE-TUNING THE CONDITIONS AND GIVE A REPORT BACK TOT HE COMMISSION AND TO HAVE THE PROPONENT AND OPPONENTS TIME TO LOOK AT THE CONDITIONS WITH TIME TO COMMENT ON THEM. Steve Rudolph stated the public hearing is closed but nothing is preventing the Commission from reopening the public hearing at the next meeting. The Commission doesn't have a legal obligation to open the public hearing if that was their desire. COMMISSIONER MESSNER SECONDED THE MOTION AGAIN Commissioner Howell stated her concerns for limiting the motion to Alternative 2 only. In the summary of the staff report, the wording states build out of the existing planned facilities in Alternative 1 and Alternative 2 has, what she considers to be, some unusual language referring PC Mtg. 12-6-95 Page 1 I to "an environmentally sensitive area". She feels Alterative 1 and 2 can overlay dramatically depending upon the definition of that environmentally sensitive area which she understands both the existing conditions and the new conditions received by Mr. Phillips is going to provide definition of exactly where that environmentally sensitive area is. She didn't feel the motion should be limited to one of the two alternatives just because of the environmentally sensitive issue. She stated she'd like to eliminate the revocation and allow both Alternative 1 and 2 to exist because Alternative 1 talks about going with what's been planned already and Alternative 2 refers to complete build out of the site with the exception of the environmentally sensitive area. Until that area is defined, ome can't say that everything can be done because you don't know whether all the property can be built on yet. VICE-CHAIRMAN MAXFIELD AMENDED HIS MOTION TO INCLUDE STAFF TO LOOK INTO THE ISSUE RAISED BY COMMISSIONER HOWELL ON THE ENVIRONMENTALLY SENSITIVE AND ARCHAEOLOGICALLY SENSITIVE AREAS AND DEFINITIONS AND FACTOR THOSE IN. COMMISSIONER MESSNER AGREED WITH THE AMENDMENT Commissioner O'Brien felt the motion was too vague. VICE-CHAIRMAN MAXFIELD CLARIFIED HIS MOTION TO READ AS FOLLOWS:

**MOVE TO CONTINUE LAKESIDE MAUSOLEUM AMENDMENT OR REVOCATION OF CONDITIONAL USE PERMIT TO JANUARY 3, 1996** AND THE MATTER TO BE CONSIDERED BE ALTERNATIVE 2 AND IT'S CONDITIONS RECEIVED BY MR. PHILLIPS THIS EVENING AND STAFF FACTOR IN THE ISSUE RAISED REGARDING THE ENVIRONMENTALLY AND ARCHAEOLOGICALLY SENSITIVE AREAS AND THEIR DEFINITIONS AND FACTOR THOSE IN AND ADD CONDITIONS AS REQUIRED TO MAKE SURE THOSE ISSUES ARE COVERED. COMMISSIONER MESSNER SECONDED THE MOTION AND THE MOTION CARRIED WITH THE FOLLOWING VOTE AYES: NOES:

ABSTAIN ABSENT: COMMISSIONERS HOWELL, MILLER, MESSNER, MAXFIELD  
COMMISSIONER O'BRIEN NONE CHAIRMAN LEHMAN, COMMISSIONER DREW

## DOCUMENT 12

VERBATIM MINUTES FROM THE JULY 19, 1995 PLANNING COMMISSION MEETING  
ON LAKESIDE CEMETERY CONDITIONAL USE PERMIT STATUS REPORT ON  
CONDITIONS OF APPROVAL AT LAKESIDE OF MAUSOLEUM.

Agenda item NO. 1  
PN02-258  
HDC Mtg. 1-15-03

**Withdrawn**

**HISTORIC DISTRICT COMMISSION STAFF REPORT**

<b>PROJECT TITLE:</b>	Lakeside Cemetery Crematorium
<b>PROPOSAL:</b>	Request for approval of a Conditional Use Permit to allow for the operation of crematorium
<b>RECOMMENDATION:</b>	Denial
<b>APPLICANT AND OWNER:</b>	Lorin Clancy
<b>LOCATION:</b>	1201 Forrest Street
<b>ASSESSOR'S PARCEL NO.:</b>	070-0082-014, 070-0130-002, 070-0130-004
<b>ATTACHED REFERENCE MATERIAL:</b>	<ol style="list-style-type: none"><li>1. Vicinity Map</li><li>2. Site Plan, dated 12/19/97</li><li>3. Project Description and Crematorium Illustrations</li><li>4. Documentation from the Sacramento County Historic Cemetery Commission</li><li>5. Lakeside Cemetery Research Paper written by Sue Silver</li><li>6. Letters from the Public</li><li>7. Site Photographs</li></ol>
<b>PROJECT PLANNER:</b>	Jane Talbot, Assistant Planner

19 items 1 item selected 4.62 MB

3:02 PM 9/3/2020

To: city of Folsom officials, employees, Mayor, Vice Mayor  
To: City Clerk for CIRCULATION to all City Council elected officials  
bcc  
From: Laurette Laurent  
December 18, 2020

Re: below circulated Public Record, filed with Sacramento County Cemetery Commission December 17, 2020.  
Application for Illegal Zoning District Usages, illegal granting of Variance from HDC Commission with NO State Authority to grant such benefits, violation of CA Govt Code Title Zoning;  
violation of Folsom Zoning Code District restricting NO buildings on any "open space" category -- consistent with VIOLATED State Govt Code;  
Failure to abide by Sunshine Laws; Failure to conduct Full IS, EIR/EIS;  
failure to provide PROOF of Publications for all such steps;  
Failure to OBTAIN Fire Marshal Approvals due to ABUTMENT to Federal Watershed and Federal Forests;  
Failure to Notify CA State Parks;  
Failure to Notify Sacramento County Assessor office of "Proposed changes" [likewise to Cemetery Commission on prior 2020 application];  
Failure to provide NOTICE to an ABUTTING RESIDENT who filed Complaints SECRECY in this Land Usage improper SECRET Process - by FAILING to NOTIFY ME -- despite my historic and RECENT objects & Comments with regard to this SECOND time around crematory Proposal -- and my WRITTEN NOTICE to Folsom City Clerk and Planning to be given ALL HDC & Plan Commission Notices.  
Other violations exist, but are previously filed and resulted in Penalties.

Thank you to Folsom city officials and Staff [Including "city top officials" and "city engineers" with Licenses] for proving beyond a shadow of a doubt I -- AN **ABUTTING Parcel Owner** to 070 0260 001 -- **WAS NOT** given Notice of Proposed Applications and **EXISTING DISCUSSIONS** of this outrageous set of Violations.

State laws are extremely explicit with respect to Permissible lower agency Zoning Code and Land Usage Laws applications, TRANSPARENCY, and Process. My Complaints were already filed. My Request for NOTIFICATIONS of all Public Processes regarding Zoning Law were ignored. What is shown below is a PUBLIC RECORD sent to Sacramento County Cemetery Commission BUT NOT to over 36 ABUTTING OWNERS, including TWO Federal Govt AGENCIES with jurisdiction.



Former City Attorney Steve Rudolph advised the Plan Commission to issue a STOP WORK ORDER for All construction of buildings on this cemetery. He further recommended POSTPONEMENT of Plan Commission vote of approval because

1. George Chan had NO opportunity to engage Counsel,
2. Private titled-parcels within the existing cemetery belonged according to Sacramento County Records, to Private persons or entities who were NAMED by County and Steve Rudolph. His legal advice was ignored. Plan Commissioners who changed to approval instead of Opposition ended up on City Council and in one other appointed position.
3. George Chan was RESTRICTED to access the Chun Wah cemetery by FOOT, and only ONE person could enter this large cemetery served at the end of Mormon Street.

All named licensed City Engineers were clearly PUT ON NOTICE yesterday, and yet DID NOTHING. Ditto the City Manager and City Lawyer whom I addressed repeatedly to DO THEIR JOBS.

If Folsom intends to CONTINUE SECRET operations with respect to all State Enabling Legislation, our Constitutional Rights and Sunshine law respect, please continue in this path and expect the consequences of all these extremely VALUABLE "gifts" to private parties. South of Hwy 50 is the same identical type of operation.

I have given and conveyed written Notice to all top staff and licensed engineers. NOT ONE of them has RESPONDED to Formal Complaints. Is this SECRECY or scores and scores of instances and formal complaints IGNORED -- even when complaints CITE the exact LAWS Violated? Mens Rea or negligence since a sitting mayor fired the final independent City Engineer and put Folsom City Charter "ONLINE ONLY", then ERASED City Engineer & CE DUTIES? Folsom FMC Chapter 17 went online with the TOTAL OMISSION of the "cemetery" Zone designation. "Crematorium" was not an allowed use in city historically. FMC 17.52 is an OVERLAY District and HDC does NOT have LEGAL Right to grant any Land Usage Exceptions/Entitlements.

This was submitted in writing to top officials 2020 in formal Complaint Notices.

603 Sutter Street is identical set of SECRECY & Violations.

Why was this submitted to PGE, BUT NOT to Sacramento County Authorities with Oversight & Jurisdiction?

Please, I ask each Licensed Engineer, do you obey the Dictates of your Law Enforcing License -- with respect to Land usage, Subdivisions, Public Infrastructure, and all State Mandated Government Codes?

Please decide whether you wish to continue in this Folsom secrecy. This week alone I asked Mark Rackovan Sr. Eng. Traffic Eng. why he refused to Enforce the November 2020 new law regarding "encroachment on city property". ALL encroachments are defined in FMC, and yet NOTHING WAS DONE to clear a dangerous Substandard Folsom Right of Way of multiples violations. New Encroachment law requires a Permit and CONTRACT to be executed.

Please also BE AWARE, if you claim this is NOT YET in the Public Domain, My/Our Constitutional Rights have been VIOLATED in all PRIOR Lakeside Cemetery gifts from Folsom. No PROOF of Publication was provided for prior instances. No formal Letters were sent to Three Federal Agencies abutting, nor to SP Managing Partner to USBR, nor to 36 ABUTTING Single Family homeowners.

When Claney clan last sought a crematory, our Subdivision brought forth testimony from a Medical expert about the Sites acceptable for a crematory. As usual, abutting parcel owners only learned of crematorium Proposal/Application via Newspaper reporters coverage. Ex post facto, according to Law.

Final Question: this time in 2020, did you ever intend even one licensed city engineer would make an Approval and Plan with his License & seal/signature? Don't you feel Elected Officials should NOT be party to Folsom employees clear, repeated wrongdoing? Don't you feel "at risk" and responsible under your BPLSG Required Duties?

No, MORE/Comment:

Legally this Parcel is on MORMON ST. since the 1850 Theodore Judah Map creating Folsom Street Map. Calling it Forrest causes visitors to jam the Eighteen foot wide Substandard "street" which is DANGEROUS and improper because LNS Subdivision was created and Enacted VIA an Ordinance which DID NOT INCLUDE any Commercial Usages, NOR parking for same.

Applicant for a special **use permit** does not have to show hardship. Instead, the focus is on simply showing that the proposed **use** meets the conditions already contained in the ordinance, whereas a **variance is, in essence, permission to "break the law."**<sup>Mar 22, 2013</sup>  
**Case Law citation/ Advisory overlay "committee" cannot grant it under California enabling law.**

[https://www.opr.ca.gov/docs/theconditionalusepermit\\_071997.pdf](https://www.opr.ca.gov/docs/theconditionalusepermit_071997.pdf)

Quote sent to Sacramento County, others: entered into "Public Domain"  
December 17, 2020

request for comments and associated drawings and pictures for the proposed Lakeside Memorial Lawn crematory located at 1201 Forrest St. A

Conditional Use Permit has been requested by the applicant to operate the crematory facility inside an existing metal shed. That entitlement will go in front of the Folsom Historic District Commission. Please send any comments or questions to me before January 15<sup>th</sup> if possible.

Named Recipients.

To: Steve Krahn <skrahn@folsom.ca.us>, Aimee Nunez <anunez@folsom.ca.us>, Pete Piccardo <ppiccardo@folsom.ca.us>, Daniel Wolfe <dwolfe@folsom.ca.us>, Bryan Holm <bholm@folsom.ca.us>, Scott Zangrando <szangrando@folsom.ca.us>, Scott Johnson <sjohnson@folsom.ca.us>, Steven Banks <sbanks@folsom.ca.us>, Desmond Parrington <dparrington@folsom.ca.us>, Stephanie Henry <shenry@folsom.ca.us>, Allison Konwinski <akonwinski@folsom.ca.us>, Kristina Eicher <keicher@folsom.ca.us>, Lauren Ono <lono@folsom.ca.us>, Mark Rackovan <mrackovan@folsom.ca.us>, Pam Johns <pjohns@folsom.ca.us>, Elaine Andersen <eandersen@folsom.ca.us>, Jason Browning <jbrowning@folsom.ca.us>, Dave Nugen <dnugen@folsom.ca.us>, Ryan Neves <rneves@folsom.ca.us>, Don Brown <dbrown@folsom.ca.us>, Todd Eising <teising@folsom.ca.us>, Marcus Yasutake <myasutake@folsom.ca.us>, Vaughn Fleischbein <vfleischbein@folsom.ca.us>, Greg Bakken <gbakken@folsom.ca.us>, Steven Wang <swang@folsom.ca.us>

Cc: "thehfra@gmail.com" <thehfra@gmail.com>, Paul Keast  
[REDACTED] HPLBoard <hplboard@hplfolsom.org>, "pgeplanreview@pge.com" <pgeplanreview@pge.com>, "entitlements@smud.org" <entitlements@smud.org>, "projectreview@airquality.org" <projectreview@airquality.org>, "HunleyC@Saccounty.net" <HunleyC@Saccounty.net>, "cemeterycommission@saccounty.net" <cemeterycommission@saccounty.net>, "emailcfb@dca.ca.gov" <emailcfb@dca.ca.gov>, "kmtacc@hotmail.com" <kmtacc@hotmail.com>

Date: 12/17/2020 2:39 PM

Subject: Lakeside Memorial Lawn Crematory Conditional Use Permit

All,

Please find the attached request for comments and associated drawings and pictures for the proposed Lakeside Memorial Lawn crematory located at 1201 Forrest St. A Conditional Use Permit has been requested by the applicant to operate the crematory facility inside an existing metal shed. That entitlement will go in front of the Folsom Historic District Commission. Please send any comments or questions to me before January 15<sup>th</sup> if possible.

Thanks,

...

**Community Development  
Department**  
50 Natoma Street, Folsom,  
CA 95630  
O: 916.461.6209

Note to Sacramento County authorities:

PLEASE ensure ABUTTING PARCELS are notified PRIOR to secret planning & discussions of putting a FURNACE into a rickety shed abutting Federal Forest & watershed & waters of American River. USBR and Managing Partner CA SP and Bureau of Land Management are the major landowners/protectors here.

Cremation of a dead body is carried out at a temperature ranging between **1400 to 1800 degrees Fahrenheit.**

Let's show them some respect for Law, Health & Safety, and Common Sense. That old shed abuts Federal Forest which is suffering during drought. Its "emanations" contain MERCURY, and other toxics.

According to Federal Government Biological Research, there are Known Contaminants associated with burning bodies. Of course Folsom never involves Licensed Engineers; anything for a buck is OK in this place.

.<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5721279/>

**Josh Kinkade**

---

**From:** LJ Laurent [REDACTED]  
**Sent:** Sunday, August 22, 2021 4:15 PM  
**To:** Lydia Konopka  
**Cc:** Steven Wang; Mike Kozlowski; Sarah Aquino; Rosario Rodriguez; Josh Kinkade; Ken Cusano; Lauren Ono  
**Subject:** Fw: Failure Notice ..... lots of failures apparently

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

Lydia,

Folsom always had appointed citizens equipped with their own email address.

Mr. Duewel is lawyer who asked city staff [non-licensed people] for an opinion about a matter of Law. Mr. Duewel stated he wanted to know more about my Objection letter citations. In response, junior planner stated Opinions about Matters of Land Use Law. Planner erred. I did not.

Please forward this to Kevin Duewel.

If City Attorney has any problems with an appointed person being in touch PRIOR to a decision on Exceptions to Land Use Process Law, he needs to review his License Obligations.

If our elected Council members directed city staff to remove the committee members' emails at @folsom.ca.us, **this** is a prime example of why they should NOT have limited correspondence between city Appointees and city residents during a shutdown for pandemic. One year later Mr. Duewel's request for explanations of my points of law, came to light in the on-going battle to keep us safe from fire.

We in LNS are dealing with the Third Application for crematory abutting OUR Parcels, and federal Watershed Forest. There are significant violations involved, including actions covered by California Penal Code.

This needs to stop.

Thanks in advance, Laurie

Laws cited:

CA Govt Codes, B&P Codes, Subdivision Map Act.

[REDACTED]

Esq q nwnsrivlew\$li\$s { i\$erh\$iwtsrwnf\$  
\$s\$hq mnxiv\$e { w\$sv\$ypiw\$lex\$ipexi\$s\$e\$wtignig\$yfnig\$g exxiv\$  
sziv\$ lmgli\$svwli\$lew\$yxlsvx}2

All these years City Attorney has failed to inform "HD" group they do NOT have legal authority to grant Variances, Conditional Use Permits, DE FACTO REZONING, or any "exceptions to Zone District laws, Standards, or Duties of City Engineer to seal/sign and certify all actions are correct under state laws..... and upon certification also by a licensed lawyer.

I know city elected officials have difficulty believing city hall people are perfectly correct and able to administer Legal Process Laws, but this crematory nonsense -- for the 3 time -- is an outrage.

Residents of Lake Natoma Shores have to look at that ugly new shed every single day, yet young staffer proceeded as if we don't even exist. What do you want to bet the tall height which "cools" the building" will become another, larger bunch of furnaces for human bodies?

Over-Extending the Legal Authority of an "overlay" group, even a lawyer voted to approval extension of Land Use Exceptions which they NEVER EVEN VERIFIED.

City Attorney Steve Rudolph told the Plan Commission back in 1992 cemetery hearings on these outrageous exceptions that he advised against. He recommended a STOP WORK ORDER, and our future council members, ignored his Work Product Advice to them. Steve Rudolph sat and gave legal Opinions at all City Council and Plan Commission meetings. That was not popular with mayor.

In fact, those on Plan Commission who switched their opposition to approval, and voted, before Mr. Chan had opportunity to engage Counsel, voted to restrict Mr. Chan's access to a National Historic Site to "one person, on foot only." It is so "Folsom."

Question: webcast: someone asked "Mrs. Rodriguez" if she had any questions. Was this our current councilperson?

My favorite crematory protests say "don't let the dead kill the living." "Like the smoke, more is coming, with Mercury in it."  
Children in LNS have black balloons out front.

Did you all know cemetery only got water line of mere 3" diameter with 2" limiter, because we in LNS paid for water lines?  
Cemetery has NO hydrants, and won't pay to extend 4000 PSI pipes which fire fighters must have.

Did you know crematory will go into the 1930's metal shed, and that's why a huge 18 foot tall new shed was built. They don't need more maintenance equipment: they butchered more than 7 trees, including the living protected Historic Oaks. They cut "grass" cutting down last winter -- less to save money paid for water through that tiny connection we enabled. They committed criminal acts which still have not been cited [to our knowledge].

Sorry, I just cannot understand how it "slipped the minds" of our city attorney and city engineer to do their advisory jobs, to supply signed opinions of legal compliance.

Mr. Duewel wanted to KNOW, prior to voting. Then he said "but it's only a design review". But that is not what it was. It included an illegal Variance or Condition Use Permit, or "grandfathering in" an old public cemetery -- according to webcast. He actually believed that junior staffer saying that "yes" it's all grandfathered in.

Poor Oak Chan, he's probably suffering in his unreachable Grave with large monument --- back there in the inaccessible National Historic Site. Why did planner fail to ask a Licensed city professional to review his Recommendation?

Why were the Minutes approved by a person who was not even present to know there were questions?

"HD" is NO zone; their powers are not those of 'commission'. It's a pathetic violation of higher Authorities in Law, and people believe what they are told at cityhall [apparently.]

----- Forwarded Message -----

**From:** MAILER-DAEMON@yahoo.com <mailer-daemon@yahoo.com>

**To:** [REDACTED]

**Sent:** Sunday, August 22, 2021, 03:21:03 PM PDT

**Subject:** Failure Notice

Sorry, we were unable to deliver your message to the following address.

<[kduewel@folsom.ca.us](mailto:kduewel@folsom.ca.us)>:

550: 5.4.1 Recipient address rejected: Access denied. AS(201806281) [DM3GCC02FT008.eop-gcc02.prod.protection.outlook.com]

----- Forwarded message -----

Kindly supply email address, as your .com page rejected my contact.

## Josh Kinkade

---

**From:** LJ Laurent [REDACTED]  
**Sent:** Sunday, October 3, 2021 9:31 AM  
**To:** Pam Johns; Josh Kinkade  
**Cc:** ernest.conant@usbr.gov; Drew Lessard; opinion@sacbee.com; Eileen Sobeck; Patrick Pulupa; Dale Kasler; The HFRA; daoffice@sacda.org; Rick Hillman; Ken Cusano; Lydia Konopka  
**Subject:** body burner FURNACE is "HEATING UP." Folsom what R U thinking?

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

To: Folsom Comm. Dev. director P. Johns; planner Josh Kinkade  
Asst. City Clerk: Please share with 5 council members  
From: LJ Laurent, LNS Sub. Abutting Neighbor  
October 2, 2021

Re: Telegraph published article VS Reality of city staff

<https://goldcountrymedia.com/news/202040/proposed-folsom-crematory-opposition-continues-to-heat-up/>

Furnace Application is the third in few years. **NOT ONCE** were Abutting forest/river protection US Agencies given Notice, according to city records/minutes.

This application was filed over ONE YEAR ago, and yet Sacramento County Recorder was Never Notified of Project in Public Domain. In fact city reports this parcel 070 0260 001 as "Open Space/OS Conservation Zone District." Tax bill 10/2020 was REDUCED by \$1.2 Million, to help "open space".

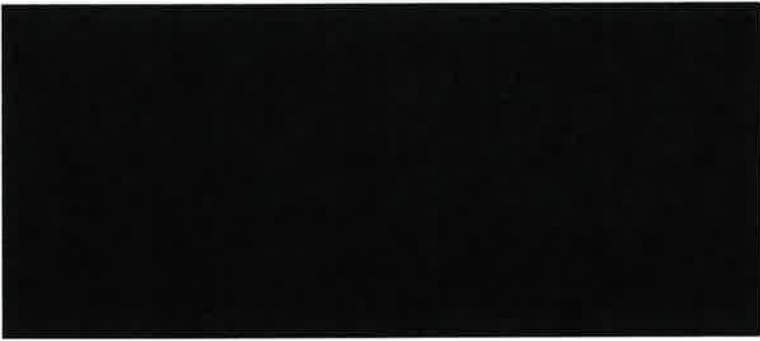
New co-owners Caring Service Group, has no city Business License. They filed all their Building Permits using FALSE ADDRESSes, and in some cases, a totally non-existent Parcel Number. The Zone District is clearly parcel is NOT OPEN SPACE Conservation - - which means ZERO BUILDINGS. They built and plan more huge Commercial buildings on Parcel, a FURNACE, and huge LPG Gas Tanks.

Clearly Applicants are not concerned with "legal niceties." Since city made residents pay for a "study" which recommended "Approval" of this Zone District Exception", it is clear the city is at the foundation of this chicanery.

LNS Residents were charged with Code Violations for lawful protest and WARNING Signs. Cemetery got away, forever, with NO Posting of Application for Exception for body burning 2,400 F furnace adjacent to Federal Forest, river, homes.

[Proposed Folsom crematory opposition continues to heat up](https://goldcountrymedia.com/news/202040/proposed-folsom-crematory-opposition-continues-to-heat-up/)





## Proposed Folsom crematory opposition continues to heat up

As residents eagerly wait for a meeting date to be announced, the opposition against the proposal for a new Folsom...

"Folsom city staff originally anticipated a September hearing on the matter, but Planning Commission and Historical Commission hearings were then canceled for September.

"We had initially targeted a Sept. 15 date, but it was never officially scheduled for that date," said **Folsom planner Josh Kincade**. "We don't currently have a meeting date set but there will be a notice (in local newspapers) 20 days prior to the hearing and the notice will be physically sent to property owners within 300 feet of the project site at the same time."

<https://www.youtube.com/watch?v=Lr15rPHEmeQ>

"heating up is right" fire & debris would spread for miles.

Folsom does NOT publish "city planner JOB description".

Only "Park planner" is available now. It is LESS demanding than city planner, and pays less, but here it is.

Salary 2018 \$58,353.84 - \$89,071.08 Annually

**THE POINT IS:** that is BIG BUCKS for persons who might not even KNOW basic Public Notice laws, and comprehend their **Obligations** which come with that kind of money.

Comm Dev director makes \$15,388 per Month salary, or about **\$190,000 a year in salary**. That is a lot of money PLUS huge benefits. And we don't even get PROPER, Legally-mandated Posted Notices and USPS Mail Notices. We get citations.

As a Federal Tax Payer, I firmly believe our USBR, DOI, and BLM federal employees DESERVE a NOTICE of a body-burning FURNACE be delivered to their Offices via Certified Mail.

Folsom acts like an insulated power-structure with very little respect for Laws, Rights, and Protection of Water Supply and our Environment.

Folsom staff have OK'd the 'study' for Approval. No Fire Dept objections were in that study. No ONE cited Zoning Code, Fire Code, Street ACCESS Code, etc. Development staff give an impression to us, that they think our Fire and Police people are as disposable as those bodies who represent Revenue from OPEN SPACE Zone.

You get the message? This is a highly paid group who have incentives to deliver the "Folsom Version" of laws.  
Residents? We get the "wrong end of the match-book."

If you knew the Extent of the Expertise behind LNS Objections, you might be ashamed of yourselves. But, at those reimbursement rates and rewards, guess it is unlikely.

LNS residents exist between the unbelievably dry Federal Forest & Watershed of American River, and the incredibly DANGEROUS gas tanks and furnace on Parcel Zoned OPEN SPACE/OS Conservation. If even one of those huge LPG tanks explodes, Folsom Blvd., Light rail, and lots of drivers and businesses in old sutter, will all take the "hit" with us. VIEW VIDEO!

Folsom, It this hell, or what?

Below is only city Job Description online, for a "planner".

# EXAMPLES OF ESSENTIAL DUTIES:

**NOTE:** The following are the duties performed by employees in this classification. However, employees may perform other related duties at an equivalent level. An individual in the classification does not necessarily perform all the duties listed below.

- Prepare preliminary construction drawings, specifications, and cost estimates for landscape architectural projects and bid documents including the grading, drainage, paving, irrigation, plant materials, and play equipment.
- Participate in site analyses, master planning, designing, cost estimating, and reviewing landscape architectural plans and drawings for accuracy and conformance with design and check calculations used in designs and estimates.
- Review, check, and make necessary corrections to landscape architectural site plan drawings, designs, and estimates as prepared by consultants to ensure conformance to original design.
- Inspect park, recreational, and trail site projects during construction to ensure construction is performed according to plans and specifications.
- Interpret city standards and specifications regarding trail construction.
- Prepare a variety of charts, graphs, maps, plans, and other illustrations and presentations to the Parks and Recreation Commission and the Finance Commission, reports, and studies.
- Monitor and approve project expenditures and maintain project accounts.
- Analyze proposed projects for conformance with adopted city landscape architectural standards.
- Meet and confer with developers, contractors, and engineers.
- Prepare grant applications and necessary graphics for a variety of projects.
- Compile a variety of information and data for staff reports and studies.
- Perform related duties as assigned.

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Friday, January 28, 2022 5:23 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: Crematorium

Sent from my T-Mobile 5G Device  
Get [Outlook for Android](#)

---

**From:** Liz Byer [REDACTED]  
**Sent:** Friday, January 28, 2022 5:10:40 PM  
**To:** Scott Johnson <sjohnson@folsom.ca.us>  
**Subject:** Crematorium

[You don't often get email from [REDACTED] Learn why this is important at  
<http://aka.ms/LearnAboutSenderIdentification.>]

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

Please stop this crematorium now! Summers are barely tolerable due to the fires now! This will destroy our property value just like the meat rendering plant south of Rancho Cordova!

Liz and Andrew Byer  
[REDACTED] Persifer street

Sent from my iPhone

## Josh Kinkade

---

**From:** Elaine Andersen  
**Sent:** Friday, January 28, 2022 5:09 PM  
**To:** Josh Kinkade  
**Subject:** Fwd: Crematorium

Begin forwarded message:

**From:** Liz Byer [REDACTED]  
**Date:** January 28, 2022 at 5:07:49 PM PST  
**To:** Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** Crematorium

[You don't often get email from lizbyer717@icloud.com. Learn why this is important at <http://aka.ms/LearnAboutSenderIdentification>.]

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

Please stop the crematorium in old Town! This will destroy our reputation! Summers are getting harder and harder to enjoy as it is with fires! Please stop this now!

The Byers  
[REDACTED] Persifer street

Sent from my iPhone

Marie Rice

██████████ Young Wo Circle

Folsom, California 95630

July 27, 2021

Dear Mr. Kinkaid:

I understand the owner of the Lakeside Memorial Lawn cemetery located at the entrance of "The Preserve" neighborhood off Folsom Boulevard is planning to put a crematorium in his facility. He states his plans are to run his crematorium Monday through Friday each week, estimating the cremation of three bodies per day. This will require the use of two-250-pound propane tanks. He assures his process is safe and compliant with fire and environmental safety standards.

While this may be true, accidents can and do happen. From 2012 until May 2021, there have been some seventeen (17) crematory accidental fires in this country, that I am aware of. The most recent took place on 05-11-2021 in Corona, California. The actual cause of this fire was not made clear. The one before that was in May 2018, in San Diego County. Firefighters were able to put out the fire, but the fire spoke's person confirmed the continued presence of "sand clouds of human remains in the sky". This is what nearby residents were breathing in.

There were several others before these I could detail, but in the interest of space, will refrain.

Especially in this time of climate change and easily ignited fires, a crematorium in a residential neighborhood, in the middle of a small city, **is an unnecessary public safety risk**. As it is, our landscape is so dry that we must be vigilant throughout the summer months to prevent fires.

Should a fire break out in this prospective crematorium, the people in this entire neighborhood would be at risk. There is only one exit, exactly where this cemetery is located. Residents could be trapped.

I have additional concern about air quality. The Amigone Cemetery cremation center in upstate New York was shut down in 2010 by the State's Department of Environmental Conservation because of "heavy black smoke spewing from the crematorium". Equipment repairs were made, and the crematorium was re-opened in 2019. Even still, nearby residents continued to experience distinctive odors and dust particles on windowsills, they said were "human remains". This has been disturbing enough that these residents report reluctance still to leave their windows open or spend time outside.

**We ask you to please not permit this crematory project of the Lakeside Cemetery to occur. It simply is NOT SAFE in this location that is near people and their homes that have only one exit, near the fire source itself.**

Sincerely,

  
Marie Rice

# DR. MARIKO MCGARRY

1204 Forrest Street, Folsom, CA 95630 ♦ 530-545-9055 ♦ mariko.mcgarry@gmail.com

February 1, 2022

Dear Historic District Commissioners, City Manager, and City Planners,

Thank you for the time and attention you are dedicating to the voters' serious concerns about the proposed Miller's Funeral Home crematorium at Lakeside Memorial Cemetery. I am writing to you as a permanent resident of Forrest Street, living directly across from the Cemetery. I am greatly worried about the impact of your decisions to come on my family, one year old daughter, and high-risk neighbors. I have reviewed Lakeside's project proposal and Environmental Impact Report conducted by Helix Enterprises and sought professional environmental science and medical consultation to inform my position on this matter. The concerns I am requesting inform your decision to vote "NO" include:

1. **Nonconforming use** of commercial, industrial incinerator in open space and in contradiction to the City's master plan;
2. **Inequitable consideration** of crematorium proposal in the Historic District when other open space in Folsom is not being considered for approval driven by profit motives;
3. **Proximity** of the proposed crematorium next to residential zone to several historic sites in the Historic District, with potential to negatively impact cultural practices and significance;
4. **Negative impact the proposed crematorium has already had on home values** in the historic district, with several realtors/brokers documenting decrease in buyers and offers due to proposal;
5. **Assumption that there is a safe level toxicity exposure** to developing children, pregnant women, elderly, medically vulnerable, and veterans in the immediate surrounding area of the Cemetery from vaporized toxins;
6. **The absence of historical relevance**—if external French doors are not permitted in the Historic District because they would not be found in the early 1900's, how can a commercial, industrial incinerator be acceptable?
7. **Impact of immeasurable sight, smell and ingestion of particulate matter** on use of trail, river, Historic District, and Sutter Street;
8. **Use and appearance** of shed for crematorium that is permitted for commercial storage only;
9. Increase to existing **extreme fire risk with one evacuation route for residents**;
10. **No emergency services plan or allocation of resources** to support potential increase in demand for fire and police as required by CEQA guidelines;
11. **Insufficient fencing and security** on site as required by CEQA guidelines;
12. **False identification** of proposed location as not next to State land or increased fire risk in Initial Study and **absence of additional design measures** to create defensible space as required by CEQA guidelines.
13. **Stark differences** between crematorium application to City in 2020 and the work that Miller's Funeral Home has done at Lakeside Memorial Cemetery without approval;
14. Presence of **permanent, industrial pollutant** in Historic District;
15. **Absence of ongoing monitoring** of air quality testing of particulate matter, employee safety, and testing by air quality chemist, pediatric toxicologist, and geriatric toxicologist;

# DR. MARIKO MCGARRY

1204 Forrest Street, Folsom, CA 95630 ♦ 530-545-9055 ♦ mariko.mcgarry@gmail.com

16. **No monitoring of mercury** which is odorless and colorless--yet poses biggest risk to children and unborn babies who can experience disorders such as autism, Asperger's, developmental delays and other neurological issues.
17. **Significant delays by the City** in publishing application, conditional use permit, and reports to the public;



The Initial Study/Mitigated Negative Declaration conducted by the City of Folsom Community Development Department and Helix Environmental Planning related for January 2020, identifies the "Maximum exposed individual resident," in the photo above. That purple dot sits directly on our **one-year old's bedroom window**. I am hard pressed to find an elected official in this City who has attested to being comfortable with even the smallest risk posed to their children. I am even harder pressed to find an elected official who has attested to the belief that this proposal would be accepted in any other residential or open space zone in Folsom. From an equity perspective, the voters and children of Empire Ranch would never have to self-organize, self-fund, and self-advocate as the voters and children of the Historic District have been forced to do for the last two years.

The Historic District and the City of Folsom either believes and will testify to their commitment to maintain community open space resources for the purposes ranging from conservation, to preserving community land use options, or it is time to change the definition of open space zones and the public marketing of the City.

As a Historic District Resident, voter, professional, and parent, I cannot express the need to vote "No" on the Lakeside Memorial Lawn Crematorium enough. Protect history. Protect the City's legacy. Protect our children.

Sincerely,

*Mariko McGarry, Ph.D.*



# DR. MARIKO MCGARRY

Forrest Street, Folsom, CA 95630

February 1, 2022

Dear Historic District Commissioners, City Manager, and City Planners,

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13. **Stark differences** between crematorium application to City in 2020 and the work that Miller's Funeral Home has done at Lakeside Memorial Cemetery without approval;
14. Presence of **permanent, industrial pollutant** in Historic District;
15. **Absence of ongoing monitoring** of air quality testing of particulate matter, employee safety, and testing by air quality chemist, pediatric toxicologist, and geriatric toxicologist;

# DR. MARIKO MCGARRY

Forrest Street, Folsom, CA 95630 ♦

16. **No monitoring of mercury** which is odorless and colorless--yet poses biggest risk to children and unborn babies who can experience disorders such as autism, Asperger's, developmental delays and other neurological issues.
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The Initial Study/Mitigated Negative Declaration conducted by the City of Folsom Community Development Department and Helix Environmental Planning related for January 2020, identifies the "Maximum exposed individual resident," in the photo above. That purple dot sits directly on our **one-year old's bedroom window**. I am hard pressed to find an elected official in this City who has attested to being comfortable with even the smallest risk posed to their children. I am even harder pressed to find an elected official who has attested to the belief that this proposal would be accepted in any other residential or open space zone in Folsom. From an equity perspective, the voters and children of Empire Ranch would never have to self-organize, self-fund, and self-advocate as the voters and children of the Historic District have been forced to do for the last two years.

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As a Historic District Resident, voter, professional, and parent, I cannot express the need to vote "No" on the Lakeside Memorial Lawn Crematorium enough. Protect history. Protect the City's legacy. Protect our children.

Sincerely,

*Mariko McGarry, Ph.D.*

Mary Johnson

██████████ Young Wo Circle Folsom CA ██████████

January 30, 2022

City of Folsom Historic District Commission

RE: Opposition to the proposed Folsom Lakeside Crematorium Project

Dear Commissioners,

I am writing this letter to voice my concerns regarding the proposal to build a crematorium right behind my house. This is the second letter that I have sent regarding my opposition to the crematorium. My concerns include negative impacts on my health and the health of the community, enjoyment of my property, the likely devaluation of the value of my property and degradation of our natural environment.

I have read the letter from Igor Semenyuk titled "Scope of Work- Installing a Crematory" and take issue with many of it. First and foremost, the crematory is not "removed from any residences and Parks", my home is literally feet from the proposed crematory site and the property borders State Park land with historical and major natural resources and wildlife, including endangered Bald Eagles. In his "Cremation Process" section he states "there is no smoke or residue that leaves the chamber" This is a completely false statement contradicted by the study he paid for and was completed by Helix Environmental Planning. There will be toxic emissions, particulates and a significant amount of CO2 released into the environment from the cremation process.

I am a retired Oncology/Hematology RN and Hospice RN, so I have cared for patients prior to and during the death process. There are multiple medical implants, catheters, joint replacements and dental work that when cremated and release toxic substances. Not to mention the toxic pharmaceuticals (chemotherapy, radioactive pellets and drugs) that remain in human tissue and are vaporized during the cremation process. I have read the Assessment completed by Helix Environmental Planning and am concerned that the above referenced toxic substances were lumped in Reactive Organic Compounds (ROC) or (PM) without stating how dangerous these emissions can be. The Report on the Air Quality and Greenhouse Gas impacts of the Crematorium and the Health Risk Assessment does not address our concerns about Public Health and Greenhouse gas emissions posed by the crematorium. The report done for CEQA (California Environmental Quality Act) is not complete and does not fully support a full environmental review process.

I was concerned that the Helix report only briefly mentions the release of mercury from cremation. No estimates were provided and the data mentioned was from the manufacturer of the crematorium unit. A report on the NIH website states that "Crematoria represent a significant source of mercury emissions to the environment". "The danger with mercury is long term indirect exposure from the environment and the food chain". This is because mercury can accumulate over time in our tissues and becomes a potent neurotoxin. It's also linked to decreased intelligence in children. Mercury is also known to cause kidney damage. We live in a neighborhood where we eat fruits and vegetables from our yards and people and wildlife catch and consume fish from Lake Natoma. The Lake Natoma/ American River is a major source of drinking water for over a million people or more. Why wasn't this mentioned or reviewed?

Another area that wasn't covered in the Helix report was the the amount of greenhouse gasses that will be produced, specifically CO2 . There are multiple Initiatives from the state, federal and international agencies that are attempting to reduce greenhouse gas production and the Crematorium will be a significant producer of CO2 . The crematory proposes to burn propane for the cremation process, per their report, each cycle burns 19.672 gallons with a proposed 4 cycles a day and 500 cycles per year. From the U.S Energy Information Administration, each gallon of propane burned produces 12.61 lbs of CO2. Multiply that by 19.67 gallons per cycle times 4 cycles per day. It comes to 992 lbs of CO2 produced per day. 500 cycles per year produces 124,032 lbs of CO2. This is a large amount of CO2 production in our neighborhood which adds to our existing elevated levels of CO2. Why was this not fully evaluated? Have alternatives been fully considered? Maybe Igor Semenyuk could be a leader in the industry by investing in Aquamation for human remains, which is a significantly less polluting and has a lower carbon footprint.

I also take issue with the statement from the Helix report that states " The project was not found to be a substantial source of objectionable odors and odor imparts." There is no methodology, background or citations given to base that statement on. Do we have to rely on their word or will they provide more information on which to base that claim? From the articles I have read, odors and smoke are the main complaint from neighbors who live near crematoriums.

My personal concerns are that the smell from burning bodies will be a daily occurrence and will interfere with the enjoyment and value of my property. I love to spend time gardening, generally enjoying my backyard, which backs up to the cemetery and is very close to the proposed crematory. This will be impacted by the presence and smell of crematorium operations. I am also concerned about the health impact of breathing the emissions from cremations. Breathing residue from human bodies being burned, including substances which are toxic to humans and wildlife and particulates have been shown to have major health adverse impacts and are known to shorten lives. There are personal financial consequences too. Having a Crematorium behind my home will decrease my resale value as most future purchasers will find it upsetting and distasteful to have a crematorium out back.

I do hope this letter helps you to realize that the crematorium project will have negative health and pollution consequences and that it does not belong in our neighborhood and historic Folsom. Please demand a greater articulation of the consequences of this proposal. Better yet, please deny the project.

Sincerely,

Mary Johnson

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Monday, February 7, 2022 4:17 PM  
**To:** Josh Kinkade  
**Subject:** FW: Please Vote NO on Proposed Crematorium

### Scott A. Johnson, AICP

*Planning Manager*

Community Development Department  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6206



---

**From:** John (Dave) & Mary [REDACTED]  
**Sent:** Monday, February 7, 2022 4:16 PM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>; Steven Banks <[sbanks@folsom.ca.us](mailto:sbanks@folsom.ca.us)>  
**Subject:** Please Vote NO on Proposed Crematorium

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

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

Scott Johnson, Planning Manager  
Steve Banks, Principal Planner

I am writing as a concerned citizen that lives in the adjacent neighborhood of the proposed crematorium. My concerns are from the heart. I have loved ones that have been laid to rest at the Lakeside Cemetery and visit often. The cemetery is a beautiful place to walk through and visit. The wildlife I have seen there over the years has brought much pleasure to me. In the last several years a pair of bald eagles have been successful in nesting and have been quite successful in growing their family and growing their species. One of my concerns is about the long-term environmental impact the crematorium emissions would have on the future successes of the bald eagle population. Air quality for the neighborhood would be another major concern, especially for those with health issues such as asthma. The neighborhood is a mix of young, growing families and retired families. The area is known for its healthy environment and healthy style of living. The industrial business just is not a good fit or in the best interest of the people of Folsom.

The site is zoned OS/P (Open Space/Public Primary Area) with underlying zoning of OSC (Open Space and Conservation) and has a General Plan designation of OS (Open Space). The Historic District Commission will take final action on this request unless the decision is appealed to the City Council. I am asking the City Council to vote NO on the proposed crematorium.

Thank you for your consideration,

Mary Matthews  
[REDACTED] Young Wo Circle  
Folsom, CA 95630  
[REDACTED]

## **HFRA Mission Statement**

***The Historic Folsom Residents Association is a group of neighbors working together to protect, preserve, advocate for and enhance the Folsom Historic Residential District. Through community involvement and awareness, HFRA shall strive to collaborate and build strong partnerships with City Government and local entities to identify and resolve current and future neighborhood concerns affecting the Folsom Historic District. We are united by our love for the community and desire to maintain and improve the quality of life for residents and defend the historic integrity of this neighborhood for future generations.***

## Josh Kinkade

---

**From:** Kelly Mullett  
**Sent:** Thursday, September 30, 2021 9:00 AM  
**To:** Josh Kinkade  
**Subject:** FW: Proposed Crematorium at Lakeside Cemetery

FYI

### Kelly Mullett

*Administrative Assistant*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6231  
F: 916.355.7274



**CITY OF FOLSOM**  
DISTINCTIVE BY NATURE



[www.folsom.ca.us](http://www.folsom.ca.us)

----- Forwarded Message -----

**Subject:** Proposed Crematorium at Lakeside Cemetery  
**Date:** Thu, 30 Sep 2021 00:26:29 +0000 (UTC)  
**From:** Mary Rigney [REDACTED]  
**To:** Daron Bracht <[daronbr@pacbell.net](mailto:daronbr@pacbell.net)>

September 30, 2021

Dear Historic District Commissioner:

Bottom line – who benefits from having a crematorium in our neighborhood? The neighbors? The City? Caring Service Group/Miller Funeral Home? The Chinese historical sites? The Folsom Historic District? The children or elderly of our community, especially with health issues? Not likely! It's definitely pause for speculation & concern.


Please help us, the Folsom residents within the historic district, and specifically The Preserve neighborhood, to reject the proposal to have a crematory built where we live our daily lives.

You are already well-informed of our many objections & serious concerns of having this crematory approved, so I will not list them here, but I don't believe it's asking too much to want clean air, clean lakes, and good health. And this doesn't even include our worries about fires in our high-risk fire area with 500 gallons of propane present at the cemetery property for the cremations, and what invisible harmful particles might be in the air caused by the use of a crematorium 4-6 times a day. It would seem more plausible to build such a crematorium in an industrial area, or use another facility of which there are a number of them in our county.

And yes, I'm over 75 and live in a receptor area.

Thank you for listening to our concerns and worries,

Mary Rigney

 Young Wo Cir.

Folsom, CA 95630





## Josh Kinkade

---

**From:** Daron Bracht <daronbr@pacbell.net>  
**Sent:** Tuesday, March 2, 2021 11:10 AM  
**To:** Josh Kinkade; Steven Banks  
**Subject:** Fwd: Crematorium

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----- Forwarded Message -----

**Subject:** Crematorium

**Date:** Mon, 22 Feb 2021 19:33:19 -0800

**From:** Mary Rigney [REDACTED]

**To:** [daronbr@pacbell.net](mailto:daronbr@pacbell.net)

Dear Daron,

I'm hoping I'm not too late in voicing my concern about having a crematorium in our Preserve neighborhood, this being the second attempt by Miller's Funeral Home. Please pass my concerns onto those making the decisions in this serious matter.

We've already voiced our strong feelings against having dead bodies burned in our own backyards, yet we are being faced with this same issue one more time! I'm sure that it is sanitary & safe, but that is not the point. I don't see why this can't be done elsewhere in an industrial area that would be far more fitting than to disrupt an entire neighborhood who have already voted against this project.

It seems we're being hit hard right now with other propositions which would drastically alter our quiet safe haven, our main reason for choosing this area to live in the first place. Between the constant battle with the future of the Corp yard (most recently affordable housing!), the light rail adding more tracks doubling the stops at our ONE outlet for our community, and now the crematorium issue on top of it all!

Therefore, I would like to join my other neighbors in requesting reconsideration of the projects I've mentioned above.

Thank you for your time & listening to my concerns, and for sharing with the those making the decisions, it's so appreciated.

Mary Rigney  
[REDACTED] Young Wo Cir

## Josh Kinkade

---

**From:** Scott Johnson  
**Sent:** Tuesday, October 5, 2021 1:54 PM  
**To:** Josh Kinkade  
**Subject:** FW: Crematorium

FYI

Scott A. Johnson, AICP  
Planning Manager  
Community Development Department  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6206

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.folsom.ca.us%2F&data=04%7C01%7Cjkinkade%40folsom.ca.us%7C50bf4ca4ea2e4bc1577f08d988424d8c%7C1cfb4b4a254c47b48448af71335fd6c0%7C0%7C0%7C637690640630553939%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&data=AiANp%2BBBMLYcwxlm2T8DcRoOeVvsajtejOHIqoOV3Y4%3D&reserved=0>

-----Original Message-----

**From:** Megan [REDACTED]  
**Sent:** Tuesday, October 5, 2021 1:37 PM  
**To:** Scott Johnson <[sjohnson@folsom.ca.us](mailto:sjohnson@folsom.ca.us)>  
**Subject:** Crematorium

You don't often get email from [REDACTED]. Learn why this is important  
<<http://aka.ms/LearnAboutSenderIdentification>>

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

Please do not allow a crematorium to be built behind my house. I have lived here for 22 years.

Megan McClure  
[REDACTED] Young Wo Circle

**From:** [Elaine Andersen](#)  
**To:** [Josh Kinkade](#)  
**Subject:** FW: Vote NO -My only sitting porch faces proposed Crematorium location directly  
**Date:** Friday, February 4, 2022 1:03:18 PM  
**Attachments:** [Front Porch.jpg](#)  
[Front Porch3.jpg](#)  
[Sitting.jpg](#)  
[Folsom-Vol-Day.jpg](#)

---

**From:** Missy <[mrdsoccer1@aol.com](mailto:mrdsoccer1@aol.com)>  
**Sent:** Friday, February 4, 2022 1:01 PM  
**To:** Elaine Andersen <[eandersen@folsom.ca.us](mailto:eandersen@folsom.ca.us)>; Elaine Andersen <[eandersen@folsom.ca.us](mailto:eandersen@folsom.ca.us)>  
**Subject:** Vote NO -My only sitting porch faces proposed Crematorium location directly

You don't often get email from [mrdsoccer1@aol.com](mailto:mrdsoccer1@aol.com). [Learn why this is important](#)

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Ms. Anderson:

I am a direct sight line neighbor of where the proposed crematorium is to sit. We already contend with the very unfavorable smell of the Kikkoman plant any day the wind is our direction from it, which is frequent. So this doubles our concern as, if Kikkomans can't control odor how on earth will the Crematorium be able to control theirs?

But to have to go out of my front door, look out my only front living room windows or to go sit on my only porch and stare at a stack from a Crematorium is a real slap in the face and our main concern.

I am a NICU nurse and deal with enough death on the daily at my job. I really don't appreciate having not only to deal with it at work but literally stare at it at home daily.

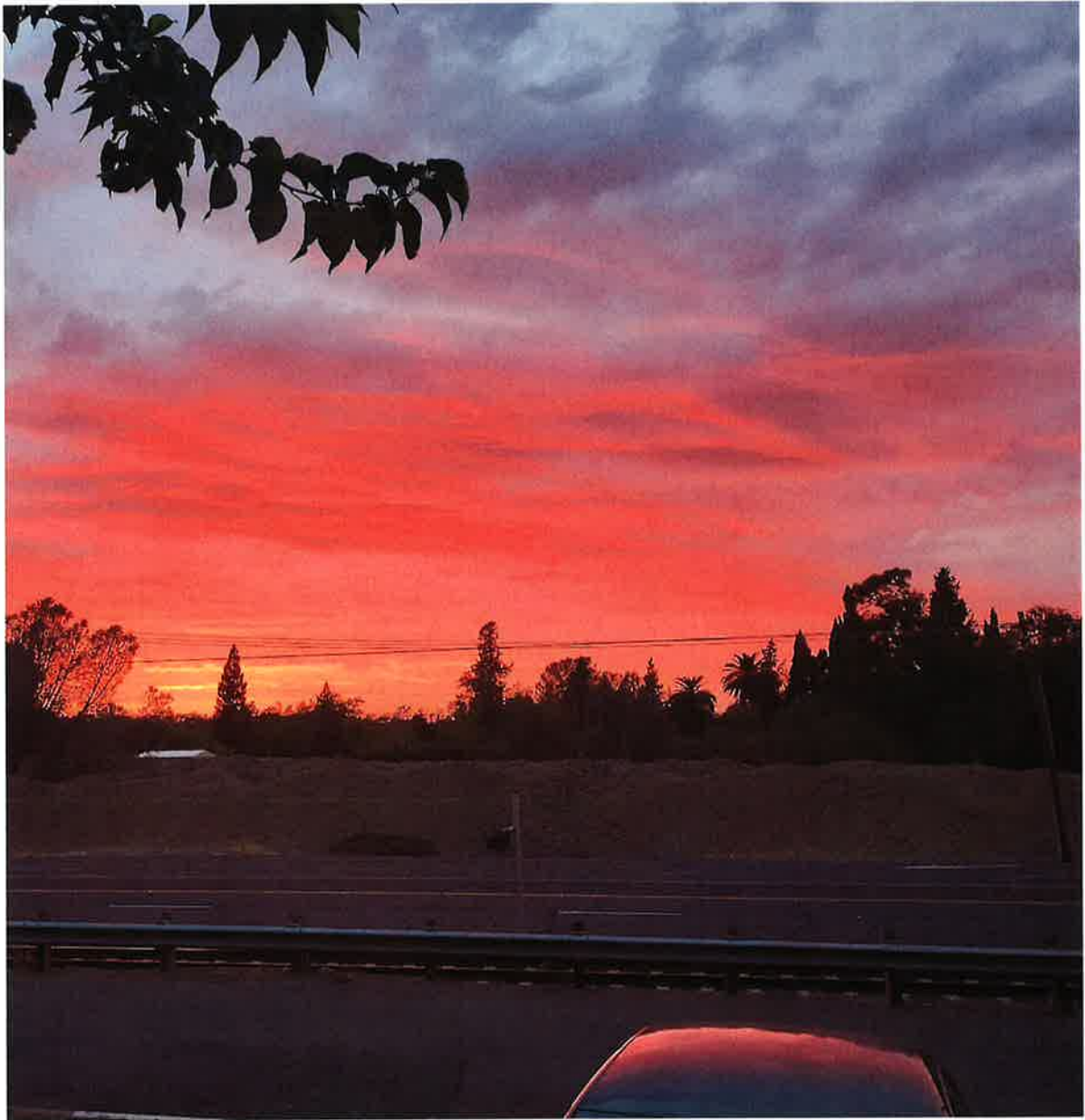
I have attached photo's that are taken from my front porch. I take pics almost weekly since the sunset is so beautiful from my front porch. This is apparently, exactly where the stack will stand. So no more front porch sitting for me, again - it's my only porch, it's my only sight line outside since our windows from our living room face that direction.

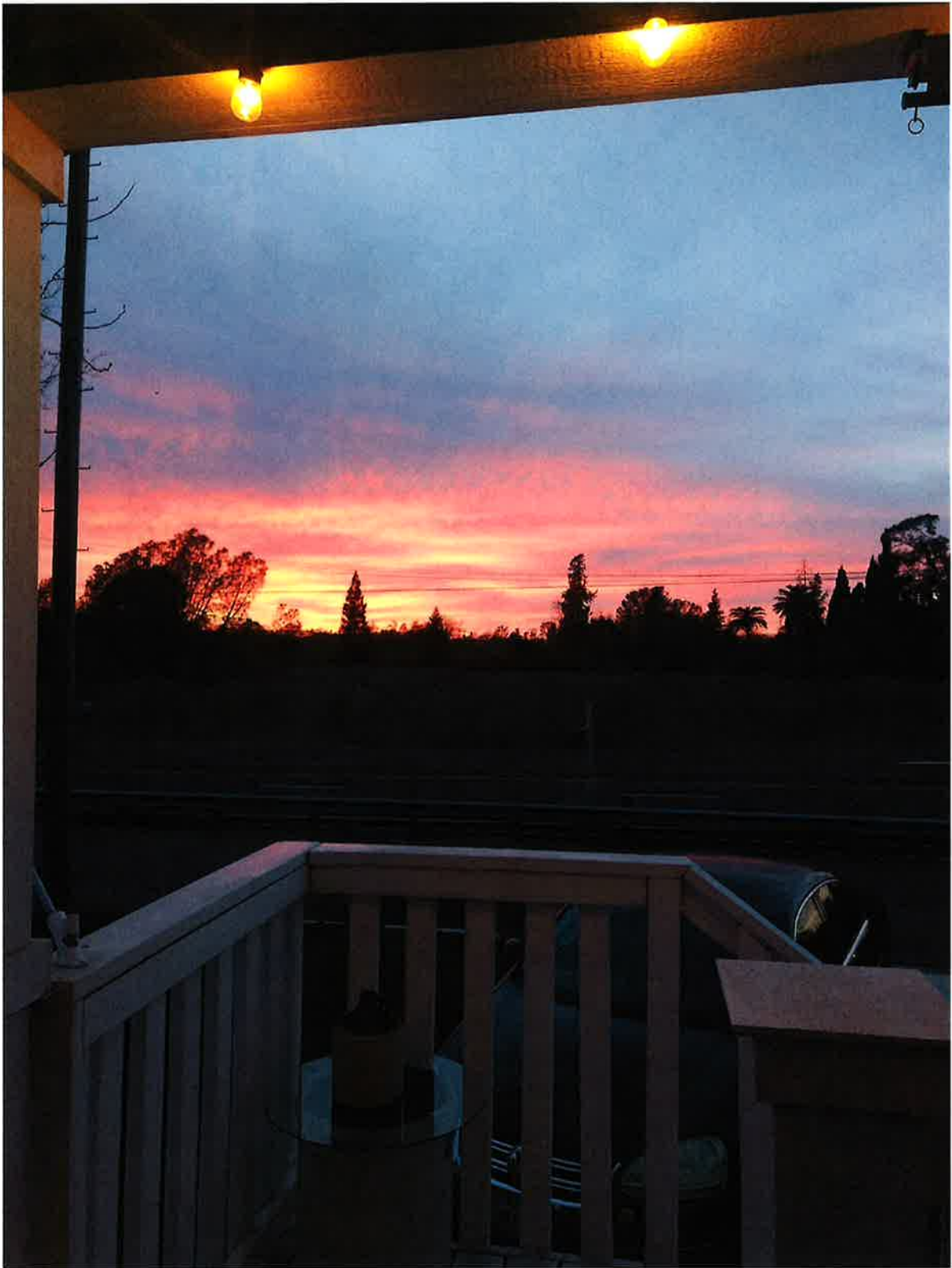
We volunteer in Folsom Days, we actively help keep an eye on the Historic Rail Yard which is our neighbor, we speak to Jim and other staff occasionally through the year. We spend as much money locally as possible.

PLEASE VOTE NO - I oppose the Crematorium location and I expect any council or official representing me to oppose it's location in this residential area.

Thank You Respectfully,

Melissa (Missy) Ingle  
and wife  
Betty (Renee) Reed  
713 Oakdale St, Folsom  
812-929-9075









**From:** [Elaine Andersen](#)  
**To:** [Josh Kinkade](#)  
**Subject:** FW: Vote NO -My only sitting porch faces proposed Crematorium location directly  
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**From:** Missy [REDACTED]  
**Sent:** Friday, February 4, 2022 1:01 PM  
**To:** Elaine Andersen <eandersen@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>  
**Subject:** Vote NO -My only sitting porch faces proposed Crematorium location directly

You don't often get email from [REDACTED] [Learn why this is important](#)

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

Ms. Anderson:

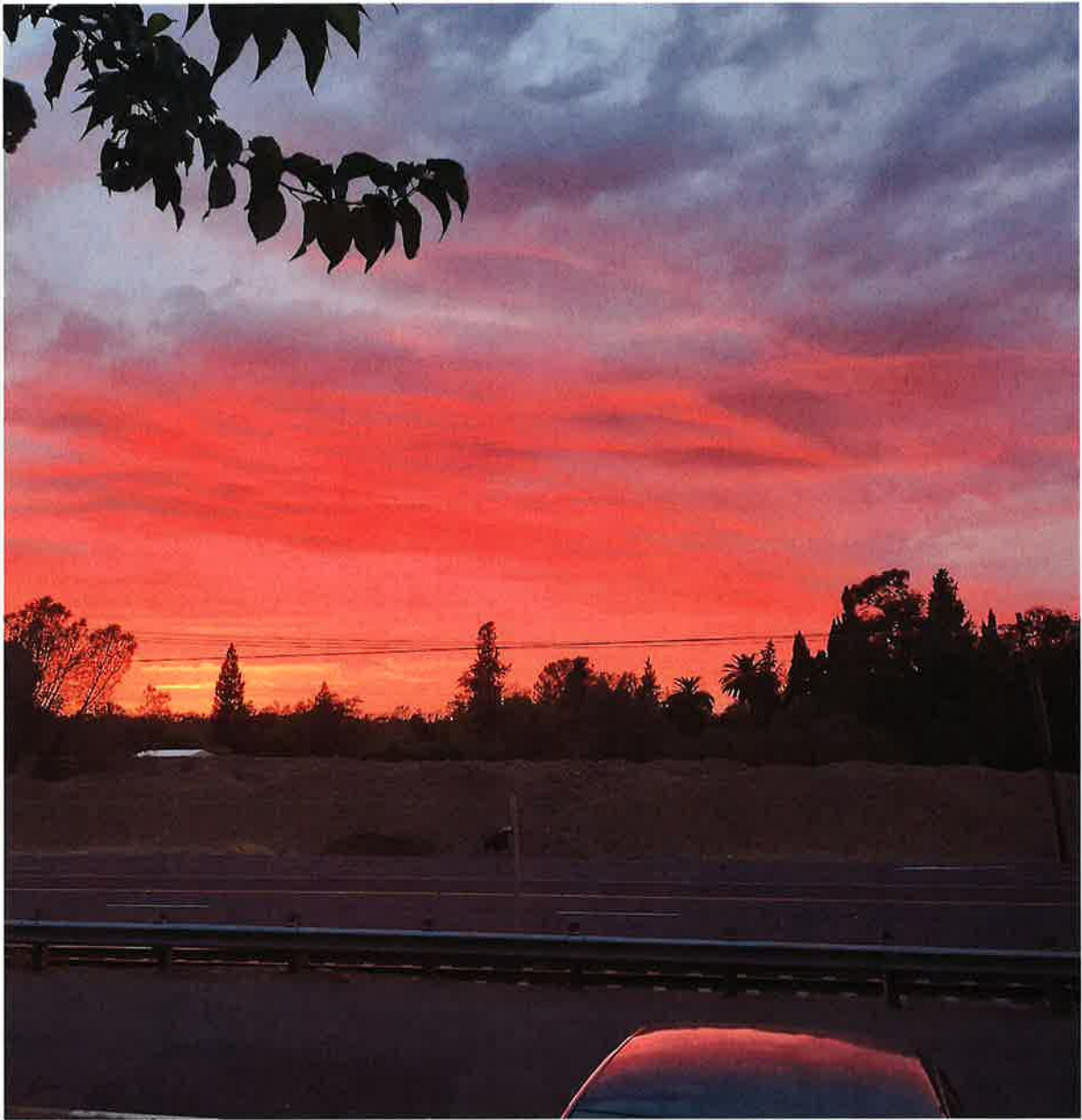
I am a direct sight line neighbor of where the proposed crematorium is to sit. We already contend with the very unfavorable smell of the Kikkoman plant any day the wind is our direction from it, which is frequent. So this doubles our concern as, if Kikkomans can't control odor how on earth will the Crematorium be able to control theirs?

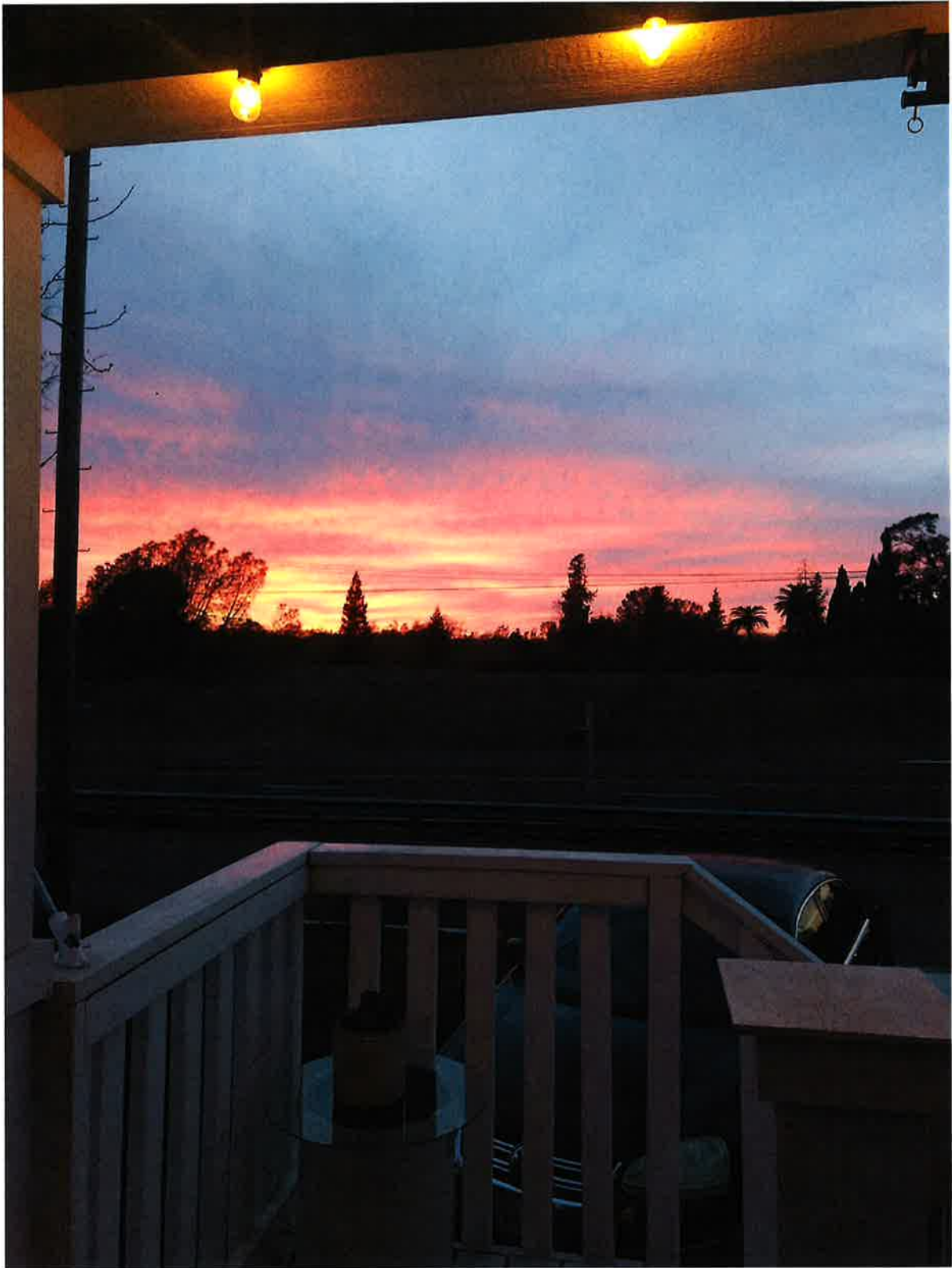
But to have to go out of my front door, look out my only front living room windows or to go sit on my only porch and stare at a stack from a Crematorium is a real slap in the face and our main concern. I am a NICU nurse and deal with enough death on the daily at my job. I really don't appreciate having not only to deal with it at work but literally stare at it at home daily. I have attached photo's that are taken from my front porch. I take pics almost weekly since the sunset is so beautiful from my front porch. This is apparently, exactly where the stack will stand. So no more front porch sitting for me, again - it's my only porch, it's my only sight line outside since our windows from our living room face that direction. We volunteer in Folsom Days, we actively help keep an eye on the Historic Rail Yard which is our neighbor, we speak to Jim and other staff occasionally through the year. We spend as much money locally as possible. PLEASE VOTE NO - I oppose the Crematorium location and I expect any council or official representing me to oppose it's location in this residential area.

Thank You Respectfully,

Melissa (Missy) Ingle  
and wife  
Betty (Renee) Reed  
[REDACTED] Oakdale St, Folsom  
[REDACTED]











February 3, 2022

Josh Kinkade, Associate Planner  
Community Development Department  
City of Folsom  
50 Natoma Street  
Folsom CA 95630

**RE: COMMENTS ON THE PROPOSED LAKESIDE MEMORIAL LAWN  
CREMATORUIM DRAFT INITITAL STUDY/MITIGATED NEGATIVE  
DECLARTION AND THE CONDITIONAL USE PERMIT**

First, I would like to state that I have lived in Folsom for 20 years and live adjacent to the Lakeside Cemetery property. Also, my family has been identified as “sensitive receptors” in the Health Risk Assessment.

I have reviewed the above-mentioned documents and I recommend **disapproval** of the draft Initial Study/Mitigated Negative Declaration based on comments below. I also recommend **disapproval** of the draft Conditional Use Permit (CUP).

**Draft Initial Study/Mitigated Negative Declaration (IS/MND)**

**#1. Project Description, Parking and Circulation (page 2), last paragraph**, it states that access would only need to accommodate a **small number of staff members** as there is limited parking onsite. However, this appears to be in conflict with statements made in the applicant’s Scope of Work. It states that ...”cremation-based cultures require on-site crematory so they may be able to exercise their funeral rights and customs.” As any cremation may attract large number of attendees, the cremations should clearly be limited to small number of staff as stated in the IS/MND.

Unless the cremations are limited to only staff attending, there could be potentially significant impacts on traffic, circulation, and parking within a small residential neighborhood with only one way in and out of the subdivision with limited amount of off-street parking (the Transportation Section XVII of the draft IS/MND also states under parking and access that only a small number of staff members will need to be accommodated).

**#2. Land Use and Planning, Section XI.** The proposed crematorium is totally incompatible with the existing land use zoning of Open Space. The City of Folsom’s Chapter 17.30, M-2, General Industrial District of the municipal code, lists permitted uses only allowed in M-2 districts. While crematoriums are not specially listed, yet, in M-2 districts, it does list similar uses. A crematorium should only be located in an industrial zone. This can be a significant impact on Land Use. As the proposed crematorium is located in the Historic District an analysis should have been completed to identify any impacts and conflicts with the Historic District planning guidelines.

**#3. Air Quality, Section III and Hazards and Hazardous Materials Section IX.** The health risk assessment and receptor modeling for potential health risks appear to only have been

conducted one time, on November 11, 2020. Air pollution patterns will vary depending on time of year and wind directions, etc. Additional air modeling should be conducted at the project site at different times of the year.

I believe additional analysis needs to be done regarding health risks to sensitive receptors from vapors emitted from dental fillings that include mercury, both from air pollution and consequential contaminated soils. There have been numerous studies identifying these health risks.

### Draft Conditional Use Permit (CUP)

#1. The public noticing for this proposed CUP does not meet State Planning Law for CUP's as per Government Code Section 65905 and needs to be re-noticed. I have attached a copy of the State Training guide for CUP's. The public notice for this project is titled "Notice of Public Hearing and Notice of Intent to Adopt a Mitigated Negative Declaration." No mention of a draft CUP for review. The notice only refers to the CUP once, and as an entitlement.

#2. Further, no draft CUP was included in the public review documents listed online by the City for public comments. City staff's notification stated that the CUP will be included in a Staff Report and be available at least 5 days prior to the February 16<sup>th</sup> HDC meeting. Section 65905 states that noticing of the CUP needs to be made available at least 10 days prior to the public hearing. No Staff Report online as of February 3<sup>th</sup>.

#3. A condition of the permit should include limiting attendance of cremations to cemetery employees only as assured in the IS/MND.

It appears that there may be significant impacts from this project. While the IS/MND did not identify potentially significant impacts, the Lead Agency (City of Folsom), makes the final determination. The Lead Agency should complete a project-specific Environmental Impact Report (EIR). While the Lead Agency is relying on an existing program EIR, a project-specific EIR should instead be completed due to the uniqueness of this proposed project and its location, located in Open Space zoning in the Historic District.

Sincerely,



Nancy Fallan Oldham

Cc: Kathleen Cole, Chair, HDC  
Cc: John Lane, HDC  
Cc: Justin Raithel, HDC  
Cc: Daniel West, HDC  
Cc: Mickey Ankhelyi, HDC  
Cc: John Felts, HDC

Attachment

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**Governor Pete Wilson**

**The Planner's Training Series:**  
**THE CONDITIONAL**  
**USE PERMIT**

---



**Governor's Office of Planning and Research**  
1400 Tenth Street  
Sacramento, CA 95814  
(916) 445-0613

*Lee Grissom, Director, Governor's Office of Planning and Research*

*Antero Pilvasplata, Deputy Director, State Clearinghouse*

*Robert Cervantes, Author*

*Kenneth Lee, Planning Intern, Author*

July 1997

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### **The Planner's Training Series**

This publication is one in a series prepared by the Office of Planning and Research (OPR) on topics of general interest to planners. As with the rest of this series, its primary purpose is to provide both a reference for experienced planners and training materials for new planners, planning commissioners, and zoning board members. Citations are made to pertinent sections of the California statutes and to court decisions in order to provide the reader the opportunity to do additional research on their own. Unless otherwise noted, all statutory references are to the California Government Code.

This document and other OPR publications, along with additional information about local government planning and zoning, is available from the LUPIN (Land Use Planning Information Network) web site maintained by the California Resources Agency at <http://ceres.ca.gov/planning/>



# The CONDITIONAL USE PERMIT

## WHAT IS A CONDITIONAL USE PERMIT?

A CONDITIONAL USE PERMIT (CUP) allows a city or county to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district, through a public hearing process. A conditional use permit can provide flexibility within a zoning ordinance. Another traditional purpose of the conditional use permit is to enable a municipality to control certain uses which could have detrimental effects on the community (*Neighborhood Action Group v. County of Calaveras* (1984) 156 Cal.App.3d 1176).

Consideration of a CUP is a discretionary act. A CUP application tendered by a project proponent is considered at a public hearing and, if approved, is generally subject to a number of pertinent conditions of approval. Depending on local ordinance requirements, hearings are typically held by a board of zoning, the planning commission, or a zoning administrator. The owners of property near the site are sent advance notice of the date, time, and place of the hearing.

Examples of common uses allowed with a conditional use permit can be found in any city or county zoning ordinance. For example, Santa Rosa's zoning ordinance lists uses which may be permitted within single-family residential districts with a conditional use permit. These uses include churches, public or private schools, public building or utility structures, parking lots, temporary subdivision sales offices, and community care and health care facilities. Chico's zoning ordinance lists various uses permitted with a use permit issued by either a planning director or planning commission. These uses include temporary amusement attractions, the placement of a building or structure on a lot or parcel which has been moved from another lot or parcel, public buildings and facilities, parking or access located off-site from the site being served, private recreation centers, and planned developments. Each city or county may include in their zoning ordinance a wide variety of uses which they will permit with a conditional use permit.

## ENABLING LEGISLATION

The rules under which counties and general law cities may issue a conditional use permit are provided by state and case law. Charter cities are not subject to state zoning law, except in special circumstances, but

may still use its provisions (Section 65803). The following is a brief examination of the authority and rules under which local governments act in issuing use permits.

### Constitutional Authority:

Local governments have the authority to enact local planning and land use regulations to protect the public health, safety, and welfare of their residents through their police power. The "police power" provides the right to adopt and enforce zoning regulations, as long as they do not conflict with state laws. The police power is the basis for charter city zoning powers. (California Constitution, Article XI, Section 7)

### Statutory Authority:

California code reiterates the Constitutional police powers of cities and counties to enact zoning regulations, but has little to say about CUPs in particular.

"The legislative body of any county or city may, pursuant to this chapter, adopt ordinances that do any of the following:

"Regulate the use of buildings, structures, and land as between industry, business, residences, open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes...."  
(Section 65850(a))

"The board of zoning adjustment or zoning administrator shall hear and decide applications for conditional uses or other permits when the zoning ordinance provides therefor and establishes criteria for determining those matters ..."

"The board of zoning adjustment or zoning administrator may also exercise any other powers granted by local ordinance and may adopt all rules and procedures

## THE CONDITIONAL USE PERMIT

necessary or convenient for the conduct of the board's or administrator's business."

(Section 65901(a))

### Case Law:

California case law has established a number of fundamental principles relating to conditional use permits. In addition to the basic uses permitted within a zoning district, a city or county zoning ordinance can provide other specified uses which may be permitted after consideration and resolution by an administrative agency that the proposed use is in the best interest of public convenience and necessity and will not be contrary to the public health, morals, or welfare (*Upton v. Gray* (1969) 269 Cal.App.2d 352).

Local governments must have a complete and valid general plan before they can issue conditional use permits (*Resource Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800 and *Neighborhood Action Group v. County of Calaveras* (1984) 156 Cal.App.3d 1176).

The authority to consider conditional use permits, delegated to planning commissions or other administrative bodies by elected officials, must include standards of guidance. These standards of guidance are provided to insure that the delegation of discretion to an administrative agency is not unbridled and, thus, not invalid. The doctrine of the need of an ascertainable standard to guide an administrative body applies where the legislative body of a city attempts to delegate its law-making functions (*Stoddard v. Edelman* (1970) 4 Cal.App.3d 544).

### PROCEDURE

The approval of a conditional use permit is an administrative, quasi-judicial act. It is not a change of zone, but rather a project-specific change in the uses allowed on a specific property. Conditional use permits do not involve the establishment of new codes, regulations, or policies. Instead, a conditional use permit applies the provisions of the zoning ordinance and its standards to the specific set of circumstances which characterize the proposed land use. Cities and counties have the authority to establish either a board of zoning adjustment or a zoning administrator to hear and decide applications for conditional uses. Local ordinance can establish specific procedures under which a delegated board of appeals will hear and determine appeals from the decisions of the board of zoning

adjustment or the zoning administrator (Section 65903). In most jurisdictions, appeals are heard by the next highest body, eventually reaching the city council or county board of supervisors for a final decision.

### Public Hearing:

Section 65905 requires a public hearing to be held on an application for a conditional use permit. At a minimum, advance public notice, an opportunity to be heard, and a fair hearing are constitutional due process rights as explained in *Horn v. County of Ventura* (1979) 24 C.3d 605.

The Government Code establishes minimum requirements for public notice for counties and general law cities. Charter cities may adopt similar provisions. The notice of a public hearing must include: the date, time, and place of the hearing; the identity of the hearing body or officer (commonly the delegated board of zoning adjustment or the zoning administrator); a description of the proposal and the conditional use permit process; and the location of the property involved (Section 65094). Notice must be mailed to all property owners within 300 feet of the proposal's site boundary at least 10 days prior to the public hearing. The names and addresses of owners are those listed on the most current county equalized assessment roll. This requirement includes the owners of property which lie outside the city limits or county line (*Scott v. Indian Wells* (1972) 6 C.3d 541). Notice must also be published once in a newspaper of general circulation at least 10 days before the hearing.

Section 65030 recognizes the importance of public participation in public hearings and expresses a clear legislative intent that local agencies insure public participation at every level of the conditional use permit process. The purposes of the public hearing is for the zoning board or zoning administrator to hear and consider the opinions of the proponent and nearby property owners prior to making their decision to either approve or deny the conditional use permit. As a quasi-judicial act, the approval of a conditional use permit requires the board or administrator to adopt written findings to support their action. Whether the proposal has been approved or denied, the decision can be appealed to a higher body, usually the board of appeals, the planning commission, or city council, in accordance with the city or county zoning ordinance. The appeals body may reverse or affirm, wholly or partly, or may modify the decision, and may make such decision as should be made, and its action is final (Section 65903).

Section 65903 delegates to local legislative bodies the authority to establish procedures for an appeal but not the power to restrict the right of appeal. Thus, a county zoning ordinance cannot attempt to restrict the right of appeal to solely the applicant and exclude the general public, especially adjacent property owners (*Concerned Citizens of Murphys v. Jackson* (1977) 72 Cal.App.3d 1021).

In order to encourage concurrent processing for the purpose of expediting zone changes and general plan amendments, Section 65862 provides that planning agencies may simultaneously process a consolidated application which may include a use permit, rezoning, and general plan amendment if all three applications encompass the same property.

#### **California Environmental Quality Act:**

Conditional use permits are subject to the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq.). Prior to the public hearing on the proposed conditional use permit, the city or county must evaluate the proposal to determine whether or not it may have any significant adverse effects on the environment. If the proposal is not exempt from environmental review, the city or county is required to prepare either a negative declaration indicating that the conditional use permit will have no significant effect, or an Environmental Impact Report (EIR) which describes the potential negative impacts of the proposal and the means to avoid or lessen those impacts. See the bibliography for a reference which can provide more information about the California Environmental Quality Act.

#### **Permit Streamlining Act:**

The Permit Streamlining Act (Section 65920, et seq.) establishes time limits within which the review and approval or denial of a conditional use permit proposal must occur. For instance, if an EIR was certified for a conditional use permit, the application must be acted upon within one hundred eighty days from the date of certification (Section 65950(a)(1)). A proposal for which a negative declaration was adopted or a CEQA exemption used must be acted upon within sixty days of that action (Section 65950(a)(2)(3)). A conditional use permit cannot be disapproved solely to comply with these deadlines.

The Permit Streamlining Act provides that failure to meet its deadlines will result in automatic approval of the conditional use permit (Section 65956(b)). However, the permit can only be deemed approved if public

notice and an opportunity to be heard had been provided either by the agency or by the applicant.

The Permit Streamlining Act does not apply to administrative appeals within a state or local agency (Section 65922). Therefore, if a permit is appealed to a higher body there is no strict time frame within which the appeal must be heard.

### **LIMITATIONS ON CONDITIONAL USE PERMITS**

As a rule, conditional use permits do not authorize uses that the zoning ordinance does not authorize, nor uses not expressly authorized by the permit. The conditional use permit includes conditions which limit the applicant's authority to use the property. Under certain conditions, however, local governments may incorporate provisions from federal laws and broaden the range of uses permitted (*Sports Arena Properties, Inc. v. City of San Diego* (1985) 40 C.3d 808).

It is often the case that local agencies follow a general set of standards in considering a conditional use permit. These standards are generally acceptable since it is a near impossibility to devise standards to cover all possible situations in which a use permit can be issued (*Tustin Heights Association v. Board of Supervisors* (1959) 170 Cal.App.2d 619). There are several cases in which these standards have been upheld.

#### **General Welfare Standard:**

"The establishment, maintenance or conducting of the use for which a use permit is sought will not, under the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood" (*Hawkins v. County of Marin* (1976) 54 Cal.App.3d 586).

#### **Nuisance Standard:**

"Any use found to be objectionable or incompatible with the character of the city and its environs due to noise, dust, odors or other undesirable characteristics may be prohibited" (*Snow v. City of Garden Grove* (1961) Cal.App.2d 496).

#### **General Plan Consistency Standard:**

"Although use permits are not explicitly made subject to a general plan meeting the requirement of state law, that condition is necessarily to be implied from the hierarchical relationship of land use laws.

## THE CONDITIONAL USE PERMIT

Thus, use permits are struck from the mold of the zoning law, the zoning law must comply with the adopted general plan, and the adopted general plan must conform with state law; the validity of the permit process derives from compliance with this hierarchy of planning laws (*Neighborhood Action Group v. County of Calaveras* (1984) 156 Cal.App.3d 1176).

### Zoning Consistency Standard:

"To obtain a use permit, the applicant must generally show that the contemplated use is compatible with the policies in terms of the zoning ordinances, and that such use would be essential or desirable to the public convenience or welfare, and will not impair the integrity and character of the zoned district or be detrimental to the public health, safety, morals or welfare" (*O'Hagen v. Board of Zoning Adjustment* (1971) 19 Cal.App.3d 151).

In addition to the general standards discussed, there also exist other limitations on conditional use permits. Conditional use permits run with the land not the applicant (*Cohn v. County Board of Supervisors* (1955) 135 Cal.App.2d 180). That is, where conditional use permits are concerned, all related property and personal rights are freely transferable, unless expressly prohibited by law (*Anza Parking Corporation v. City of Burlingame* (1988) 195 Cal.App.3d 855). Inversely, a conditional use permit may not lawfully limit the permittee from transferring it with the land since such a condition is beyond the power of the zoning authority (*Anza*, supra).

The conditions which are imposed on a conditional use permit must be expressly attached to the permit and cannot be implied. For example, if a conditional use permit contains language that restricts a building's height to five stories and requires the developer to submit and obtain planning-commission approval of a landscaping plan, among other things, the permit itself does not imply a height limitation on trees within the development (*Pacifica Homeowners' Association v. Wesley Palms Retirement Community* (1986) 178 Cal.App.3d 1147).

### OTHER TYPES OF CONDITIONAL USE PERMITS

State law also allows conditional use permits for "granny" units, second dwelling units, and mobile-home parks. If a local zoning ordinance does not

provide for these cases, the ability to apply for conditional use permits allowing these uses is provided for by state law. In all cases, public notice and hearing must be provided as discussed earlier.

### "Granny" Units (Section 65852.1) -

"... any city, including a charter city, county, or city and county may issue a zoning variance, special use permit, or conditional use permit for a dwelling unit to be constructed, or which is attached to or detached from, a primary residence on a parcel zoned for a single-family residence, if the dwelling unit is intended for the sole occupancy of one adult or two adult persons who are 62 years of age or over, and the area of floor space of the attached dwelling unit does not exceed 30 percent of the existing living area or the area of the floor space of the detached dwelling unit does not exceed 1,200 square feet."

Prior to approval of a conditional use permit under Section 65852.1, the city or county must find that the resident or residents meet the age criteria, and that the floor area of the proposed unit does not exceed that allowed by the statute. In accordance with the special circumstances provided in Section 65803, Section 65852.1 applies to charter cities, as well as general law cities.

### Second Dwelling Units (Section 65852.2) -

"Notwithstanding Section 65901, every local agency shall grant a special use or a conditional use permit for the creation of a second unit if the second unit complies with all of the following:

"(A) The unit is not intended for sale and may be rented.

"(B) The lot is zoned for single-family or multi-family use.

"(C) The lot contains an existing single-family dwelling.

"(D) The second unit is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.

"(E) The increased floor area of an attached second unit shall not exceed 30 percent of the existing living area.

"(F) The total area of floor space for a detached second unit shall not exceed 1,200 square feet.

"(G) Requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other zoning requirements generally ap-

## THE CONDITIONAL USE PERMIT

plicable to residential construction in the zone in which the property is located.

"(H) Local building code requirements which apply to detached dwellings, as appropriate.

"(I) Approval by the local health officer where a private sewage disposal system is being used, if required."

Section 65852.2 also provides that any local agency may, by ordinance, allow second units in single-family and multifamily residential zones. Thus, a Section 65852.2 conditional use permit is only required for second units when a local agency has not adopted an ordinance governing second units.

### **Mobilehome Parks (Section 65852.7) -**

"A mobilehome park, as defined in Section 18214 of the Health and Safety Code, shall be deemed a permitted land use on all land planned and zoned for residential land use as designated by the applicable general plan; provided, however, that a city, county, or a city and county may require a use permit."

If a local government denies the renewal of a conditional use permit allowing a mobilehome park, the government must take specified required steps to mitigate the adverse impacts of the mobilehome park closure, pursuant to Section 65863.7.

### **FINDINGS**

Written "findings of fact" are required in order to support the decision of the hearing body to approve or deny a conditional use permit (*Topanga Association for a Scenic Community v. County of Los Angeles* (1974) 11 C.3d 506). Findings are the legal footprints left by local decision-makers to show how the decision-making process progressed from the initial facts to the decision.

Findings are important. They "bridge the analytical gap between the raw evidence and ultimate decision" (*Topanga*, supra). If the decision is challenged, a court will examine the evidence supporting the findings to determine whether the hearing body abused its discretion when acting on a conditional use permit. Such an abuse of discretion is to be found when: (1) the agency did not proceed in a manner prescribed by law; (2) the agency's decision is not supported by findings; and (3) the agency's findings are not supported by evidence in the administrative record.

*Topanga* cites several purposes for making findings, among which include: (1) providing a framework

for making principled decisions, thus enhancing the integrity of the administrative process; (2) helping make analysis orderly and reducing the likelihood that the agency will randomly leap from evidence to conclusion; and (3) serving a public relations function by helping to persuade the parties that administrative decision-making is careful, reasoned, and equitable. Findings should also justify any conditions which impose fees or other exactions.

For a detailed discussion of findings requirements, see OPR's publication entitled *Bridging the Gap*.

### **CONDITIONS OF APPROVAL**

Section 65901 empowers local decision-making bodies to take action on use permit proposals when zoning ordinances make provisions and set criteria for them. The hearing body may also modify a conditional use permit's terms by imposing new or revised conditions, if the ordinance, interim ordinance, or original conditional use permit so provides (*Garavatti v. Fairfax Planning Commission* (1971) 22 Cal.App.3d 145).

Just as there are limitations in approving a conditional use permit, there are also limitations in establishing conditions of approval. Four general rules of thumb in applying conditions of approval include: (1) the jurisdiction must be acting within its police powers; (2) the condition must substantially further a legitimate public purpose; (3) the condition must further the same public purpose for which it was imposed; and (4) the property owner may not be required to carry a disproportionate load in furthering the public purpose (*California Land-Use and Planning Law*, 9th edition).

Section 65909 provides that dedications of land, as conditions of approval, must be "reasonably related" to the use of the property for which the conditional use permit is requested. There must also be a "rough proportionality" between the extent of the condition and the particular demand or impact of the project (*Dolan v. City of Tigard* (1994) 129 L.Ed2nd 304). In addition, a performance bond cannot be required for the installation of public improvements that are not reasonably related to the property use. Limitations on impact fees are described in the Mitigation Fee Act (Section 66000, et seq.).

If a condition applied to a conditional use permit is not linked to some legitimate public need or burden the project creates, the condition imposed could be deemed a taking of property in violation of the U.S. Constitution's Fifth and Fourteenth Amendments

**CONDITIONAL USE  
PERMIT CHECKLIST**

If a conditional use permit is to be approved, all of the following questions must be answered affirmatively.

1. Is the public hearing notice complete in its description of the project?  
 Yes  No
2. Has the public hearing notice been issued in accordance with all procedures?  
 Yes  No
3. Is the proposed use, with proposed conditions of approval, suitable for the site?  
 Yes  No
4. If any conditions of approval call for dedications of land, are they reasonably related to the use and its impacts?  
 Yes  No
5. If significant environmental effects have been identified as a result of the proposed conditional use permit, have conditions been required, or has the project been redesigned, to mitigate those effects?  
 Yes  No
6. Have findings been adopted to support the agency's decision, based upon substantial evidence in the record?  
 Yes  No
7. Are the required environmental findings being adopted?  
 Yes  No

(*Nollan v. California Coastal Commission* (1987) 97 L.Ed2nd 677). Where a regulatory taking has been found to occur, the courts will overturn the agency's action and may require the agency to pay the applicant compensation for the taking (*Dolan, supra*).

**EXAMPLES**

The following court cases illustrate when it may be proper to grant a conditional use permit and when it may not be. These cases are illustrations only and should not be used as the sole basis for granting or denying a conditional use permit.

**Cases Upholding Conditional Use  
Permit Approvals**

**General Welfare Standard**

The general welfare standard is sufficient in granting a conditional use permit. The issuance of a conditional use permit for a low-cost rental housing for the elderly in a residential area was upheld on grounds that the proposed use would not be "detrimental to the public welfare or injurious to property or improvements in the neighborhood" (*Hawkins v. County of Marin* (1976) 54 Cal.App.3d 586).

**General Plan Consistency**

The absence of a valid general plan does not preclude all development activity. Section 65361 establishes the general plan extension procedure whereby local governments can proceed with development pending completion of a valid general plan. This procedure also applied to the case where a county approved minor land subdivisions without a required general plan (*Resources Defense Fund v. County of Santa Cruz* (1982) 133 Cal.App.3d 800).

**Procedure/Public Notice**

A conditional use permit cannot be revoked without sufficient cause. Further, prior to revocation, notice and hearing must be provided for. Thus, in the case where an applicant was given notice that the hearing would concern the expiration of the conditional use permit rather than the revocation of the permit, attempt to revoke the permit was nullified (*Community Development Commission of Mendocino County v. City of Fort Bragg* (1988) 204 Cal.App.3d 1124).

**Cases Overturning Conditional Use  
Permit Approvals**

**General Welfare Standard**

A county zoning ordinance requiring a church in a residential zone to obtain a conditional use permit prior to allowing it to use the land was found not to abridge the constitutional right of freedom of religious wor-

## THE CONDITIONAL USE PERMIT

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ship. The court held that a county zoning ordinance which provides a use permit to be granted if the use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons or property in the neighborhood, or to the general welfare of the county, is not unconstitutional by reason of vagueness or uncertainty (*Mathews v. Board of Supervisors of Stanislaus County* (1962) 203 Cal.App.2d 800).

### Nuisance Standard

The approval of a conditional use permit for the storage of houses was overturned on grounds that any use may be prohibited if found to be objectionable or

incompatible with the character of the city and its environs due to noise, dust, odors or other undesirable characteristics (*Snow v. City of Garden Grove* (1961) 188 Cal.App.2d 496).

### General Plan Consistency

The issuance of a conditional use permit to a construction company for production of sand and gravel was overturned on grounds that that the general plan elements which bear on the permit are inadequate and the permit is inconsistent with pertinent provisions of an adequate general plan (*Neighborhood Action Group v. County of Calaveras* (1984) 156 Cal.App.3d 1176).

## BIBLIOGRAPHY

For more information about conditional use permits, we recommend the following references.

*Bridging the Gap: Using Findings in Local Land Use Decisions*, by Robert Cervantes, second edition (Governor's Office of Planning and Research), 1989. This booklet explains the principles of findings in detail.

*California Permit Handbook*, (California Office of Permit Assistance), 1996-97. This handbook is a guide to the State environmental permit process and provides guidance for complying with the State's environmental quality and permit streamlining statutes, regulations, and policies.

*California Zoning Practice*, by Donald Hagman, et al., April 1996 Supplement by John K. Chapin (Continuing Education of the Bar, Berkeley, CA), 1969. This text reviews state zoning law in detail.

*CEQA Deskbook: A Step-by-Step Guide on How to Comply with the California Environmental Quality Act*, by Ronald E. Bass, et al., 1996 edition (Solano Press, Point Arena, CA). A guide to understanding the environmental review process and identifying key steps, requirements, and decision points necessary to comply with CEQA.

*Curtin's California Land Use and Planning Law*, by Daniel J. Curtin Jr., 1997 edition (Solano Press, Point Arena, CA), revised annually. A look at the planning, zoning, subdivision, and environmental quality laws, including conditional use permits, as interpreted by numerous court cases.

*Longtin's California Land Use*, 2nd edition, by James Longtin, 1996 Supplement (Local Government Publications, Malibu, CA), 1988. This reference text on planning and land use law contains an excellent discussion of the conditional use permit process and legal considerations.



## Josh Kinkade

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**From:** Daron Bracht <daronbr@pacbell.net>  
**Sent:** Tuesday, March 2, 2021 11:12 AM  
**To:** Josh Kinkade; Steven Banks  
**Subject:** Fwd: Proposed Lakeside Memorial Lawn Crematory

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----- Forwarded Message -----

**Subject:** Proposed Lakeside Memorial Lawn Crematory  
**Date:** Tue, 22 Dec 2020 14:34:02 -0800  
**From:** N Oldham [REDACTED]  
**To:** Daron Bracht <[Daronbr@pacbell.net](mailto:Daronbr@pacbell.net)>

Hi Daron, I do not think that the proposed Lakeside Memorial Lawn Crematory project and a conditional use permit should be approved. The proposed crematory I believe is considered an industrial use and should be located only in an industrial zoned area.

As you know the Lakeside Memorial Lawn Cemetery is zoned open space/public primary area.

Further, I believe Folsom's Open Space Element of the General Plan counted on the Cemetery land in its open space requirement. The crematory is not a compatible use in open space zoning.

Folsom's General Industrial District (Chapter 17.30 M-2) states that specific uses shall only be permitted in M-2 districts. While it doesn't reference crematories it does list pottery kilns and ceramic works.

I have other concerns and comments on the proposed project including health related concerns with vapors emitted from dental mercury fillings. There are numerous studies regarding this health and environmental issue.

Can you please forward my email to the other commissioners? I know that there may be some new commissioners appointed soon. I will include my above comments and others when the draft Initial Study is made available at a Historic District Commission meeting.

Thank You.  
Nancy Fallan Oldham  
916 [REDACTED]

## Josh Kinkade

---

**From:** Nicole Gates [REDACTED]  
**Sent:** Tuesday, January 11, 2022 10:53 AM  
**To:** danwestmit@yahoo.com; daronbr@pacbell.net; kcolepolicy@gmail.com; kevin.duewel@gmail.com; m.dascallos@yahoo.com; johnfelts@e55tech.com; Mike Kozlowski; Sarah Aquino; YK Chalamcherla; kerri@atlanticcorrosionengineers.com; Rosario Rodriguez; Elaine Andersen; Josh Kinkade  
**Subject:** Proposed Lakeside Crematorium

Some people who received this message don't often get email from niki.gates1348@gmail.com. [Learn why this is important](#)

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Hello,

My husband, two young kids, and I bought a home in the Lake Natoma Shores neighborhood a year ago. We moved here to be closer to family, and have a better quality of life.

The neighborhood has proven to be magical. My kids have freedom, ride their bikes with the other neighborhood kids, and meet at the park to play. The neighbors gather for movie nights with an outdoor projector, piñatas in the alley, poker nights, the neighborhood band playing for the community, chili cook offs, kayaking on the lake, and holiday decorating contests.

My parents live down the street, and my sister and her family live a couple houses down from them. A new baby is expected in April.

We found out about the proposed crematorium a couple of months after we moved in. I wasn't worried at first. I never thought it would be allowed in an established historic neighborhood.

We moved to Folsom because of family and that it is "Distinctive by Nature". Please keep the Historic District special. Please protect Open Space. Please save our magical neighborhood. The crematorium should be put in an industrial area. It does not belong where kids play. If the crematorium gets put in it will destroy an entire neighborhoods' quality of life just so The Caring Services Group/Miller Funeral Home can make a profit. I don't want this to happen to my family and my neighbors (please note the smoke and odor quotes):

<https://cronkitenews.azpbs.org/2021/03/25/neighbors-hope-for-relief-from-crematorium-smoke-as-covid-19-deaths-decrease/>

Thank you,

Nicole Gates  
[REDACTED] Young Wo Circle

**From:** [REDACTED]  
**To:** [Josh Kinkade](#)  
**Subject:** Lakeside Memorial Crematorium  
**Date:** Saturday, July 31, 2021 4:11:40 PM

You don't often get email from niki.gates1348@gmail.com. [Learn why this is important](#)

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Hello,

I am opposed to having a crematorium in my neighborhood. I have read the "Initial Study/Mitigated Negative Declaration." I am voicing my concerns about:

"The Project Objectives"

On page 7 it states; The project objectives **as expressed by the applicant**, are to:

**1.) Provide cremation services for those who currently live in and around Folsom, as no such services currently exist for the city.**

There are 18 crematories within an 18 mile radius of Miller Funeral Home (google maps). 12 are in the City of Sacramento proper, 1 in Rocklin, 1 in Placerville, 1 in Fair Oaks, and 2 in Carmichael. I received this information from the Consumer Affairs office in Sacramento. Mr. Semenyuk is right, there isn't a cremation service directly in Folsom, however there are other facilities close by. Does Folsom really need to have a crematory?

If it is deemed a necessary service for Folsom, the crematorium needs to be in a zoned industrial/commercial area distant from residential neighborhoods.

**2.) Provide cremation services for members of the population whose customs or religions require such practices.**

While this may be true, it is my opinion the number of Folsom residents requiring this service is low. Customs and religious needs can be met at Mount Vernon Memorial Park and Mortuary in Fair Oaks- 11 minutes or 5.2 miles away from Miller Funeral Home.

**3.) Prepare for an increase in the demand for cremation services as cremation becomes more popular in California and as the Folsom population grows.**

Mr. Semenyuk is right. Plan, prepare, and place the industrial incinerator in an appropriate location. It belongs in a zoned commercial/industrial area. There is plenty of time to research a far better location than in the Preserves Neighborhood. I see no need to rush to a decision. Lakeside Memorial Lawn is the wrong place for an industrial incinerator.

**4.) Upgrade the existing facilities to capitalize on a business opportunity that has proven successful for the applicant elsewhere in California.**

Mr. Semenyuk states he wants to "upgrade existing facilities". Mr. Semenyuk stated he was

going to "use an existing metal shed" to install the HCT-250 industrial incinerator and 10X15 foot walk-in chiller. This is an old shed. It is my estimation that the shed in question is at least 25 years old. It doesn't make sense to me to place machinery, maybe worth 100K, in an old metal shed. They recently built a 25x25 foot metal shed next to the old shed. It is a matter of time before Mr. Semenyuk requests to remove the old shed, build another bigger and better structure, and move the equipment to the new metal shed with possibly another incinerator.

#### **5.) "Capitalize on a business opportunity"**

That says it all. It's all about the money.

Zero regard to the residents of the Preserve Neighborhood, to their health, safety, quality of life, and the ability to thrive.

Zero regard to the Historic Value of the area.

#### **According to "Folsom Historic Commission District Staff Report" dated 01-15-2003:**

**"Lakeside Memorial Lawn is actually a conglomeration of Citizen, Jewish, Masonic, Negro Bar, Cook's/American Legion, and Odd Fellows Cemeteries that date back to the 1850's. Adjacent to this site is the China Mission-Chung Wah Cemetery, a national registered historic site. These cemetery sites along with the neighboring California State Dredger Tailing Preserve, create a combination, in itself, is a extremely unique resource, according to the Commissioners of the Sacramento County Historical Cemetery Commission."**

The Caring Service Group on their website states;

"Caring Service Group was established in 2010 with the primary goal of purchasing Funeral Home Business".

It's just about business, money, and expansion. It's not about local cremations, there are 18 crematories within 18 miles. It's not about providing a service for religious or cultural customs, there is a facility 5.2 miles away. It's not about growing populations.

It's to, **"CAPITALIZE ON A BUSINESS OPPORTUNITY"** with zero regard toward the community.

No to the industrial incinerator.

Thank you for your time,

Nicole Gates

## Josh Kinkade

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**From:** Kelly Mullett  
**Sent:** Tuesday, July 20, 2021 9:27 AM  
**To:** Josh Kinkade  
**Subject:** FW: Proposed Lakeside Memorial Lawn Crematorium

FYI

### Kelly Mullett

*Administrative Assistant*

**Community Development Department**  
50 Natoma Street, Folsom, CA 95630  
O: 916.461.6231  
F: 916.355.7274



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE



[www.folsom.ca.us](http://www.folsom.ca.us)

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**From:** nicole higgins [REDACTED]  
**Sent:** Tuesday, July 20, 2021 9:23 AM  
**To:** danwestmit@yahoo.com; daronbr@pacbell.net; ankhelyi@comcast.net; kcolepolicy@gmail.com; kevin.duewel@gmail.com; m.dascallos@yahoo.com; johnfelts@e55tech.com; Mike Kozlowski <mkozlowski@folsom.ca.us>; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; kerri@atlanticcorrosionengineers.com; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Elaine Andersen <eandersen@folsom.ca.us>; jkincaid@folsom.ca.us; Kelly Mullett <kmullett@folsom.ca.us>; thehfra@gmail.com  
**Subject:** Proposed Lakeside Memorial Lawn Crematorium

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To whom it may concern,

These are letters from my children regarding their concerns for the proposed crematorium:

Thank you,

Evelyn Gates (7yrs) and  
Jackson Gates (9yrs)

Sent from my iPhone

Please Keep My air clean



Young Wo circle Fasom I have Asthma

Asthma

Age 7  
By: evelyn

I do not want to ride  
my bike when there is  
bad air



Jackson Gates

age 9

young wo circle  
Folsom



January 11, 2022

Josh Kinkade, Associate Planner

City of Folsom  
Community Development Department

**RE: Lakeside Memorial Lawn Crematorium CUP and IS/MND  
Planning No. P-19-182**

**Words matter....and calling a crematorium 'safe' is misleading.** Peter Hartwick of Peter Hartwick Combustion Technologies claims their crematoriums use less fuel, lower Nitrogen Oxide (NOx) emissions, and are compliant with NFPA and air quality standards. "Low NOx emissions"? **Any** NOx molecules during exposure to UV rays in sunlight and heat, interact with volatile organic compounds and form a serious ground level pollutant....and in the presence of rain...acid rain. There is strong evidence that NOx respiratory exposure can trigger and exacerbate existing asthma symptoms, and can even lead to the development of asthma over a longer period of time. These toxins can irritate the lungs of healthy people! And what about those with existing medical conditions such as asthma or heart disease?

In a study by the EPA, from only one crematory in Southern California, they found Carbon monoxide, nitrogen oxides, Particulate Matter (PM10), (PM2.5), mercury and other heavy metals like cadmium, lead, and nickel. Known carcinogens like dioxins and furans and even hydrogen chloride. Mercury is colorless and odorless, and there is no agreement about the safe level of it. Some say no level is safe. Mercury can be present in dental fillings (mostly from baby-boomer days) and medical devices of bodies that are cremated and is most dangerous when heated. Crematoriums are required to remove these things beforehand, but the materials become biohazard waste and so most won't bother. Who would know?

Without information of how often a crematory is working, how does one say it "meets air quality standards". Igor Semenyuk, Chief Operations Officer of Miller Funeral Home (which also owns and operates Lakeside Memorial Lawn) says they may be cremating 2-3 per day, and then claims 7 a week. Which is it? I noticed in his addendum to the proposal he has already increased the daily rate from 400 lbs to 800 lbs a day of human remains. Does that mean more per day? As the demand for cremations increase, so will the need for more working days. Once in operation, whose to know? Who regulates that? NO one!

Because of a successful lobbying effort to declassify crematoriums as solid waste incinerators, the EPA does not regulate solid-waste incinerators category pertaining to the funeral industry. States that regulate air quality standards don't require testing for specific toxins that are released during cremation. I understand that the California Air Resources does an annual inspection, but what and how do they test? What about the 364 days in between?

Additionally, besides air health, propane will be used at this proposed site in Folsom, meaning more truck traffic through our neighborhoods and although NFPA compliant, crematories aren't required to report workplace accidents to OSHA. So a mishap occurs and nothing has to be reported, unless of course it is catastrophic...then we would all know! *THIS IS AN OPEN SPACE AND RESIDENTIAL AREA...WHAT A CATASTROPHE IT WOULD BE!*

The Preserve Neighborhood has about 111 households sharing the neighborhood with the Lakeside Memorial Lawn Cemetery. Can anyone really say there are SAFE levels of toxic chemicals?

Crematories are definitely a necessity but why would they be allowed in an environmentally sensitive open space area with vegetation, historical structures and next to a fresh body of water (Lake Natoma). A designated industrial business district away from a fully occupied community of families, schools, and animals could be considered.

Please don't approve profits over human lives! I ask that you take these health issues seriously to preserve the Preserve Neighborhood and historic Folsom.

The crematorium in our neighborhood will affect all of us in the Preserve Neighborhood, and it should be treated as a **HAZARDOUS PROPOSITION** to this urban historical area of Folsom.

Pam Ceccarelli,  
[REDACTED] Fong St.  
Folsom, CA  
[REDACTED]