

PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: August 1st 2021

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.**
- HIGHLY WORRIED ABOUT THE SAFETY & LEGACY OF HISTORIC FOLSOM.**

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

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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. 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,

Cherelle Peihun

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8-1-2021

I AM:

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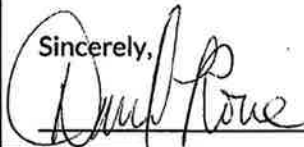
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Sincerely,

Contact Information:

William Rowe

PROTECT FOLSOM HISTORIC DISTRICT



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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:

Evelyn gates

N/A

PROTECT FOLSOM HISTORIC DISTRICT



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Sincerely,

Contact Information:

Jackson Gates

N/A

PROTECT FOLSOM HISTORIC DISTRICT



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Date: 08/03/21

I AM:

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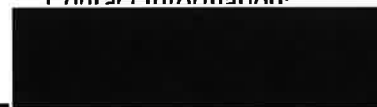
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Sincerely,

Edwin Sanchez

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
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Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/3/21

I AM: Very worried on the days we have an unsafe air index quality, the crematorium would add to very high toxicity levels in the air.

- HIGH RISK FOR AIR QUALITY HEALTH IMPLICATIONS.**
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Sincerely,

Sheila Krager

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
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Dear Historic District Commissioners,

Date: 7/31/21

I AM:

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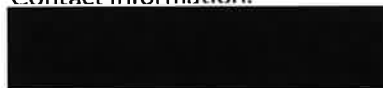
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Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
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Dear Historic District Commissioners,

Date: 8/8/2001

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Sincerely,

Katie Hoag

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



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Date: 8/17/2021

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Sincerely,

Beth Larson

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



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Date: 8/18/21

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/21/21

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.
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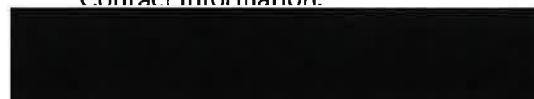
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Lakeside Memorial
Lawn Crematorium

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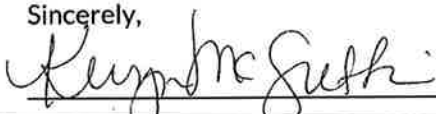
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FOLSOM
HISTORIC
DISTRICT**



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Lakeside Memorial
Lawn Crematorium

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Lakeside Memorial
Lawn Crematorium

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Sincerely,

Dinae Houck

Contact Information:

[REDACTED]

**PROTECT
FOLSOM
HISTORIC
DISTRICT**



Vote NO on
Lakeside Memorial
Lawn Crematorium

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Date: 8/21/21

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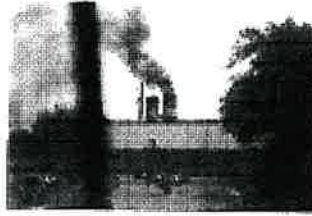
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Sincerely,

Contact Information:

James M. Fox

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,
I AM:

Date: 2/21/21

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Sincerely,

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Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/21/2021

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Lakeside Memorial
Lawn Crematorium

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Date: 8.21.21

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Lakeside Memorial
Lawn Crematorium

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Date: 8/21/21

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Lawn Crematorium

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I AM:

Date: 9/21

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Sincerely,

Max Boling

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
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Date: 9/24/2021

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NONCONFORMING USE OF OPEN SPACE

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AIR QUALITY, SMELL, PARTICULATE MATTER MAKING HISTORY

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/24/2021

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.
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: _____

I AM:

- HIGH RISK FOR AIR QUALITY HEALTH IMPLICATIONS.**
- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.**
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

*Should have been put in PRIOR to houses
being built,*

Contact Information:

**PROTECT
FOLSOM
HISTORIC
DISTRICT**



**Vote NO on
Lakeside Memorial
Lawn Crematorium**

Dear Historic District Commissioners,
I AM:

Date: Sept. 20, 21

- 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.**
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Jennifer Lane

Contact Information:



Formerly HDC Commissioner.
Formerly Planning Commissioner
City of Folsom
for 10 years

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8-15-21

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.
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,


Doug Barton

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8-15-21

I AM:

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- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.**
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Sincerely,

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8-15-21

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- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.**
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9-17-25

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.**
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AIR QUALITY, SMELL, PARTICULATE MATTER MAKING HISTORY

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9-11-2021

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.
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Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/16/2021

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.**
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AIR QUALITY, SMELL, PARTICULATE MATTER MAKING HISTORY

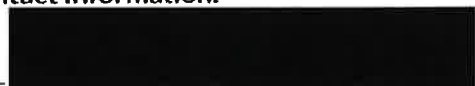
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

ROCHELLE MORALDE / JOHN HORRELL

Contact Information:



**PROTECT
FOLSOM
HISTORIC
DISTRICT**



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9-14-21

I AM:

- HIGH RISK FOR AIR QUALITY HEALTH IMPLICATIONS.
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- AN INDIVIDUAL WHO INTENDS TO HAVE CHILDREN.
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Victoria Smyke

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/12/2021

I AM:

- HIGH RISK FOR AIR QUALITY HEALTH IMPLICATIONS.**
- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.**
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Louise & Patrick O'Donnell

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9-11-21

I AM:

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AIR QUALITY, SMELL, PARTICULATE MATTER MAKING HISTORY

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: _____

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.
- HIGHLY WORRIED ABOUT THE SAFETY & LEGACY OF HISTORIC FOLSOM.

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Sincerely,



Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/13/2021

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- AN INDIVIDUAL WHO INTENDS TO HAVE CHILDREN.
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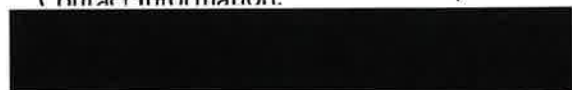
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Salwa Kasobian

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/15/21

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Sincerely,

Contact Information:

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Vote NO on
Lakeside Memorial
Lawn Crematorium

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Date: _____

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Karen Davies

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8-3-21

I AM:

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- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.**
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Sincerely,



Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

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Date: 8/1/21

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Patricia Nappi

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/5/2021

I AM:

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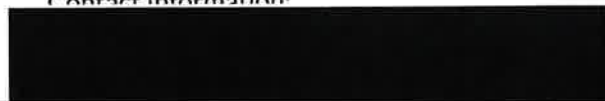
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on Lakeside Memorial Lawn Crematorium

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Date: _____

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it will affect you economically because of lack of tourism.
PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Cheryl Adler

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8-10-21

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Kyle Terry 

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

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Date: 8-10-21

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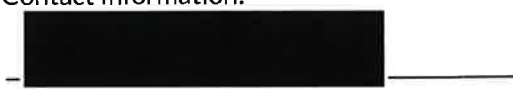
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Sincerely,

MATTHEW MCBRIDE 

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/10/21

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Sincerely,

Contact Information:

Sasha Lucyga



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: _____

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Sincerely,

Karen Ames

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



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Lawn Crematorium

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- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.**
- AN INDIVIDUAL WHO INTENDS TO HAVE CHILDREN.**
- OVER THE AGE OF 65 AND VULNERABLE.**
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AIR QUALITY, SMELL, PARTICULATE MATTER MAKING HISTORY

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/3/21

I AM:

- HIGH RISK FOR AIR QUALITY HEALTH IMPLICATIONS.
- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM

Sincerely,

Jeri Mom

Contact Information

[Redacted]

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

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Date: 9/3/21

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Sincerely,

Tanner Pelle

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/24/21

I AM:

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Sincerely,

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
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Dear Historic District Commissioners,

Date: 8/23/21

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Sincerely,

Contact Information:

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Lakeside Memorial
Lawn Crematorium

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Contact Information:



FOLSOM HISTORIC DISTRICT



vote NO on
Lakeside Memorial
Lawn Crematorium

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Date: 08-21-21

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Sincerely,

Monty Rose

Contact Information:



FOLSOM HISTORIC DISTRICT



vote NO on
Lakeside Memorial
Lawn Crematorium

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Date: 08.21.21

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Sincerely,

DIANNE BEASLEY

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8-20-21

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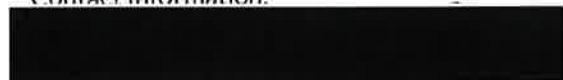
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Sincerely,

Melissa Day

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
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Lawn Crematorium

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Date: 8/21/21

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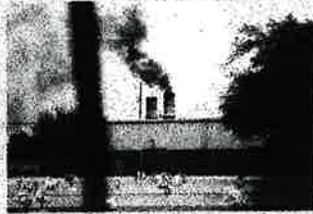
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Vote NO on
Lakeside Memorial
Lawn Crematorium

Date: 8/21/21

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NONCONFORMING USE OF OPEN SPACE

The proposed crematorium would be installed and operated in designated open space that is **not zoned for commercial or industrial 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 industrial incinerator does not belong in open space.

AIR QUALITY, SMELL, PARTICULATE MATTER MAKING HISTORY

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Paul Erickson 1104 Fowey Ct

Contact Information:

[REDACTED]

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/15/2021

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.

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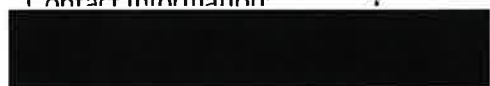
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/4/21

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.**
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Karen Sepulveda

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9.6.21

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.
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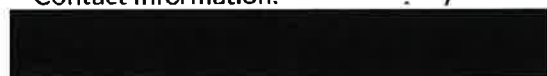
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: _____

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.
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- HIGHLY CONCERNED ABOUT EXTREME FIRE RISK CAUSED BY LARGE PROPANE TANKS IN OPEN SPACE.

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/3/21

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.
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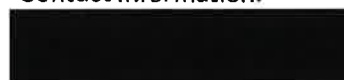
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Autumn Hemington

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/10/21

I AM:

- HIGH RISK FOR AIR QUALITY HEALTH IMPLICATIONS.
- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.
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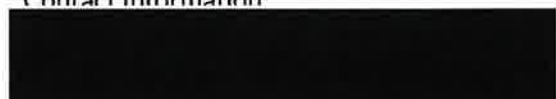
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: Sept 9, 2021

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.
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Jonnie Colosimo

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
**Lakeside Memorial
Lawn Crematorium**

Dear Historic District Commissioners,

Date: 9-3-21

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.**
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Mary Kelley Colla

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/30/21

I AM:

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- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.**
- AN INDIVIDUAL WHO INTENDS TO HAVE CHILDREN.**
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

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I AM:

Date: 8/30/01

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- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.**
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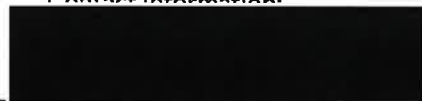
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Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/28/21

I AM:

- HIGH RISK FOR AIR QUALITY HEALTH IMPLICATIONS.**
- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.**
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

S. M. F. Chel

Contact Information:



**PROTECT
FOLSOM
HISTORIC
DISTRICT**



**Vote NO on
Lakeside Memorial
Lawn Crematorium**

Dear Historic District Commissioners,
I AM:

Date: 8/24/21

- ___ **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,

Contact Information:

PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8-23-02

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.
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Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 8/23/2021

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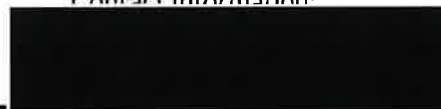
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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote **NO** on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 9/10/21

I AM:

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PROTECT HISTORIC FOLSOM. PROTECT THE VULNERABLE. NO CREMATORIUM.

Sincerely,

Maissa A. Fenton

Contact Information:



PROTECT FOLSOM HISTORIC DISTRICT



Vote NO on
Lakeside Memorial
Lawn Crematorium

Dear Historic District Commissioners,

Date: 09-08-2021

I AM:

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- A PARENT OR CAREGIVER OF A CHILD OR CHILDREN.
- AN INDIVIDUAL WHO INTENDS TO HAVE CHILDREN.
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Sincerely,

Contact Information:



Attachment 3

Public Comment Letters received after the February 16, 2022
Historic District Commission Meeting

Terry Sorensen
Folsom, CA 95630

February 15, 2022

Historic District Commission
City of Folsom
50 Natoma Street
Folsom, CA 95630

RE: Lakeside Memorial Lawn Crematorium Proposal (PN-19-182)
Hearing Date: February 16, 2022

Dear Commissioners:

In my correspondence to you of February 7, 2022, I pointed out that an identical request for a CUP authorizing the construction and operation of a crematory at the Lakeside Cemetery was made back in 2003 and resulted in a Staff Report recommendation of denial. In brief, the Findings for Denial in support of that recommendation were as follows:

1. Lakeside is a historic cemetery and the introduction of a crematory on the site was inconsistent with such historic cemetery use;
2. Lakeside is, in fact, a conglomeration of historic cemeteries dating back to around 1850 which, when considered in conjunction with the adjacent Chung Wah Chinese Cemetery and the adjacent California State Dredger Tailings Preserve, creates a rare combination of unique cultural resources in one small area;
3. The crematory use applied for will be detrimental to the health, safety, or general welfare of the neighborhood and the surrounding City as a whole in that the introduction of such use would impact the historical character of the cemetery as well as the historical use of the area; and
4. The use of the proposed project is inconsistent with Goal 2 of the City's Historic District Design and Development Guidelines in that it did not maintain the historic use of the site and, in addition, did not further Design and Development Guideline policies 2.1, 2.2, and 2.3. Specifically, the County Historic Cemetery Commission has stated that a crematory is not a consistent use with a historic cemetery and has identified the site as locally significant and intends to present the cemetery to the Board of Supervisors for designation as a historic pioneer cemetery. Furthermore, approval of a CUP for such a contemporary use would jeopardize the eligibility status of the site and discourage, rather than encourage, national register nomination for the cemetery.

Based on the foregoing it was the opinion of this writer that the logic and reasoning employed by the City in its 2003 Staff Report would be followed by the City on this current iteration of the crematory proposal. But that trust in logic and reason proved ill-founded when the City recommended approval of a CUP for the crematory in its Staff Report released February 10. However, in doing so, the City set forth only two factors on which it relied in attempting to justify its departure from its 2003 decision on the exact same proposal. Those two factors, expressed on pages 29-30 of the Staff Report, are as follows:

1. That cremation technology "has improved significantly since 2003"; and
2. That the Sacramento County Cemetery Commission did not provide any comment regarding the current iteration of the proposal as it did in reference to the 2003 version.

In the opinion of this writer, this attempt by the City to distinguish its position on the 2003 crematory project from its current contrary position is incredibly weak and almost laughable. As to the first comment by the City (regarding cremation technology), the comment must be dismissed as irrelevant to the discussion at hand. The 2003 recommendation for denial was *not* based on the state of crematory technology (good or bad), at all, but rather on the fact that the presence of a crematory on the property was not compatible with the historical character of the cemetery.

Similarly, the second comment (regarding the lack of any expression of concern from the Sacramento County Cemetery Commission in reference to this renewed crematory effort) must be dismissed, as well. If the cemetery was deemed a historic cemetery of local significance and worthy of County designation as a historic pioneer cemetery with potential national recognition back in 2003, it certainly does so today absent some convincing evidence to the contrary. Furthermore, the conclusion expressed by the Cemetery Commission that the presence of a crematorium is not consistent with a historic cemetery remains valid, as well.

In conclusion, the reasoning behind the City's 2003 recommendation for denial of a CUP for the construction and operation of a crematorium on the grounds of the Lakeside Cemetery remain valid. The Findings expressed by the City in its 2003 Staff Report in support of that denial are compelling, have not been addressed, at all, by the City in its current Staff Report, and therefore remain conclusive on the issue at hand and mandate that this CUP request be denied.

Very truly yours,

/s/

Terry L. Sorensen

dg/TS

cc: Historic District Commissioners and City of Folsom Staff
kcolepolicy@gmail.com; justin@revolutionsdocs.com; danwestmit@yahoo.com;
ankhelyi@comcast.net; johnfelts@e55tech.com; m.dascallos@yahoo.com;
info@johnlanephoto.com; kmullett@folsom.ca.us; jkinkade@folsom.ca.us;
sbanks@folsom.ca.us; sjohnson@folsom.ca.us; pjohnson@folsom.ca.us

February 16, 2022

City of Folsom
Historic District Commission
50 Natoma Street
Folsom, CA 95630
via email to: kmullett@folsom.ca.us for distribution to HDC

SUBJECT: Lakeside Crematorium - Comments for February 16, 2022, HDC Hearing

Dear HDC Commissioners:

This letter is to express my objection to the proposed Lakeside Crematorium Lakeside Memorial Lawn Crematorium as currently described and evaluated in the January 2022 Initial Study/Mitigated Negative Declaration (“IS/MND”); the staff report and attachments made available on February 10, 2022 (dated February 16, 2022) and included in the HDC’s February 16, 2022, meeting packet (“Staff Report”); and February 15, 2022, Topical Responses to Comments memorandum made available sometime after 4 p.m. on February 15, 2022 (“Topical Responses Memo”) for reasons including the following and as discussed in more detail in the remainder of this letter.

1. The Historic District Commission does not have authority to approve the project.
2. The proposed crematorium exhaust stack is not sufficiently described or illustrated to provide the necessary understanding of its design and appearance.
3. Design Review in compliance with the Folsom Municipal Code is required for the proposed shed modification.
4. 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.
5. The project description 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.
6. The Staff Report and IS/MND fail to recognize the visibility of the existing shed and proposed modifications from public view locations (including Folsom Boulevard) and the impacts of such visibility on visual quality and locally designated historic resources.
7. The IS/MND does not adequately evaluate potential impacts on nesting and foraging bald eagles and other special-status bird and bat species.
8. The Staff Report’s consideration of fire risk is frighteningly dismissive and warrants a full evaluation and definitive determination by the City Fire Department and California State Parks.

1. The Historic District Commission (HCD) does not have authority to approve the project.

The City of Folsom Charter at Section 4.07, “Boards and Commissions,” establishes the City Council’s authority to create Boards and Commissions and to prescribe the powers and duties of such Boards and Commissions. However, Section 4.07 of the City Charter expressly states that “[a]ll boards and commissions only shall be advisory to the Council.” The City Charter

may be amended only by a vote of the citizens of the City of Folsom and the citizens of Folsom have not delegated approval authority to the HDC.

Neither City staff, the HDC, nor the City Council has the authority to amend or disregard this limitation on the HDC's authority. Therefore, to function within the limitations prescribed by the citizens of the City of Folsom in the City Charter, HDC decisions may not constitute final approvals. Instead, HDC decisions must be treated as advisory recommendations to the City Council for the City Council's final consideration and decision of whether to approve or otherwise take final action on a project.

2. The proposed crematorium exhaust stack is not sufficiently described or illustrated to provide the necessary understanding of its design and appearance.

Staff report Attachment 8 (meeting packet pages 62 and 63) illustrate a blurred and disproportionate black square that apparently is intended as the applicant's rendering of the proposed crematorium stack (inserted as Figure 1 below). The so-called rendering looks akin to a plastic garbage bag covering a rooftop air conditioner and is meaningless for demonstrating the actual visual appearance and height of the project exhaust stack. The applicant's rendering fails to demonstrate the actual height (which would extend to over 10 feet above the shed rooftop) and looks nothing like any of the five exhaust stacks illustrated in the representative crematorium photographs included in meeting packet pages 298 through 303. The representative photographs (discussed further below) illustrate at least five different crematorium exhaust stack designs, demonstrating the variation and diversity in design options for an exhaust stack, yet, it appears that no real effort has been made to consider and present an actual design and visual appearance of the exhaust stack that would be installed for the project. The stack's design and visual appearance is critical for the required design review and to the CEQA analysis of impacts associated with visual character, historical resources, and fire risk.

Figure 1. Applicant's Rendering of Exhaust Stack (from meeting packet pg. 62)

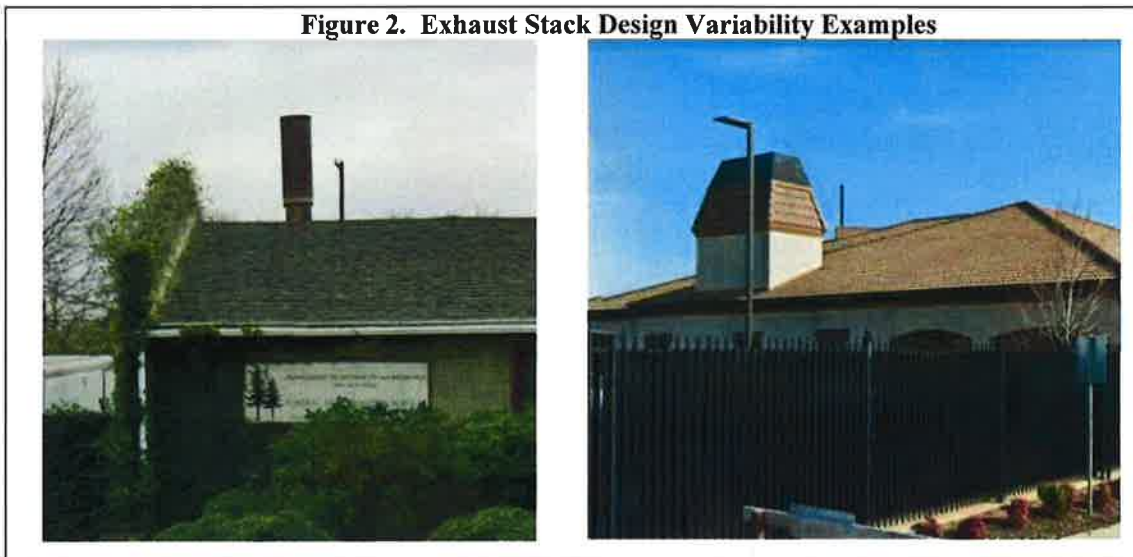


3. Design Review in compliance with the Folsom Municipal Code is required for the proposed shed modification.

The proposed shed modification with addition of the exhaust stack 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." FMC Section 17.52.310 provides design review application submittal (including design review application fee) requirements. The Community Development Department has erred by not identifying *design review* as a necessary entitlement and, therefore, by not requiring the project applicant to submit an application for design review. The Staff Report notes that comments on the IS/MND raised the issue of "whether a design review application is warranted" (meeting packet page 28) but the Staff Report provides no explanation of why a design review application has not yet been required for this project.

An application for design review containing the required submittals must be submitted and design review application fees paid before a decision regarding the CUP can be made. The design modification addition of a 10-foot exhaust stack above the roof of the existing shed is an integral component of the proposed use. Importantly, design review would consider whether the structure modification 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. The design review would necessarily consider the actual proposed design and visual character of the project exhaust stack which is currently unspecified.

As noted at item 2, above, the Staff Report (meeting packet pages 298-303) clearly demonstrates that various diverse designs for an exhaust stack are possible; but the design must be vetted through a public review and decision-making process, not ignored or addressed as an afterthought. Two examples from the Staff Report are presented in Figure 2 below and demonstrate the variation and importance of selecting an appropriate design for the exhaust stack. Without design review, the exhaust stack could be constructed with an intrusive oversized vertical pipe appearance (left photo) whereas with design review the HDC could ensure that the exhaust stack is thoughtfully designed in consideration of its context which is the very reason for design review for structure modifications in the Historic District.



4. 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.¹ 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.²

The IS/MND's incorrect 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 approach to 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. Additionally, the FMC is subordinate to, and may not conflict with, the General Plan. Therefore, attempting to expand the unspecified FMC definition of a cemetery to include a crematorium (and especially as an "accessory use" as asserted in the February 15 Topical Responses Memo; pg. 3 of 4) even further strays from the General Plan's Open Space definition and is impermissible.

5. The project description 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.

Neither the Staff Report nor the IS/MND provide 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 vehicle circulation and pedestrian safety, effects on other services and activities at the cemetery, and other factors associated with public attendance.

¹ The single General Plan cemetery reference pertains to Noise Compatibility Standards (Table SN-1) which is unrelated to establishing land use designations and uses

² 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.

Furthermore, neither the Staff Report nor the IS/MND 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.

6. The Staff Report and IS/MND fail 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 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 stack would be installed is clearly visible from Folsom Boulevard near the intersection of Natoma Street. The February 15 Topical Responses Memo discusses that the “site of proposed modifications is already largely shielded by tailings piles and concludes that the site of proposed modifications is already largely shielded from public view due to the presence of dredge tailing piles and would remain so” and then asserts with regard to the exhaust stack that “[t]his physical improvement to an already existing metal structure would not significantly impact the visual character of the project setting” but without discussing locations from where the shed *is* visible, providing no discussion of the visual appearance of the exhaust stack or analysis of how the stack’s would visually intrude on the quality of existing views, and no basis for a concludes that the impact would not be significant.

Figure 3 on the following page is a photograph of the viewshed toward the site taken 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 project shed as well as a recently constructed larger shed are both clearly visible from this segment of Folsom Boulevard. Folsom Boulevard is a heavily traveled public road with an adjacent public light-rail line and bicycle path, all from which the existing structures are clearly visible and from which the crematorium exhaust stack would be visible extending 10 feet or more above the heights of the existing structures.

Between Folsom Boulevard and the structure are cobble mine tailings that are identified in the City of Folsom Cultural Resources Inventory as important local historic resources. 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 structural modification with the addition of the exhaust stack would be visible in public views from and near segments of Folsom Boulevard, light-rail passengers, and bicycle path users (cyclists and pedestrians) 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. The visual intrusiveness and inconsistent character of an exhaust stack of any design would be visible to a large number of viewers and would substantially and adversely affect the quality of the viewshed, and would result in a significant project-specific impact and cumulative impact in consideration of the substantial view modification caused by the

recently constructed shed. Mitigation, including alternatives to the proposed project, must be considered for this significant impact.

Figure 3. Viewshed from Folsom Boulevard



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 Staff Report, IS/MND, and Topical Responses Memo fail to provide any discussion or analysis of impacts to 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 over 1,000 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. The furnace exhaust blast would have the potential to adversely affect foraging behavior and could also result in direct injury or death of individual birds, including bald eagles and other protected species.

8. The Staff Report and IS/MND's consideration of fire risk is frighteningly dismissive and warrants a full evaluation and definitive determination by the City Fire Department and California State Parks.

The Staff Report and IS/MND consideration 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

February 16, 2022

that the “project site is located in an urbanized area in the City of Folsom.” In fact, the project 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 applicant’s rendering shown above, clearly shows tree canopy near the proposed exhaust stack location. The IS/MND states that, “the project is not likely to cause any ignition, given that the crematory will not emit sparks.” This conclusion is frighteningly dismissive. Evidence providing a definitive conclusion that the crematory – a facility designed for burning and with an exhaust stack emitting temperatures of over 1,000 °F – will not create an eminent fire risk

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 fails to address whether the Fire Department raised other concerns and even suggests some uncertainty of whether the Fire Department reviewed and considered the project at all. The Folsom Fire Department’s specific consideration of the potential fire risk associated with the project must be provided and with assurances that the Fire Department has considered *actual existing site conditions* including the large new structure blocking emergency vehicle maneuverability near the project shed that was not identified in project drawings until just a few days ago.

The proposal to install and operate a large furnace in an open space area adjacent to oak woodlands with residences 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.

Thank you for considering my comments.

Sincerely,



Bob Delp
Historic District Resident
Folsom, CA 95630



Josh Kinkade

From: LJ Laurent [REDACTED]
Sent: Tuesday, February 15, 2022 3:35 PM
To: Kelly Mullett; Rosario Rodriguez; Sarah Aquino; YK Chalamcherla; Mike Kozlowski; Kerri Howell; Josh Kinkade; Pam Johns
Cc: ernest.conant@usbr.gov; Drew Lessard; Elisabeth G. Lucas; blm_ca_web_re@blm.gov; Dale Kasler; daoffice@sacda.org; Rhonda Lamoureux; john.baum@waterboards.ca.gov; Eileen Sobeck; Lydia Konopka; Steve Krahn; Ken Cusano; Lauren Ono; kcra_news_tips; DESK
Subject: Crematory PUBLIC COMMENT: pics PROVE deceit furnace issue

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: whoever is in charge, if anyone
From: LJ Laurent, LNS Resident abutting furnace/LPG site
February 15, 2022

Re: HDC Staff APPROVAL recommendation to APPROVE this falsehood-laden application

Context: Neighbor took photos revealing fully the fraudulent documents filed by owners and filed by city with higher officials.
Clearly Health, Safety, and Fire Regulations mean Nothing to this city of "approve everything whether illegal & fraudulent in process."

COMMENTS in re pre-approved LPG tanks and furnace or multiple furnaces with Zero Access and Zero Water for explosions/fires.

Does our silent/ inactive City Engineer S. Krahn know the background and expertise of this Commenter?

Does S. Krahn anticipate Complaints against his License which requires him to Certify/Seal/Sign all approvals for New Projects?

Does it bother our silent engineer that there IS NOT ROAD ACCESS sufficient to handle Explosions of LPG which has huge blast range?

What does our City Engineer say about this Parcel having only a tiny 3" water supply line, with a 2" meter restriction?

As Sac Bee said on its first new style Front Page:
"Folsom what are you thinking?"

Folsom has NO Liability Insurance, and no Oversight agency since Northern CA self-insured cities bumped city out.

What did this Igor applicant offer to the city for this PRE-Approval?

How can the private citizens on the "judgment panel" think they have no personal exposure to potential Liability issues?

City has no Liability Insurance to cover them. Why we wish to know, did the Staff in Development Pre-Approve this project?

Add to this another neighbor who is PhD in environmental issues, and clearly opposed. Add to this the city actual/current members of this alleged 2nd Plan Commission or false Zoning Appeals Board are NOT posted at city website as this is written.

We know nothing about who is doing What [in Truth/reality] and what actual Imminent Physical Dangers they pose for entire city, Federal American River and federal Forests and Natl Historic Site.

How many humans can this city's pre-approved applicants kill with impunity? How much of Federal Assets can they destroy, pollute, and harm with impunity?

I thank our neighbors for standing up against Secrecy, "scoff law" Folsom Officials, employees, and "consultants". FYI, city had a consultant file at CEQA SCH, an NOC Notice of Completion. Folsom CA never filed and Circulated properly a Notice of Intention to file Negative environmental impact Declaration.

We know what the world thinks about these behaviors, but why are those who profit so arrogant and insisting they are Above the Law.

Concerned abutting neighbor.

Our neighbor who supplied these Comments and Photos Knows the Issues & dangers. I thank him and his extended family. Our Firefighters should be thankful and proud of this wonderful new neighbor, Dave.

He's right: these pictures tell the entire filthy, dangerous, story.

This picture was taken January 13th, 2022. This is what the maintenance group currently. The new storage shed is in the background and the existing shed metal security fencing surrounds the grounds and has a locked security gate. Tailing Pile condition. It has been disturbed over the years.



This picture was taken January 13th, 2022. This picture illustrates the current maintenance grounds, sheds and security fencing. The metal shed on the right proposed crematory is to be installed.



This picture shows the propane tank pad right of the building under the large photograph was taken January 13th, 2022. The application site plan confirms propane pad. In addition, the site plan calls for 2 x 500 gallon tanks, not the tanks in the Negative Declaration text.



This photograph taken January 13th 2021 displays another angle of the local tanks pad. Blocked by a wooden fence, metal security fencing, a large red metal shed.



This picture was taken on August 4th, 2021. This is Lakeside Memorial Lav Valdimir Semenyuk, driving out of the cemetery with a 250 gallon propane ta disturbing on many levels. It is my opinion that the Caring Service is very cc outcome of the Conditional Use Permit. If indeed this tank is for the Cremati arrogant for the Caring Service Group to show no discretion in their activities



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 L proposed crematorium is to be built. Over the course of summer to the pres taken pictures of activity at the cemetery. I wish to share.

This picture was submitted by the Caring Service Group and Miller Funeral I application for the Conditional Use Permit to install a crematory. Two years the metal storage shed and surrounding grounds looked like in 2-27-2020.



Josh Kinkade

From: Kelly Mullett
Sent: Tuesday, February 15, 2022 9:35 AM
To: Josh Kinkade
Subject: FW: CREMATORIUM

From: Richard Perez [REDACTED]
Sent: Tuesday, February 15, 2022 9:29 AM
To: Kelly Mullett <kmullett@folsom.ca.us>
Subject: CREMATORIUM

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Dear Commissioner,

Please **Vote NO** on a Crematorium in the Historic Folsom neighborhood. This is a historic area, around residents, beautiful trails, and a great touristic attraction due to Folsom's rich Nature. A crematorium should not be part of such beautiful scenery.

Sincerely,

Richard and Sandra Perez

[REDACTED]
Folsom, CA 95630

Josh Kinkade

From: Bob LaPerriere <[REDACTED]>
Sent: Monday, February 14, 2022 3:23 PM
To: Josh Kinkade
Subject: LAKESIDE
Attachments: CREMATORIUM PN 02-258 Staff Reports-Minutes.pdf; FOLSOM LAKESIDE.docx; Historic Cemetery Designation.docx; CREMATORIUM Excerpts.pdf

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Here is what I can submit at this time...if more current info is needed would need to schedule a Commission meeting which could take about a week.

Excerpts are from the Staff Report, page one attached below, about 2003

Bob LaPerriere

Bob LaPerriere
Chair, Sacramento County Cemetery Advisory Commission

[REDACTED]
POB 255345, Sacramento CA 95865-5345

URL: <http://www.coroner.sacounty.net/sccac/Pages/default.aspx>



To: Folsom Historic District Commissioners
City of Folsom Planning Dept

Date: February 15, 2022

Re: Lakeside Cemetery

From: Dr. Bob LaPerriere
Chair, Sacramento County Cemetery Advisory Commission

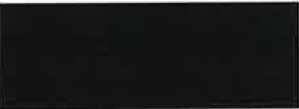
“Lakeside Memorial Lawn” has not existed since 1850, but the multiple historic cemeteries that became merged as Lakeside did. Unfortunately, much of the history related to those cemeteries and burials has been lost over the past 1 ½ centuries.

I am writing regarding the plans to build a crematorium at Lakeside Cemetery. Due to COVID our Commission has not been meeting regularly, but I am attaching comments from 2003 that have represented the feeling of the Commission that such construction would be inappropriate so closely related to multiple cemeteries of historic importance, including one of our rare remaining Chinese Cemeteries. Also attached is documentation of our designation for Lakeside as a Historic Cemetery. I am not aware of the signage with that designation, which we provided, ever being erected on the site.

Please consider our concerns about the inappropriate location for a crematory.

Thank you

Bob LaPerriere
Chair, Sacramento County Cemetery Advisory Commission



URL: <http://www.coroner.saccounty.net/sccac/Pages/default.aspx>

Historical Designation On the recommendation of the Commission, the Board of Supervisors has designated 21 cemeteries as “historic”. This is phase I of the project, as there are many other historic cemeteries in Sacramento County. Cemeteries designated were:

1.Bellview Cemetery	Sacramento County
2.Union Cemetery	Sacramento County
3.Lakeside Cemetery	Folsom
4.Matthew Kilgore Cemetery	Rancho Cordova
5.24th & Meadowview Cemetery	Sacramento City
6.Chung Wah Cemetery	Folsom
7.Elder Creek Cemetery	Sacramento
8.Rancho Murieta Cemetery (North & South) (2)	Rancho Murieta
9.Sacramento Historic City Cemetery	Sacramento City
10.Michigan-Bar Cemetery (Ione Road)	Sacramento County
11.Sloughouse Cemetery	Sloughouse
1.Sylvan District Cemetery	Citrus Heights
12.Galt /Arno District Cemeteries (2)	Galt
13.Elk Grove Consumnes District Cemeteries (5)	Elk Grove
14.Fair Oaks District Cemetery	Fair Oaks

Plaques were provided for each cemetery, and we still have several to distribute. The text of the plaque is as below:

***THIS SITE HAS BEEN DESIGNATED BY
SACRAMENTO COUNTY AS A
HISTORIC CEMETERY.***

HERE REST MANY OF THE MEN, WOMEN AND CHILDREN WHO SAW THE BEAUTY
AND VALUE OF THIS LAND, CHOOSING TO SETTLE HERE
AND BUILD THE COUNTY WE CHERISH TODAY.

PLEASE HELP US PRESERVE THESE GRAVES, MARKERS,
AND LANDSCAPING FOR FUTURE GENERATIONS.

**SACRAMENTO COUNTY BOARD OF SUPERVISORS
AND CEMETERY ADVISORY COMMISSION**

Withdrawn

HISTORIC DISTRICT COMMISSION STAFF REPORT

PROJECT TITLE: Lakeside Cemetery Crematorium

PROPOSAL: Request for approval of a Conditional Use Permit to allow for the operation of crematorium

RECOMMENDATION: Denial

APPLICANT AND OWNER: Lorin Claney

LOCATION: 1201 Forrest Street

ASSESSOR'S PARCEL NO.: 070-0082-014, 070-0130-002, 070-0130-004

ATTACHED REFERENCE MATERIAL:

1. Vicinity Map
2. Site Plan, dated 12/19/97
3. Project Description and Crematorium Illustrations
4. Documentation from the Sacramento County Historic Cemetery Commission
5. Lakeside Cemetery Research Paper written by Sue Silver
6. Letters from the Public
7. Site Photographs

PROJECT PLANNER: Jane Talbot, Assistant Planner

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, one mausoleum has been built and one additional mausoleum is under construction. An existing maintenance building, approximately 975 square feet in area, is located along the south border of the cemetery. 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.

Attachment 4

**Documentation from the
Sacramento County Historic Cemetery 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.

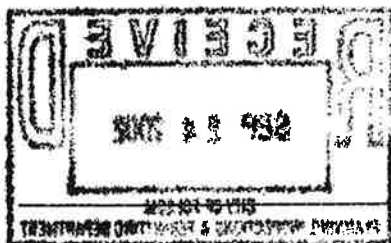
The commission is charged with the duty to encourage the preservation and designation of historical cemeteries. We are currently preparing a list of those cemeteries in Sacramento County, which should be considered historic. It is my opinion that Lakeview Cemetery will be one of the cemeteries in Sacramento 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

Sacramento County Cemetery Advisory Commission
4800 Broadway, Suite 100
Sacramento CA 95820

January 2, 2003

Ms. Jane Talbot
City of Folsom Planning, Inspections and Permitting Department
50 Natoma Street
Folsom, CA 95630

Dear Ms Talbot:

The Sacramento County Board of Supervisors on June 12, 2001 approved Ordinance No. SCC-1193, which established The Sacramento County Cemetery Advisory Commission (The Commission).

The purpose of the advisory commission is:

1. To advise the Sacramento County Board of Supervisors on citizen's concerns and issues related to cemeteries;
2. To provide recommendations to preserve, protect, and maintain cemeteries;
3. To make recommendations to the Board of Supervisors regarding mechanisms for funding the preservation, protection and maintenance of cemeteries and the appropriation of funds so raised; and
4. To encourage the preservation and designation of historical cemeteries.

With regard to number 4, above, and in reference to your request for comments on the proposal for a crematorium at Lakeside Cemetery, The Commission would like to submit the following:

The area incorporating Lakeside Cemetery, the Chung Wah Historic Cemetery, and the California State Dredging Tailings Park is possibly the only site in the State of California that combines these important aspects of our heritage in one small area. Lakeside Cemetery, in fact, may be a grouping of 19th century cemeteries, which would most likely fit the criteria currently being developed to define a historic cemetery. It is the opinion of The Commission that the addition of a crematorium on that site would have a negative impact on the historical significance of the area. It is believed that a crematorium could be placed in an industrial area within Folsom to avoid the impact on the history of our countywide community.

Chair, James A. Purcell

Vice Chair, Dr. Robert La Perriere

Ms. Jane Talbot
January 2, 2003
Page 2

Area residents have notified our Commission that they oppose the placement of the crematorium on the site.

Research that has been provided to our Commission indicates that there have been instances in which monuments, and copings have been moved or destroyed, plot maps of burial locations are misplaced and that legal questions exist regarding the ownership of portions of Lakeside Cemetery. Further degradation of the historic value of the cemetery by the addition of a crematorium would only serve to lessen its cultural importance to the City of Folsom and Sacramento County.

Please contact us if we can provide any other information or support.

Sincerely,



James A. Purcell, Chairman
Sacramento County Cemetery Advisory Commission

cc Historic District Commission
50 Natoma Street
Folsom CA 95630

From: [Bob LaPerriere](#)
To: [Josh Kinkade](#)
Subject: Lakeside
Date: Tuesday, February 15, 2022 11:01:10 PM
Attachments: [Cemetery by SK2.docx.docx](#)

You don't often get email from [REDACTED] [Learn why this is important](#)

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Here is an additional (individual) letter from one of our Commissioners. Thanks.

Bob LaPerriere

Bob LaPerriere
Chair, Sacramento County Cemetery Advisory Commission



POB 255345, Sacramento CA 95865-5345

URL: <http://www.coroner.saccounty.net/sccac/Pages/default.aspx>

February 15, 2002

Folsom Historical Commission

To Whom it May Concern:

Back in 2003 there was a plan to originally build a Crematorium at Lakeside Cemetery. Lakeside Cemetery is not 100 years old but was formed from smaller cemeteries dating back to the Gold Rush. As such, the current cemetery borders another cemetery occupied by the Chinese and is currently administered by the Bureau of Land Management and the Chan Trust on a previously arranged agreement. The Chinese cemetery is a registered National Landmark and another close by has potential for a National Landmark nomination. The proposal could push nomination into oblivion.

With this going on, there has been no consultation with the Bureau of Land Management and the Chan Trust on how it will affect the National Landmark nomination. Lakeside Cemetery is an amalgamation of several cemeteries, their records are rather vague, and there are issues of this proposal being built on other existing burial sites that are difficult to pinpoint. There could be a destruction of different cultural groups that are historic in nature without the Chinese community or others being able to give their input. This proposal would adversely affect the historic features and burials of the Chinese, Euro American and other interested parties that may be buried there. This could potentially be a violation of the National Historic Preservation Act, as well as the California Graves Protection Act, in which six or more burial sites is considered an official cemetery.

This late notification of this meeting has not allowed the Sacramento County Cemetery Advisory Board due diligence to respond in a timely manner to the meeting taking place on February 16, 2022. In the past we were against this same proposal taking place at this cemetery. I consider this is a historic cemetery and the records for this location are poor in nature and the possibility of disturbing the graves of the dead is highly irregular. In the past graves have been destroyed during construction phases.

Yours,

StephAnie Kadle
District 2
Sacramento County Cemetery
Advisory Commission

Attachment 4

HELIX Topical Responses to IS/MND Comments

Memorandum

HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 155
Folsom, CA 95630
916.365.8700
www.helixepi.com



Date: February 15, 2022

Project: Lakeside Memorial Lawn Crematorium

RE: Topical Responses to Comments (public review draft Initial Study/Mitigated Negative Declaration)

Aesthetics

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 due to the presence of dredge tailing piles and would remain so. Therefore, the proposed development would not interfere with or degrade a scenic vista, and no impact would occur.

The crematory would be placed inside a metal structure that already exists on the property and 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. This stack would be approximately 19.5 feet above grade and would project approximately 10 feet above the existing roof of the shed. This physical improvement to an already existing metal structure would not significantly impact the visual character of the project setting. An existing wooden fence would shield the propane tanks from view from the publicly used areas of the cemetery.

Air Quality

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, and crematory emissions factors provided by the Sacramento Metropolitan Air Quality Management District (SMAQMD), which combined USEPA AP-42 data and the USEPA Factor Information Retrieval Program.

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

Localized concentrations of TACs were modeled using Lakes AERMOD View version 9.8.3 and the California Air Resources Board's (CARB's) Hotspots Analysis and Reporting Program (HARP), Air Dispersion Modeling and Risk Tool (ADMRT) version 19121. SMAQMD provides two sets of

meteorological data files for use with AERMOD: one for the Sacramento International Airport and one for the Sacramento Executive Airport. Data for the Executive Airport was recommended for use by SMAQMD staff (provided by Venk Reddy on 8/28/2019).

Though it is uncertain whether the exhaust stack will include a rain cover, for the purposes of dispersion modeling, assuming a rain cover is installed on the crematorium exhaust stack is the more conservative approach. The rain cover would limit the initial dispersion of the exhaust gases, thereby resulting in increased concentrations near the source. Without a rain cover, the exhaust may travel farther, but would result in decreased concentrations in any given volume of air. These decreased concentrations would result in decreased exposure and health risks.

HELIX's coordination with Sacramento Metropolitan Air Quality Management District (SMAQMD) began in August 2019 when HELIX's Senior Air Quality Specialist, Victor Ortiz, reached out to SMAQMD Air Quality Engineer, Venk Reddy, via phone. Ongoing coordination via phone and email with SMAQMD staff, including Venk Reddy, Karen Huss, Steve Mosunic, and Brian Krebs, continued through the end of October 2021. Initial coordination included discussion of SMAQMD approved methodologies, models, and emission factors for use in quantifying emissions and risks associated with crematory operations. Mr. Reddy provided Mr. Ortiz with the SMAQMD approved toxic air contaminant (TAC) emission rates and the recommended meteorological data for use in the AERMOD dispersion model. In the late spring of 2021, Mr. Reddy and his team conducted a review of HELIX'S AERMOD and HARP modeling files used in the health risk assessment (HRA). All comments made by Mr. Reddy following his review dealt with confirming manufacturer specs included in the modeling. Items specifically called out, including exhaust flow rate, physical dimensions of the equipment, and hourly burn rate, were provided by Hartwick Combustion Technologies, Inc.

The HRA examined risks to the human population as required by CEQA. Both inhalation of gaseous TACs and oral consumption of deposited TACs were examined. The exposure duration was set to 30 years beginning with infants in utero in the third trimester of pregnancy, in accordance with OEHHA guidelines. All risks were found to be below the CEQA significance thresholds.

Criteria pollutant emissions are compared to the SMAQMD thresholds of significance, which are established with the goal of helping the SMAQMD attain the ambient air quality standards. 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. By resulting in emissions less than the thresholds developed to attain the standards aimed at protecting the most sensitive populations, the project's criteria pollutant emissions are not expected to result in adverse health effects on said populations.

Cultural and Tribal Cultural Resources

The presence of the nearby historic Chinese cemeteries was acknowledged in Section 5.1 of the required confidential cultural resources technical study prepared for the project, which was used to support the IS/MND. However, these cemeteries are not located within the project area. At their closest points, the Chung Wah Cemetery is located approximately 263 feet southwest of the project area, and the Young Wo Cemetery is located approximately 847 feet north of the project area. The local historical significance of the Lakeside Cemetery itself and its origins and historic use extending back to 1846 were addressed in Section 3.5.4 of the confidential cultural resources study prepared for the project.

The use of a crematorium would be exclusively within the boundaries of an existing facility in the modern portion of the cemetery. The cemetery complex in the immediate area already reflects several different religious or cultural funerary practices, including Chinese, Jewish, Masonic, Odd Fellows, and others. Introducing a crematorium is not the first time a new funerary practice was introduced to the cemetery area.

The project would not create an adverse effect on significant historical cemeteries and resources. The project area does not contain any historical graves or interments and the confidential cultural resources survey of the project area failed to identify any historic or cultural resources within its footprint. No changes to the existing adjacent or nearby cemeteries or mine tailings will occur as a result of the project. The crematorium equipment will be housed within an existing shed and there will be no visible or physical change to the surrounding area. None of the features of the historic or modern portions of the cemetery will be affected.

The visibility of the proposed stack does not have a direct effect on the historical significance of the historic cemeteries, especially as there is no visible exhaust and no deposition of cremated remains. The qualities that make the cemeteries significant are the aspects of integrity of setting, feeling, and association (according to the National Registration Form for the Chung Wah cemetery). The footprint of the proposed project is minor and would not result in an impact on the project site's integrity, setting, and feeling.

Hazards and Emergency Evacuation

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 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 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. Furthermore, the project is subject to standard structural separation requirements from the Fire Department with regards to the crematorium's distance to the propane tanks and potentially flammable material.

Land Use and Planning

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 crematorium would be operating as an accessory use to the existing cemetery, not as a stand-alone business.

In this case, the cemetery is the primary or principal use and the applicant is proposing 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 such, a crematory can be considered as an accessory use subject to a CUP.

Attachment 5

Draft Minutes from February 16, 2022 Historic District
Commission Meeting



CITY OF
FOLSOM
DISTINCTIVE BY NATURE

DRAFT
HISTORIC DISTRICT COMMISSION MINUTES
February 16, 2022
ZOOM VIRTUAL MEETING
5:00 p.m.
50 Natoma Street
Folsom, California 95630

CALL TO ORDER HISTORIC DISTRICT COMMISSION: Mark Dascallos, Daniel West, John Lane, Mickey Ankhelyi, Justin Raithel, John Felts, Kathy Cole

ABSENT: None

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: Loretta Hettinger addressed the Historic District Commission regarding the Zoning Code Update Home Occupations item going forward to the City Council on March 8, 2022.

MINUTES: The amended minutes of the January 19, 2022 meeting were approved.

Oath of Office Administered to John Lane

NEW BUSINESS

1. PN 19-182, Lakeside Memorial Lawn Crematorium Conditional Use Permit, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program

A Public Hearing to consider a request from Igor Semenyuk for 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. The zoning classification for the site is OS/P, while the General Plan land-use designation is OS. An Initial Study and Mitigated Negative Declaration have been prepared in accordance with the requirements of the California Environmental Quality Act. (**Project Planner: Josh Kinkade / Applicant: Igor Semenyuk**)

1. Beth Kelly addressed the Historic District Commission in opposition to the proposed project.
2. Steve addressed the Historic District Commission in opposition to the proposed project.
3. Loretta Hettinger addressed the Historic District Commission in opposition to the proposed project.
4. Janice B. addressed the Historic District Commission in opposition to the proposed project.
5. Deborah Grassl addressed the Historic District Commission in opposition to the proposed project.
6. Nicole Gates addressed the Historic District Commission in opposition to the proposed project.
7. Mariko McGarry addressed the Historic District Commission in opposition to the proposed project.
8. Sharon Kindel addressed the Historic District Commission in opposition to the proposed project.

9. Daniel & Ashley Martinez addressed the Historic District Commission in opposition to the proposed project.
10. Tracy Wetzel addressed the Historic District Commission in opposition to the proposed project.
11. Helen Walsh addressed the Historic District Commission in opposition to the proposed project.
12. Stephanie Kadle addressed the Historic District Commission in opposition to the proposed project.
13. Marie Gonzales addressed the Historic District Commission in opposition to the proposed project.
14. Sean Gates addressed the Historic District Commission in opposition to the proposed project.
15. Marie Sims Rice addressed the Historic District Commission in opposition to the proposed project.
16. Mary addressed the Historic District Commission in opposition to the proposed project.
17. Greg addressed the Historic District Commission in opposition to the proposed project.
18. Victoria Foster addressed the Historic District Commission in opposition to the proposed project.
19. Dennis Kasbian addressed the Historic District Commission in opposition to the proposed project.
20. Joy addressed the Historic District Commission in opposition to the proposed project.
21. Laura Fisher addressed the Historic District Commission in opposition to the proposed project.
22. Kim Higgins addressed the Historic District Commission in opposition to the proposed project.
23. Kyle & Breanne Higgins addressed the Historic District Commission in opposition to the proposed project.
24. Peter Lucyga addressed the Historic District Commission in opposition to the proposed project.
25. Tim McGarry addressed the Historic District Commission in opposition to the proposed project.
26. Isaac addressed the Historic District Commission in opposition to the proposed project.
27. Owen addressed the Historic District Commission in opposition to the proposed project.
28. Erika Hamer addressed the Historic District Commission in opposition to the proposed project.
29. Jennifer Lane addressed the Historic District Commission in opposition to the proposed project.
30. June Chan addressed the Historic District Commission in opposition to the proposed project.
31. Charles Noble addressed the Historic District Commission in opposition to the proposed project.
32. Daron Bracht addressed the Historic District Commission commending Commissioners and City Staff.
33. Steve Walsh addressed the Historic District Commission in opposition to the proposed project.
34. Brian Pacciotti addressed the Historic District Commission in opposition to the proposed project.
35. Jill Hamer addressed the Historic District Commission in opposition to the proposed project.
36. Pat Binley addressed the Historic District Commission in opposition to the proposed project.

COMMISSIONER RAITHEL MOVED TO ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE LAKESIDE MEMORIAL LAWN CREMATORIUM, PER ATTACHMENT 11; AND MOVED 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 CEMETARY AS ILLUSTRATED IN ATTACHMENTS 5 AND 6, WITH THE FINDINGS (A-K) AND CONDITIONS (NOS. 1-30)

COMMISSIONER ANKHELYI SECONDED THE MOTION.

COMMISSIONER LANE RECOMMENDED A FRIENDLY AMENDMENT TO INCLUDE THE FOLLOWING CONDITION UNDER "MISCELLANEOUS CONDITIONS":

"31. A Davis Instruments Vantage Vue, Vantage Pro2 or similar weather station shall be installed on the shed on which the crematory machine is proposed prior to installation of the crematorium to the satisfaction of the Community Development Department."

COMMISSIONER WEST RECOMMENDED A FRIENDLY AMENDMENT TO INCLUDE THE FOLLOWING CONDITION UNDER "MISCELLANEOUS CONDITIONS":

"32. The proposed stack shall be subject to Design Review approval subsequent to obtaining a permit from the Sacramento Metropolitan Air Quality Management District (SMAQMD)."

COMMISSIONER RAITHEL AND COMMISSIONER ANKHELYI ACCEPTED THE FRIENDLY AMENDMENTS TO THE MOTION, WHICH LEAD TO THE FOLLOWING VOTE:

AYES: RAITHEL
NOES: DASCALLOS, WEST, LANE, ANKHELYI, FELTS, COLE
RECUSED: NONE
ABSENT: NONE

MOTION FAILED.

COMMISSIONER WEST MOVED TO DENY THE PROJECT WITH THE FOLLOWING FINDING:

"The use applied for is detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood, 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."

COMMISSIONER LANE SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: DASCALLOS, WEST, LANE, ANKHELYI, FELTS, COLE
NOES: RAITHEL
RECUSED: NONE
ABSENT: NONE

MOTION PASSED.

PRINCIPAL PLANNER REPORT

The next Historic District Commission meeting is tentatively scheduled for March 16, 2022.

RESPECTFULLY SUBMITTED,

Kelly Mullett, ADMINISTRATIVE ASSISTANT

APPROVED:

Kathy Cole, CHAIR

Attachment 6

Public Comment Letters Regarding the Applicant's Appeal

Josh Kinkade

From: Elaine Andersen
Sent: Wednesday, March 23, 2022 11:20 AM
To: Josh Kinkade
Subject: FW: Lakeside Memorial Lawn Crematorium - City Council Meeting 4/12/22

-----Original Message-----

From: Adam and Katie Musfelt <[REDACTED]@yahoo.com>
Sent: Wednesday, March 23, 2022 11:19 AM
To: 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: Lakeside Memorial Lawn Crematorium - City Council Meeting 4/12/22

[You don't often get email from akmusfelt@yahoo.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.

City Council Members,

We, Adam and Katie Musfelt, are unable to attend the Lakeside Memorial Lawn Crematorium meeting on April 12, 2022. We would like to go on the record and say that we strongly oppose the building of this 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 consider the future of this neighborhood by preserving the historical and cultural integrity of it and voting no on the crematorium.

Thank you,

Adam and Katie Musfelt

Josh Kinkade

From: Elaine Andersen
Sent: Friday, April 1, 2022 3:31 PM
To: Josh Kinkade
Subject: FW: Proposed Crematorium at Lakeside Cemetery

From: Bert p [REDACTED]
Sent: Friday, April 1, 2022 3:15 PM
To: Elaine Andersen <eandersen@folsom.ca.us>
Subject: Proposed Crematorium at Lakeside Cemetery

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Dear Elaine 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 Historic District, and the American River Parkway. This area 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. So improvements in the burner’s design do not mitigate the fact that it does emit pollutants, and if installed, will negatively impact this area for generations.

The proposed crematorium owners may see a viable commercial need for such an operation, but I portend, it is not in the Historic 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 that may transpire 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

From: Elaine Andersen
Sent: Friday, April 1, 2022 2:32 PM
To: Josh Kinkade
Subject: FW: Crematorium proposal

From: breanne higgins [REDACTED]
Sent: Friday, April 1, 2022 2:31 PM
To: Elaine Andersen <eandersen@folsom.ca.us>; kerri@atlanticcorrosionengineers.com; rrodriquez@folsom.ca.us; Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>
Subject: Crematorium proposal

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Hello,

My name is Breanne Higgins and I am opposing the proposal for The Lakeside Memorial Lawn Crematorium. I am a resident of the Preserves Neighborhood and have many family members and friends within this small community. So this is very important to me. I am opposing it for many reasons: quality of life, cultural insensitivities, and not belonging in a historical district.

This has already affected my quality of life and consumed my time. It has been difficult, as many of us have careers, young children and households to maintain. I have a 21 month old and am 36 weeks pregnant. I should be looking up baby names, but instead I find myself researching crematoriums and city council meeting dates. Our neighborhood is a tight knit community with many young children. Should our kids have to see white puffs of smoke and know that a body is burning in a storage shed. At the age of 7 should you really know what a crematorium is? Is that age appropriate?

There is a big difference between living near a cemetery and living next to a crematorium. Being next to a cemetery is peaceful, somewhere you show respect, it's quiet and green. It's wonderful to see family's come to visit buried loved ones. A crematorium is loud with the noise of propane tanks being transported in and out. The sight of smoke indication a body being burned. Although the propane tank is "not anticipated" to be seen, there is no guarantee. As a neighbor I don't want to hear this, see this or smell this. Do you think someone visiting a deceased loved one at the cemetery does? Can YOU gaurtenee me that there won't be any smell? Can lgor gaurtenee this, would he put it in writing?

My husband, Kyal Vongunten spoke during the Historical Commissioners meeting suggesting the environmentally friendly aquamation instead of cremation. We are offering different alternatives and locations to his crematorium. It just doesn't belong in a neighborhood, especially one within a historical district.

The crematorium hasn't even been out in yet and it is distributing our lives. If this is approved, I can guarantee once I smell the scent of burning bodies, I will call and report it. Every time. In the Historic District meeting, it was reported that residents living next to crematoriums did call to report "smells." Nothing is guaranteed about not having a smell associated with the burning of a body. Another resident of the Preserves neighborhood, Sean Gates, mentioned during the Historic District meeting that we can smell the Kikkoman's food plant on certain days. This is true. The Kikkoman's Food, Inc. building is less than 1 mile away from my house. One can only assume, with the right wind, that the smell of burning bodies from the proposed crematorium would be present at not only my house, but on Sutter Street, which is

within a mile radius of the proposed crematory. Do we really want our visitors who are enjoying the business on Sutter Street saying "What is that smell?"

The Chung Wah Cemetery, is listed on the National Register of Historic Places and is in the center of our neighborhood. The Chung Wah cemetery is less than a .2 miles away from the proposed crematorium. As a historic/sacred site, it should be preserved and protected. Recently, The Murer House was also listed as a National Register of Historic Places. We as a city should respect and protect these unique additions to our neighborhood.

I have thought about the pros of putting this crematorium in our neighborhood. It is really just convenient for Igor. If Folsom needs a crematorium, place it in a properly zoned area. Not in open space within a historical district. Do we really bend for one person? What does the city get out of placing a crematorium in a historic district within a residential area so close to Sutter Street? Sure, there are other crematoriums in residential areas, but are they in a historical district? No, they are not. Why? Because they don't belong there. It's not appropriate.

Please vote NO to the proposed crematorium being placed in the preserves neighborhood. Protect our historic district.

Thank you for your time,

Breanne Higgins

March 22, 2022

To Whom it May Concern,

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 1357 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).

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

February 22, 2022

Folsom City Council Members

Re: Lakeside Crematorium

As you are aware, The Proposed Lakeside Crematorium is being appealed by the applicant. 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, the bald eagles, our small park and of course, the Residents.

I am available anytime to act as your tour guide if you so choose. I am acutely aware of the Brown Act and will not put you in a compromising position. Email, text, phone or just come by and ring the bell.

Thanks for your time

Dave Higgins
[REDACTED] Fong St.
[REDACTED]

Cc: Mari Peshon

March 24, 2022

Extension of Appeal Hearing for Lakeside Memorial Cemetery.

Ms. Anderson,

I was recently made aware of the rescheduling of the appeal hearing for the proposed Lakeside Memorial crematorium. It is my understanding you granted the rescheduling to April 26, 2022. This is in violation of FMC 17.52.710 titled Appeal Hearings.

According to FMC 17.52.710, this appeal hearing needs to be heard on April 12, 2022.

On February 22, 2022 the applicant, Igor Semenyuk submitted a handwritten request for appeal well within the 10 day appeal period. After the 10 day appeal period Igor Sementyuk was allowed to resubmit a more detailed application for appeal. This too is a violation of the appeal process.

The ignoring of Codes and Ordinances and Procedures is disturbing. The special treatment Igor Semenyuk and the Miller Funeral home is receiving is blatant.

Please rescind the rescheduling and reset the Hearing to April 12, 2022.

David Higgins
Folsom resident

Josh Kinkade

From: Elaine Andersen
Sent: Monday, April 4, 2022 7:26 AM
To: Josh Kinkade
Subject: FW: Please vote NO on the Lakeside Crematorium Proposal

From: Isaac Monical [REDACTED]
Sent: Sunday, April 3, 2022 9:47 PM
To: 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: Please vote NO on the Lakeside Crematorium Proposal

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To whom it may concern with the City of Folsom leadership,

The Lakeside Memorial Lawn crematorium proposal is deeply troubling to me and my family. 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 the fact 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 the American River Bike Trail that 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 which should not be used for a pollution buffer zone, it's a recreation area. While using the trail, the folks that are exercising are going to be subject to toxic emissions while breathing heavily which is an even more sensitive time to be outside which is why the Air Quality Board recommends restricted exertion levels of people depending on levels of air quality, especially sensitive groups.

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 and often has stagnated air that collects along the river trail which can be confirmed when exercising along the trail in the summer and winter months where the air is perfectly still and the combustion gas from leaf blowers from the adjacent business parking lots simply stagnates right on the trail. In addition to the overuse of leaf blowers, the trail users will now get to look forward to breathing in toxic hydrocarbon and heavy metal combustion products combined 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 miss-use of the planned site.

It's been noted by the Folsom Historic Commission that nearby crematoriums exist and they have been shown to have issues from time to time as shown by the historic commissions own research. Equipment breaks down and we don't want to be subject to issues when they inevitably rise. I ask why would the commission assume this project would be any different?

The first time a request for a Crematorium came up many years ago, the Historic District did not believe the historic site was appropriate for this kind of activity and nothing has changed except for the aggressiveness of the applicant.

This project was chosen to evaluate the CUP based on essentially the general welfare of the neighborhood or city but the charter of the commission is first and foremost to protect the historic and cultural character of the city's Historic District. This is a distinct industrialization of the area which will degrade the character of the district.

It already appears that the applicant has created the pad for the propane tanks as if this has already been approved. The application is based on equipment in a metal shed but it has been communicated by the applicant at the last public comment session with the Historic District Commission that the intent is actually to improve the structure as well for inevitable viewings. It appears that wool is being pulled over the eyes of the approving boards and this is not the end of the development.

The fencing has been improved and gates have been constructed in preparation for installation. There is now a fence that has been improved that further restricts access to the Chung Wah historical cemetery. It would seem logical that the commissions' energy would be better spent enhancing access to Chung Wah and Showing a better connection with our past rather than allowing further restricting of access for an industrial process.

The crematorium will only increase the toxins that already surround us, we don't need more. The world needs less CO2 emissions and with low to zero emissions technology available, this project doesn't make sense for the community. This is further industrialization of a quaint location. This will not be limited cremations in a shed.

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). Does adding industrial equipment, of which is an air emitter, to the area continue to comply with the idea of open space and conservation?

I encourage the commissioners of the board to reconsider and follow the precedent of the previous rejection of the same proposal. Do you care if you get cremated right here in Folsom or not? There are several local crematoriums to

choose from and the carbon footprint to get there is in the noise so there is no environmental benefit of having one in the requested location.

The Historic Commission evaluation criteria was as follows: " 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"

- The peace and comfort of the neighborhood will be violated with inevitable smell especially when equipment breaks down.
- The industrialization of the site will be injurious to the properties cultural/historical significance going back to the violation of the Chung Wah cemetery in the first place - time to stop that cycle
- The need to disclose the industrial site near a residential neighborhood will undoubtedly hurt property values thus be injurious to property and the neighborhood.

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
████████████████████

February 23, 2022

Council Members

Toxic Air Contaminants (TAC's)

Attached is an excellent article concerning the toxicity associated with cremations. During the Historic District Commission hearing comments were made concerning the Helix Report and Air Quality District standards for emissions resulting in a less than significant impact. The findings were accepted as they should be. The issue of Toxic Air Contaminants (TAC) in the IS/MND was covered by Josh Kinkade in his presentation. However, I believe the topic was dismissed. The TAC's metals and inorganics listed in the IS/MND;

Metals, (mercury, arsenic,beryllium, cadmium, chromium, copper, hydrogen fluoride, lead,nickel' selenium)

VOC's(benzene, toluene, xylenes, vinyl chlorides).

Aldehydes,

Polyaromatic Hydrocarbons, (PAHS)

Polychlorinated Dibenzodioxins

Polychlorinated Dibenzofurans

These TAC's are not a Air Quality Board concern. These TAC's fall under the EPA. The Sac County Air Board's mission is carbon monoxide, nitrogen dioxide, lead, sulfur dioxide, sulfates, hydrogen sulfide, and visibility reducing particle emissions. The IS/MND defined mercury in a generic form, naturally occurring. The IS/MND does not discuss vaporized mercury. Mercury when vaporized becomes a deadly concern along with the other TAC's listed and should not be released in a residential neighborhood. This health risk is unexceptable.

Please read this document.

Thank You
Kim Higgins

At least please review page 6 of this document

JOHN MUIR GREEN BURIAL SANCTUARY

a beautiful green burial in a spectacular location

WHY CREMATION IS NOT A GREEN CHOICE

10 Green Reasons To Avoid the Toxicity of Cremation

1. **Mercury Vapors.** This is the #1 lethal toxin in crematory vapors. Currently, no crematories have adequate filters for mercury or the many other heavy metals, plastics, and dioxins that are emitted in the vaporization of a body. Most mercury vapors are due to the mercury-silver dental fillings (eight on average in each body) that are liquified and vaporized into the air from each cremation. With over a million bodies cremated each year, that's a lot of toxic mercury in the air that we breathe.
2. **Alzheimer's Disease (#3 cause of death in the U.S.)** and other neurological diseases such as **MS, ALS, Parkinson's Disease, Depression**, etc are caused largely by mercury build-up in the body over 20-40 years. Unlike cyanide poison which has an immediate effect, mercury has a long half-life in the brain. Mercury

contamination is due to mercury dental fillings, coal mining, and... you guessed it, cremation vapors. The United Nations 2019 estimates show that 680,000 pounds of mercury is emitted from dental amalgams into the wastewater and air annually.

Even if all mercury fillings were removed prior to cremation, most human bodies, including children's, have unsafe levels of mercury in the liver and other organs. According to science, no amount of mercury is considered safe in any amount or form. With the rise of cremation in America we have seen an epidemic in neurological illnesses. (Watch the Youtube video "Evidence of Harm" by Dr. Boyd Haley, who originated the chelation medication Emeramide to pull mercury safely out of the body of those suffering from neurological diseases.)

3. **Climate Change:** Cremation is a huge climate change contributor: each cremation uses about 28 gallons of fuel and releases about 540 lbs. of carbon dioxide into the atmosphere. Estimates from the UK say their cremations contribute about 16% of total climate emissions. There are no statistics by the EPA, though 70% of westerners unknowingly choose cremation, mis-informed by the industry to believe it is "green" because of decreased land use. About 1.7 Billion pounds of CO² are emitted every year in the US alone from about a million cremated bodies. Planting thousands of Legacy Trees at the site of a plot helps to reduce our carbon footprint and sequester carbon dioxide from the atmosphere back into the earth.
4. **Mercury contamination of our global environment.** Mercury is known to travel long distances, and biologists are finding mercury in alarming levels in far-reaching places around the planet. Polar bears in the arctic now have peak bioaccumulation of mercury. Mountain lions and deer are drinking mercury-contaminated fog droplets, and showing high levels in their fatty tissues in coastal areas of California, and mammals in the eastern U.S. and Europe also have high levels in their blood and fur.
5. **Industry diseases related to mercury use** - Crematory workers, biologists and other handlers of mercury tainted mammals, dental workers, mortuary and morgue workers are all showing evidence of chronic illness from mercury vapors

that are rising in air pollution, through skin absorption, in office vapors and within the air surrounding the site of mercury contamination. They suffer from higher rates of neurological disease as well as rates of acute and chronic respiratory disease.

6. A positive reason to choose an alternative like Green Burial is **Restoration of the Earth's Soil**. Giving your body back to the earth after a lifetime of food, water, sustenance and enjoyment of nature's bounty helps restore the rich agricultural biome that America has enjoyed over three centuries. Scientists predict that the topsoil across the U.S. will be depleted by 2060 at the rate we continue to use it. Even though bodies contain contaminants, experts maintain that mercury and other heavy metals will trickle down into the soil to form deep mines from where they originated. The safest place for mercury is actually back into the soil to be returned deep into the earth.
7. **Your Wallet** – Green burial has the least cost of all funeral choices at **\$1k to \$3k on average**, compared with cremation costs of \$6,000 and conventional cemetery costs of \$7,000 to \$20,000 or more.
8. **Conservation and Restoration of Nature – A legal and beautiful sense of place** for your body to be held in a natural reserve that your descendants can visit. Location of your plot is through GPS, and Conservation certified cemeteries have a long-term easement for nature to return to its beautiful state. Planting a Legacy tree or other native tree of your choice can help restore native forests to be enjoyed by many future generations. Conservation burial meadows can help restore pollinator meadows, wildflower meadows, and habitat and food for a wide variety of wildlife. Many certified green burials are open to the public on weekends for quiet enjoyment of the natural surroundings and a new appreciation of cemetery use. Since there is no use of pesticides, herbicides like RoundUp, or embalming fluids, the local watershed is free of toxin runoff as found in conventional cemeteries. No concrete or steel vaults are used for the sole purpose of lawn care as in conventional cemeteries. Saving these resources could

assist with rebuilding failing infrastructures across the U.S.

9. **The only non-toxic, truly green choice in deathcare** is green burial. So-called “alternatives” of Alkaline Hydrolysis (“water cremation”), Human Composting, and Conventional Cremation all are extremely polluting in their lack of responsible mercury handling, hazardous waste disposal, and housing of hazardous waste sites in residential neighborhoods and industrial sites. These expose the public to dangerous availability of mercury in the form of vapor, contaminated wastewater, and natural disaster unpreparedness in the event of wildfire, earthquake, or other environmental disasters.
10. **Taking time for natural grief, enjoyment of a beautiful funeral in nature.** Most green cemeteries don't put a limit on how long you and your family can take alongside a green grave-side burial. Memorial Halls with spectacular views of nature can remind us of its eternal aspect and the natural cycle of life and death.

As John Muir wrote in 1869, in “My First Summer in the Sierras”, “Another glorious Sierra day in which one seems to be dissolved and absorbed and sent pulsing onward we know not where. Life seems neither long nor short, and we take no more heed to save time or make haste than do the trees and stars. This is true freedom, a good practical sort of immortality... One is constantly reminded of the infinite lavishness and fertility of Nature ... no particle of her material is wasted or worn out. It is eternally flowing from use to use, beauty to yet higher beauty; and we soon cease to lament waste and death, and rather rejoice and exult in the imperishable, unspendable wealth of the universe...[We] faithfully watch and wait the reappearance of everything that melts and fades and dies about us, feeling sure that its next appearance will be better and more beautiful than the last.”

Additional statistics relating to cremation pollution:

- The Environmental Protection Agency estimates crematoriums emit 320 pounds of mercury per year, while activists say the real figure could be as high as three tons in 2007. A review of a study done by the EPA that estimated emissions from dental amalgam has since been underestimated. The United Nations Environmental Programme current (2019) accounts

indicate that 340 tons (680,000 pounds) of mercury is discharged into the environment from dental amalgam, 100 tons of which enters the waste stream. From cremation, tooth loss, human waste and infectious waste are released significant releases, and it was determined that cremation is the most critical because of the invisibility of vapors into the air without adequate or appropriate filters.

- Mercury in dental amalgams has been banned in Denmark, Norway and Sweden. However it is estimated by the EU EPA that 1,500 tonnes (200,000 pounds) of mercury is held in human bodies and will be released in cremation, with 75% of 500 million EU residents having had mercury fillings in their older generations, 1,500 tons (3 million pounds) total mercury in their bodies to become cremated. [Http://www.eea.europa.eu/publications](http://www.eea.europa.eu/publications)
- Overall the US has a 51% cremation rate, while Oregon and Washington have 70% rates mostly due to the myth in advertising that cremation saves on cemetery land use and is therefore “green”. However, Neptune Society, the largest funeral monopoly in the US, will not comment about high fossil fuel use or about mercury vapor emissions, claiming instead that cremation is “green”.
- 340 tons of dental mercury in the world is dumped directly into waste water systems, 34 tons at minimum in the U.S. In 2008, the average European held 2-5 grams of mercury in their bodies, while the allowable amounts are zero grams.
- For an excellent discussion of the link between mercury vapors in the environment and the link with Alzheimer’s Disease (the 3rd largest cause of death in the US), watch the documentary “Evidence of Harm” a youtube video by AD researcher Dr Boyd Haley, PhD. <https://www.youtube.com/watch?v=Wqb4fDSODiQ> and <http://Evidence-of-Harm.com>

This is a documentation of Dr Haley’s 26 year NIH career linking mercury toxicity with Lewy bodies in Alzheimer’s Disease and other neurological diseases.

It is commonly thought that cremation is more environmentally-friendly because it seems to simplify the funeral/burial process and minimizes land use for cemeteries and their inherent pollutants. However, research shows the facts which reveal disturbing problems for the environment. In our research into the effects of cremation on the environment, **there was a strange lack of studies, particularly by the EPA and U.S. government.**

"In 2012, the EPA Crematorium Working Group reported that crematoria are significant sources of mercury, dioxin, and particulate matter. Incineration of bodies, body parts, and infectious and chemotherapeutic wastes collectively represent the second largest known source of dioxin and mercury pollution in the US. The World Health Organization, the US EPA and other public health experts consider any level, no matter how low, of emissions of mercury, dioxins, furans, and particulate matter from incineration to be a threat to human health. Vulnerable populations such as babies, children, women of childbearing age, and the elderly are particularly at risk from exposure to these toxins. Employees who work in these environments, as well as those populations who live near the source are exposed to higher levels of these pollutants. The effects of mercury vapor exposure can last long after the exposure has ended. While typical symptoms and signs, such as tremors, gingivitis and salivation may quickly disappear after exposure has stopped, mechanisms of long-lasting or remote effects have not been investigated. This is possibly due to the damage caused by mercury vapor exposure remaining for a long period of time, or by mercury remaining in the body and continuing to cause adverse effects, or to the prior exposure somehow stimulating aging, resulting in poorer neurobehavioral performance.

The final report of the Senate Crematoria Study Committee was prepared in 2012. This report noted that 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. According to Dr. Anne Summers of the University of Georgia, there is no known lower level for toxicity of mercury, and scientists clearly agree that mercury

toxicity can have serious consequences on human health.” (from *Mercury Contamination from Dental Amalgam*, 2019)

Amy Cunningham, a “green” funeral director of Fitting Tribute Funeral Services (and Crematory) in the Greater New York City area writes in her well-known blog:

“Cremation takes up less land and might save some money, but here’s the downside with some crematories: it takes a lot of fossil fuel to heat that retort (or cremation chamber) to 1800 degrees F and keep it heated for two to three hours... Then perhaps, if you are not satisfied with the answers you’re getting and your family is open to changing plans quite dramatically, consider the love of my life (sorry Steve)–Green Burial. Pine box. Or simple shroud. Drive out of the city and convene in a green cemetery. Let your loved one descend into the soil naturally–without chemicals or vaults or barriers to Mother Nature.”

More studies and research have been done in Europe in recent decades as the rate of cremation has increased slowly over the last century. Several articles reveal periodic surveys of literature over twenty years that showed a largely unregulated industry by the US Environmental Protection Agency. At the grassroots level, citizens in both Canada and in over 35 U.S. states have set up blocks and ordinances, built a library of research for other states to refer to and assisted in local initiatives to deconstruct or prevent the further building of crematories.

Several studies in the last two decades have shown a correlation between local crematories and stillbirth, anencephaly, and increasingly widespread air pollution containing toxic gases. Finally, a visit to the Crematorium will show you that both the time a family can say goodbye to their loved one’s body and naturally move through the letting-go process is very minimized and tends to make the grief process interrupted.

Cremation involves a box or casket containing the body to be placed in a steel incinerator and heated to temperatures from 7600 to 21000 F. At the highest temperature, most of the body is vaporized and oxidized as water within about

two hours. However, gases released are then temporarily held in a second metal chamber or “filter” and then released to the outside air through an exhaust system.

It is commonly thought that crematories have “filters” –adjacent storage tanks that are supposed to catch and “hold” toxins such as mercury. The EPA's answer to this has been to add a second “chimney” in effort to somehow “catch” some of the toxic vapors.

“Gaseous emissions are by far the greatest source of cremation pollution and thus far the only crematorium waste that is regulated. In addition to harmless compounds such as water vapor, emissions include:

- the greenhouse gas carbon dioxide
- extremely toxic mercury vapors
- toxins and carcinogens of carbon monoxide, nitrogen oxide, and sulfur oxide;
- volatile acids such as hydrogen chloride and hydrogen fluoride, both of which form during vaporization of plastics and insulation
- compounds such as benzenes, furans and acetone are also emitted and react with HCl and HF under combustion conditions to form polychlorinated dibenzodioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs), both of which cause cancer.

“These and mercury are of special concern because they are susceptible to bioaccumulation.”

An estimated one-third of all air-borne mercury pollution is due to the cremation of bodies containing mercury from dental amalgams in the deceased person's mouth. In a “Summary of References on Mercury Emissions from Crematoria, September 25, 2012”, Jon Reindl, P.E. investigated studies in both the U.S. and Europe for three aspects of cremation: mercury emissions, deposits in filters and chimneys, and mercury found in cremains (cremation ash):

“Crematoria represent a significant source of mercury emissions to the

environment. While estimates of the quantities vary significantly, it appears that each cremation releases between 2 and 4 grams, with the maximum seen by this reviewer at 8.6 grams in an individual cremation in Switzerland. There has been an increase in the number of cremations annually and forecasts include both a further increase in the number of cremations over time and an increase in the amount of mercury released in the next few decades due to an increase in the number of the deceased having a larger number of their own teeth with amalgam restorations. This increase is expected to be followed by a decrease in mercury emissions from industrialized countries as the next generation of people has both fewer cavities and an increased substitution of amalgam restorations with restorations that do not use mercury.”

“In the US, a mercury flow worksheet developed for Region V of the EPA estimates that in 2005, just under 3,000 kilograms of mercury were released to the environment from cremation to the US. Bender estimates that this will increase to 7,700 kilograms by 2020.”

“Most of the mercury from crematoria is released into the air, although some may collect on the walls of the oven and chimney. Soil surveys have shown that while there is often an elevation of mercury in the topsoils near crematoria, most (over 99%) of the mercury emitted to the air does not settle to the soil in the nearby area, but is instead added to the general atmosphere. Mercury levels in the ash have been only rarely tested, and have been shown to be negligible in those tests.” One wondered what the blood and tissue levels of air-borne mercury is in crematory industry workers who breathe in mercury fumes every day.

“Mercury emissions from crematoria are regulated in few places in the world, although the amount of regulation is slowly growing. Possible control of mercury from crematoria includes the removal of teeth with amalgam restorations before cremation, the use of selenium capsules to bind up the mercury and exhaust gas capture systems. The effectiveness of the selenium capsules is controversial and the effectiveness of the exhaust gas capture systems is not well documented.”

Although laws now require crematoriums to place mercury storage tanks on their incinerators, most of the toxic residues are released. These also include toxic metals or plastics that can leach into the air and then water, causing a public health concern. One study of the Cremation Association of North America found that “filtering crematorium fumes has little effect on the toxins released.” In India, where outdoor cremation has been the norm for thousands of years, air pollution is in the top five highest percent in the world. Meanwhile, more research needs to be done in the U.S. to assess these very real effects of crematory air pollution.

In addition, there is the issue of cremation remains and their dispersal into the air. “Cremains are often sprinkled somewhere in memorial, releasing whatever compounds and toxins found in them back into the environment in a form that is easily picked up by wind or water,” writes Huffman. A scientific method for analyzing cremains is X-ray diffraction and has found that “calcified compounds within cremains can contain metals such as **lead, boron, cadmium, chromium, cobalt, copper, tin, lithium, magnesium, manganese, nickel, and strontium.** Metals such as arsenic and selenium, though present in a live human body, are volatile and decompose quickly upon burning... I have found no studies of whether or not sprinkling cremation remains could have a significant impact on the levels of metals in the soil.” Often the ashes are then stored in metal urns or other non-biodegradable receptacles, and then buried in cemeteries which are already over-filled. Many cemeteries, particularly in larger US cities, as well as in Japan and Europe have reached maximum use. In London, a space crisis led to proposals to reopen old graves to create more space for the burial of cremains and the deceased.

“Not all that remains is bone. There may be melted metal lumps from missed jewelry, casket furniture, dental fillings, and surgical implants, such as hip replacements. Breast implants do not have to be removed before cremation. Large items such as titanium hip replacements (which tarnish but do not melt) or casket hinges are usually removed before processing, as they may damage the processor. (If they are missed at first, they must ultimately be removed before

processing is complete, as items such as titanium joint replacements are far too durable to be ground.) Implants may be returned to the family, but are more commonly sold as ferrous/non-ferrous scrap metal. After the remains are processed, smaller bits of metal such as tooth fillings, and rings (commonly known as gleanings) are sieved out and may later be interred in common 'consecrated' ground in a remote area of the cemetery."

While cemeteries may have the illusion of holding consecrated ground, they are actually sites of heavy metal waste that accumulate over time and which cause leaching downstream, especially when located adjacent to natural water sources such as creeks, rivers, and oceans as is more common in older cemeteries.

On a more positive note, Community Awareness Network (CAN!) is an informal grassroots organization that advocates on the local, state and national levels for change in the way the crematory industry in America is being operated and regulated. It "educates communities about the real nature of toxins in crematory emissions and what they can do to succeed when faced with the challenge of preventing or stopping a crematory from operating in a residential area or near schools and daycare facilities."

As of 2015, CAN has grown to 55 individual communities in 35 states. Originally, it started as a small group of volunteers and then grew to 700 residents who organized a protest that successfully proved to their county planning department that their town was too densely populated to accommodate a crematorium. They believe no more communities should have to absorb another crematory that is unsafe for public health and the environment.

The CAN Website reports:

"When first faced with this daunting task, it was noticed that there are communities who had challenged crematories near their residential areas ... but with varied results. Wanting to learn from the success stories, and the failures, many hours were spent online searching blogs and forums of newspapers around

the country. The successful communities all had one thing in common: someone in that community was willing and able to stop everything else they were doing and devote their energy to finding the data, and these voluntary warriors motivated their neighbors to act. These communities fought back and won – but at a huge cost. The cost was so great to most of these “activists/advocates” that once the fight was over, they mostly just wanted to go back to their normal lives. Who could blame them? The fight is exhausting. The only reward is winning – preventing or stopping or even closing down a crematory. There is no financial gain, only the stop-loss prevention of property devaluation and keeping one more pollution source away. For the communities that have lost – the cost to their health, homes, and happiness has no measure. How can you measure that? It was decided that no community should ever have to re-invent the wheel when faced with a crematory near their homes. No community should win or lose based on whether or not there is a volunteer activist among them. No more communities should have to spend months of research just to determine if the crematory is going to be unsafe and then prove that to their local government authority.”

Is it not strange that a government agency such as the EPA would not preventatively or even extensively study the toxic emissions of cremation? Why is the cremation industry largely unregulated when there clearly are toxic gas emissions? With cremation reaching an all-time high of nearly 50-70%, and with humanity’s huge impact on the environment worldwide over the last two centuries, the mercury and gaseous emissions of our cremains must now be extensively studied, and existing crematoria must be regulated by local, state or federal agencies. Further building of crematoria should be halted while alternatives for our deceased and their descendants and environment should be put first. Alternatives include green burial which allows for the natural return of our bodies to the earth.

Finally, cremation does not allow for the necessary time essential for the natural letting-go and grief process that is made “real” for people with burial. People tend to “send away” the body, or if they actually visit the Crematory, there is a short

amount of time to “say goodbye” to their loved one’s body. Numerous experiences and videos show how there is limited time at a crematory. The “industrial” environment of cement walls and steel ovens has little ambiance of emotional safety for the grieving person or family. The grief process then tends to be aborted or put off for some other time when it is more “convenient”. Although some families have a memorial prior to cremation there is often still a lingering feeling of difficulty accepting that a loved one has died. A grief that is complicated from a sudden loss, traumatic accident or suicide becomes even more difficult when the body is boxed away and cremated before a person can fully accept it and come to terms with the surreal feeling, numbness and other feelings specific to these types of loss.

With memorialization and burial, there is much more time to see the body, tend to it, and bury a beloved in a final goodbye with an attitude of acceptance and in a timely way. Grave-side funerals also allow for the influence of nature, where we can see that everyone is given the gift of both birth and death in the natural life cycle. With the twenty-year-old natural burial movement, which is really a return to ancient million-year-old traditions, there is much more involvement by the family to be involved in natural deathcare, even if a funeral home is involved. The movement invites people to spend up to 3 days being with their loved one in a home vigil, home funeral, and natural rites of passage that ease and more quickly heal the grief process.

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Josh Kinkade

From: Elaine Andersen
Sent: Monday, March 21, 2022 10:34 AM
To: Josh Kinkade
Subject: FW: Lakeside crematorium

-----Original Message-----

From: Marie [REDACTED]
Sent: Monday, March 21, 2022 10:34 AM
To: Elaine Andersen <eandersen@folsom.ca.us>
Subject: Lakeside 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.

I am Marie Gonzales and my husband and I have been living in the Preserves for over 10 years. We have a lovely neighborhood and I love my small community. I have asthma and I had thyroid cancer 4 years ago so I do not have the best respiratory system. I love the clean air that we breathe and love to keep it that way. I know Igor has presented his views on how there's no concern for us as to air quality but cannot believe there will be 0% toxic emissions. Just like the HCD has voted no to this project, please let me have trust in that you'd do the same. In a poll that somebody did on FB chat, a large percentage of our local residents do not place a lot of emphasis on being cremated here in Folsom, a lot answered they did not care where they were cremated. I know a lot of people may think what's the big deal, but I think they are thinking, "oh I'm glad it's not in my neighborhood!". Nobody is going to say, "Oh how lucky are those people living next to the crematorium! I wished I lived there!" Will you? Thank you for being so understanding. Marie Gonzales

Marie Sent from my iPhone

Close

Send

To:  kerri@atlanticcorrosionengineers.com  rrodriguez@folsom.ca.us
 Sarah Aquino  ykc@folsom.ca.us  mkozlowski@folsom.ca.us

Cc/Bcc:

Subject: **Crematorium**

Council Members,

After reaching out to Dr. Bob Laperriere, of the of the Sacramento County Cemetery Advisory Commission, he answered a few of my questions after the Historic Commission meeting regarding the historical site designation of the Lakeside Memorial Cemetery. Here is our email question and answer text (received 2/19/22 at 10:52pm):

Me: Do you know the date the Lakeside Memorial Cemetery received its historic designation?

Bob: Do no have the date handy but it was over 10 years ago.

Me: I feel that the owner/applicant, Igor Semenyuk, is trying to downplay the sites historical significance. During the Commission meeting he said to the best of his knowledge it was not a registered historical site, and that it didn't have historical significance.

Bob: I can see where he is not clear on "registered" as it is not on the State or National historic designation...only the designation that our Commission requested of the board of supervisors. However it is difficult to not believe or deny the historic significance of the cemeteries that "became" Lakeside and date back to the 1800's in addition to the adjacent Chinese Cemetery. We did give a large aluminum sign to the Funeral Home to post at the cemetery with its historic designation on it but do not recall ever seeing it posted.

Bob LaPerriere
Chair, Sacramento County Cemetery Advisory Commission
chca@winfirst.com
(916) 481-4525 (voice)
(916) 712-8991 (text)
POB 255345, Sacramento CA 95865-5345

During the 2/16/22 Historic District Commission meeting (at the 4:46 mark) the applicant, Igor Semenyuk, states, "this is not an historical cemetery." Clearly, he is mistaken. His partner Lorin Claney's father purchased the funeral home in 1962, so Lorin Claney had been a part of the family business when the funeral home received their designation and plaque.

The "Complete Sacramento County Cemetery List" from the Sacramento County Advisory Commission states there are many historical parts of Lakeside Cemetery. These historic portions of Lakeside Memorial Cemetery include: Babyland, Citizens, Cook, Jewish, Masonic, and Oddfellows cemeteries. There's also a question of historic Negro Bar Cemetery being a part of Lakeside.

Also, according the The Miller Funeral Home website they state: " Miller is also proud to own and operate Lakeside Memorial Lawn, Folsom's only active historic cemetery. With headstones and burials dating back to 1846, Lakeside remains a beautiful memorial to Folsom's citizens both past and future."

More so, in 1995 the United States Department of the Interior National Park Service also entered Chung Wah Cemetery in the National Register.

I have contacted the list of historic cemeteries that Dr. Bob LaPerriere included in his letter to the Historic District Commission. I reached out to all of them, and none have a crematory on their historical site. I have included the email correspondence. Why put a crematory on this historical site? Does Folsom really want to have the only crematory on historic grounds? Once it's in, it's forever.

The Lakeside Memorial Cemetery has Historic Designation! Let's protect it!

Thank you for your time,

Nicole Gates

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Historical Designation On the recommendation of the Commission, the Board of Supervisors has designated 21 cemeteries as "historic". This is phase I of the project, as there are many other historic cemeteries in Sacramento County. Cemeteries designated were:

1. Bellview Cemetery
2. Union Cemetery
3. Lakeside Cemetery
4. Matthew Kilgore Cemetery
5. 24th & Meadowview Cemetery
6. Chung Wah Cemetery
7. Elder Creek Cemetery
8. Rancho Marieta Cemetery (North & South) (2)
9. Sacramento Historic City Cemetery
10. Michigan-Bar Cemetery (Ione Road)
11. Sloughhouse Cemetery
1. Sylvan District Cemetery
12. Galt /Arno District Cemeteries (2)
13. Elk Grove Consumnes District Cemeteries (5)
14. Fair Oaks District Cemetery

double checked with address and Federal reference.

Sacramento County No crematory - satellite view
 Sacramento County No - only 10 gravestones
 Folsom \emptyset
 Rancho Cordova - No crematory (email 2/22)
 Sacramento City - NO crematory - DEFUNCT cemetery
 Folsom \emptyset
 Sacramento - No crematory - checked on Fed. list
 Rancho Marieta - No crematory (email 2/25)
 Sacramento City - No crematory (email 2/23)
 Sacramento County - No crematory (email 2/25)
 Sloughhouse - No crematory (email 2/25)
 Citrus Heights - No crematory (email 2/22)
 Galt - No crematory (email 2/22)
 Elk Grove - No crematory (email 2/25)
 Fair Oaks - No crematory (email 2/22)

Plaques were provided for each cemetery, and we still have several to distribute. The text of the plaque is as below:

***THIS SITE HAS BEEN DESIGNATED BY
 SACRAMENTO COUNTY AS A
 HISTORIC CEMETERY.***

**HERE REST MANY OF THE MEN, WOMEN AND CHILDREN WHO SAW THE BEAUTY
 AND VALUE OF THIS LAND, CHOOSING TO SETTLE HERE
 AND BUILD THE COUNTY WE CHERISH TODAY.**

**PLEASE HELP US PRESERVE THESE GRAVES, MARKERS,
 AND LANDSCAPING FOR FUTURE GENERATIONS.**

**SACRAMENTO COUNTY BOARD OF SUPERVISORS
 AND CEMETERY ADVISORY COMMISSION**

#4

Matthew Kilgore Cemetery - No crematorium

From: **Steve Harriman** sharriman@cityofranchocordova.org
Subject: **RE: Crematory question**
Date: **Feb 22, 2022 at 10:40:59 AM**
To: **nicole higgins** niki_higgins@yahoo.com

Hi Nicole:

There is not a crematorium at **Kilgore Cemetery**. The City contracts with Green Valley Cemetery and Mortuary and they have a crematorium. They can be reached at [916 985-8844](tel:9169858844).

Please feel free to contact me if you have additional questions. Thanks!

Steve

Steve Harriman, Operations and Maintenance Division Manager
City of Rancho Cordova Department of Public Works
[\(916\) 851-8716](tel:9168518716)

-----Original Message-----

From: nicole higgins [REDACTED]
Sent: Tuesday, February 22, 2022 9:06 AM
To: Steve Harriman <sharriman@cityofranchocordova.org>
Subject: Crematory question

Hello,

I was wondering if your cemetery has a crematory on the premises?

Thanks,

Nicole

Sent from my iPhone

From: Dennis Buscher [REDACTED]
Subject: Re: Sloughhouse Cemetery
Date: Feb 25, 2022 at 6:49:55 PM
To: niki_higgins@yahoo.com
Cc: eghs@elkgrovehistoricalsociety.com

Hi Nicole

I am a Board member of the Elk Grove Historical Society and also a Trustee for the Elk Grove Cemetery District.

In answer to your question, Sloughhouse Cemetery does not have a crematorium in their cemetery, nor do any of the 5 cemeteries in the Elk Grove Cemetery District. While the Elk Grove cemeteries are not designated as historic yet, they do date back to the 1870's. The Rancho Muieta cemeteries also do not have a crematorium.

I would think that the zoning laws would be very restrictive for the placement of a crematorium for the cremating of bodies. Check with the County of Folsom to see what restrictions there are for a crematorium. It sounds like the cemetery your concerned about is privately owned, so they may have rights that public cemeteries do not.

In the Elk Grove Cemetery District, we do have Niche Banks for the placement of ashes in 4 of our 5 cemeteries. These niche banks are about 5 feet high. Sloughhouse does not have a niche bank.

If you have any other questions, please let me know.

Dennis Buscher
2nd VP, EG Historical Society
[REDACTED]

From: nicole higgins [REDACTED]
Date: Fri, Feb 25, 2022 at 10:03 AM
Subject: Sloughhouse Cemetery
To: <eghs@elkgrovehistoricalsociety.com>

#8 Rancho Murieta (N+S)
#10 Michigan Bar (Part of Rancho Murieta
cemeteries)
#11 Sloughouse
#13 Elk Grove Consumnes

\
All have no crematories

Hi,

#9 Sac City Cemetery - No crematory

From: **Lori Bauder** LBauder@cityofsacramento.org
Subject: **RE: City Cemetery Information**
Date: **Feb 23, 2022 at 8:04:36 AM**
To: **nicole higgins** [REDACTED]

Hi, Nicole;

I'm sorry we do not have a crematory on site. Lori

Lori Bauder
Cemetery Manager
1000 Broadway
Sacramento, CA 95818
Cell: [916-201-6254](tel:916-201-6254)

-----Original Message-----

From: **nicole higgins** [REDACTED]
Sent: Tuesday, February 22, 2022 9:49 AM
To: **Lori Bauder** <LBauder@cityofsacramento.org>
Subject: **City Cemetery Information**

Hello,

I was wondering if the **Sacramento Historic City Cemetery** had a crematory on-site?

Thanks,

Nicole

Sent from my iPhone

From: **Sylvan Cemetery** office@sylvancemetery.com
Subject: **Re: Crematory**
Date: **Feb 22, 2022 at 9:55:37 AM**
To: **nicole higgins** [REDACTED]

No, we are the cemetery only.

Sylvan Cemetery District
[\(916\) 725-3406](tel:(916)725-3406)

On Tuesday, February 22, 2022, 09:39:38 AM PST, nicole higgins <niki_higgins@yahoo.com> wrote:

Hello,

I was wondering if you have an on-site crematory at the **Sylvan District Cemetery?**

Thanks,

Nicole
Sent from my iPhone

#1 (2)

Sylvan Cemetery - No crematory

From: galarn@softcom.net
Subject: RE: Crematory
Date: Feb 22, 2022 at 1:50:15 PM
To: nicole higgins [REDACTED]

Good afternoon Nicole,

We are solely a cemetery. There is no crematory on site.

Have a wonderful afternoon. We are here if you need any more assistance.

Kristi

-----Original Message-----

From: "nicole higgins" [REDACTED]
Sent: Tuesday, February 22, 2022 9:37am
To: galarn@softcom.net
Subject: Crematory

Hello,

I was wondering if there is a crematory on the premises of the Galt/Arno district cemeteries?

Thanks,

Nicole

Sent from my iPhone

12

Galt/Arno District Cemeteries

- No crematory

From: info.focd@gmail.com
Subject: Fair Oaks Cemetery Inquiry
Date: Feb 22, 2022 at 9:41:06 AM
To: [REDACTED]

We do not have a crematory on site.

Fair Oaks Cemetery District
[916-966-1613](tel:916-966-1613)
7780 Olive Street
Fair Oaks, CA 95628

#14

Fair Oaks District Cemetery - No crematory

Coroner

Complete Sacramento County Cemetery List

This list of Sacramento County Cemeteries is a project in progress/development. Data on many is limited or non-existent. Accuracy of entries may need to be verified. We will appreciate any comments, additions, corrections, additional information, documents or photographs relating to these cemeteries.

Please respond to the Sacramento County Cemetery Advisory Commission at:

Dr. Bob LaPerriere, Vice-Chair

Sacramento County Cemetery Advisory Commission

Phone: (916) 874-9103

Email: cemeterycommission@saccounty.net

(please include your email address for correspondence)

<u>Cemetery</u>	<u>Category†</u>	<u>Notes</u>	<u>More Information</u>
24th & Meadowview Cemetery	No longer exists - no remains		Cemetery History
Alder Creek Cemetery	No longer exists - no remains	see Prairie City Cemetery	Cemetery History
Arlington Cemetery	No longer exists - no remains	see Quiet Haven	
Kinney School Cemetery	No longer exists - no remains		
Prairie City Cemetery Monument	No longer exists - no remains		
B'nai Israel Cemetery	No longer exists - possibly or partially relocated		

<u>Cemetery</u>	<u>Category†</u>	<u>Notes</u>	<u>More Information</u>
Brenton Burials	No longer exists - possibly		

	or partially relocated	
Buckeye Knoll Cemetery	No longer exists - possibly or partially relocated	
Mormon Island Cemetery	No longer exists - possibly or partially relocated	
Negro Bar Cemetery	No longer exists - possibly or partially relocated	(?now Lakeside???)
New Helvetia Cemetery	No longer exists - possibly or partially relocated	
St. Rose's Cemetery	No longer exists - possibly or partially relocated	
Cook's Bar Cemetery	Possible other alias or unknown site	
Daylor's Ranch Cemetery	Possible other alias or unknown site	
Dry Creek District Cemetery	Possible other alias or unknown site	
Georgetown Cemetery	Possible other alias or unknown site	
Grand Island Chinese Cemetery	Possible other alias or unknown site	
Granger Cemetery	Possible other alias or unknown site	
Hoit Ranch Cemetery	Possible other alias or unknown site	
Nathan Ranch Cemetery	Possible other alias or unknown site	
see 24th and Meadowview Cemetery??	Possible other alias or unknown site	
see Michigan Bar Cemetery	Possible other alias or unknown site	
Sloughouse Cemetery # 2	Possible other alias or unknown site	(?)
Stage Station Burying Ground	Possible other alias or unknown site	
Strait Family Cemetery	Possible other alias or unknown site	
Sutterville Cemetery	Possible other alias or unknown site	



	name	Cemetery
San Juan Cemetery	With an alternate name	see Sylvan Cemetery
Sheldon Cemetery	With an alternate name	see Pleasant Grove Cemetery
Spooner Family Cemetery	With an alternate name	see Michigan Bar Cemetery
Walltown Cemetery	With an alternate name	see Wilson Cemetery?
Babyland	Within another cemetery	see Lakeside
Bellview Cemetery	Within another cemetery	see Quiet Haven
Citizens	Within another cemetery	see Lakeside
Cook	Within another cemetery	see Lakeside
Eagles	Within another cemetery	see Eagles & Knights of Pythias
Elk Grove IOOF Cemetery	Within another cemetery	see Hilltop Cemetery
Elk Grove Masonic Lawn	Within another cemetery	see Elk Grove Cemetery
Grand Army of the Republic (Civil War)	Within another cemetery	see Sacramento Historic City Cemetery
Jewish Cemetery	Within another cemetery	see Lakeside
Knights of Pythias	Within another cemetery	see Eagles & Knights of Pythias
Knights of Pythias	Within another cemetery	
Masonic	Within another cemetery	see Lakeside
Masonic	Within another cemetery	see Elk Grove
Masonic (Old)	Within another cemetery	see Sacramento Historic City Cemetery
Oddfellows Cemetery	Within another cemetery	see Lakeside

categoryNotesMore Information

Walnut Grove Chinese Cemetery	Possible other alias or unknown site
Barton Family Cemetery	Site in Sacramento County
Chinese Cemetery-Folsom (Young Wo) Cemetery	Site in Sacramento County
Chinese Cemetery-Folsom Chung Wah Memorial Site	Site in Sacramento County

◀ 31 - 60 ▶



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- > [Sacramento County Indigent Burial Sites](#)
- > [Sacramento County Deaths 1850-1933](#)
- > [Burial Database, Sacramento County Cemetery](#)
- > [Sacramento County Cemetery List](#)
- > [Commission Contact Information](#)
- > [Useful Links](#)

United States Department of the Interior
National Park Service



**NATIONAL REGISTER OF HISTORIC PLACES
REGISTRATION FORM**

1. Name of Property

historic name: Chung Wah Cemetery
other name/site number: Sze Yup/Sam Yup Cemetery

2. Location

street & number: Momon Street vicinity not for publication
city/town: Folsom vicinity
state: California code: CA county: Sacramento code: 067 zip code: 95

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1986, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register criteria. I recommend that this property be considered significant nationally statewide locally. (see continuation sheet for additional comments.)

[Signature] 6/6/95
Signature of certifying official Date

California Office of Historic Preservation
State or Federal agency and bureau

In my opinion, the property meets does not meet the National Register criteria. (See continuation sheet.)

Signature of commenting or other official Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that this property is:

- entered in the National Register See continuation sheet.
- determined eligible for the National Register See continuation sheet.
- determined not eligible for National Register
- removed from the National Register
- other (explain): _____

[Signature] 3/21/95
Signature of Keeper of Action Date

From: [REDACTED]
To: [Elaine Andersen](#); kerri@atlanticcorrosionengineers.com; [Sarah Aquino](#); [Rosario Rodriguez](#); [YK Chalamcherla](#); [Mike Kozlowski](#); [Josh Kinkade](#)
Subject: Crematorium Council Meeting Change
Date: Friday, March 25, 2022 4:46:23 AM

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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.

Members of the Council,

Our lives have been on hold and turbulent for one greedy business and their “business opportunity.”

This has cost us time, money, sleepless nights, our real estate, and our health. In fact, a neighbor had a health event while in a conversation about the crematorium! Our neighbor has no fight left, and is very upset over that fact. This is a neighborhood in turmoil!

“The Folsom City Council is dedicated to ensuring Folsom's high standards for public health, safety, and quality of life.”

Why is The Caring Services Group allowed to add to their appeal after the deadline? Why are they allowed to extend the hearing date when the municipal code says the meeting has to be within a specific time frame? Why is the applicant getting extra hand holding? What’s the point of municipal codes if they aren’t followed?

Why weren’t the citizens notified of the meeting date change? We have been in contact with the Council, Clerk, and Planning Department this whole process. Why aren’t the residents being kept up to date...transparency?

Please move the hearing date back to April 12. That’s our kids spring break at school. When we heard that the crematorium meeting date was over spring break we cancelled our vacation to attend the meeting. It’s too expensive to purchase tickets again. We stopped our lives for this. Please consider the residents as well in this process.

Thank you for your time.

Nicole Gates

Josh Kinkade

From: Elaine Andersen
Sent: Wednesday, March 30, 2022 10:19 AM
To: Josh Kinkade
Subject: FW: Lakeside Memorial Crematory: Please Vote No

-----Original Message-----

From: Patrick Nooren [REDACTED]
Sent: Wednesday, March 30, 2022 9:21 AM
To: Elaine Andersen <eandersen@folsom.ca.us>
Cc: Patrick Nooren <pnooren@biddle.com>
Subject: Lakeside Memorial Crematory: Please Vote No

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To City Manager Anderson.

Hello. My name is Patrick Nooren and I am a longtime resident of El Dorado Hills. My wife and I are currently in the escrow process on a house in Folsom directly across from Lakeside Memorial Lawn Cemetery [REDACTED] Fong St.). Our intent is to live there with our disabled daughter, Dutch, who has Pallister-Killian Syndrome (PKS) and is compromised in a number of ways, including respiratory issues and being wheelchair bound.

This leads us to "why" we are moving. We are looking to downsize into a single-story house with a short, flat, walk to Sutter Street...a rarity in the adjoining neighborhoods...and [REDACTED] Fong is perfect!

While performing my due diligence I came across the upcoming vote on the crematorium and, as a result, I have read each of the "Helix" studies, including the Greenhouse Gas and Emissions study (and amendments). The results of these studies indicate the environmental impact would be statistically insignificant, but fall short of indicating there would be "no impact." In fact, my particular home at [REDACTED] Fong would be within the zone of elevated emissions.

Should this vote approve the crematorium, I will, unfortunately, not be able to continue with the purchase of this, the perfect home. I simply cannot risk the elevated emissions and the potential for a negative impact on my extremely vulnerable daughter.

Please vote no.

While there may be some potential for additional Folsom tax revenue, it is far outweighed by the potential negative ramifications to nearby property values, the Sutter Street experience (and potential odor) and, unfortunately, the health and safety of those who would live nearby with compromised health.


Thank you.

Patrick M. Nooren
President
Biddle Consulting Group, Inc.


<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.biddle.com%2F&data=04%7C01%7Cjkin%40folsom.ca.us%7C90d79ed9c9dc46fd805e08da12715c29%7C1cfb4b4a254c47b48448af71335fd6c0%7C0%7C0%7C637842575334134134%7CUnknown%7CTWFpbGZsb3d8eyJWl%7CjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000&sd=Wo4G0xIbmIENyfrIMVtxUc%2BJVcFCN083jVzdyDzwYo%3D&reserved=0>

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<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.testgenius.com%2F&data=04%7C01%7Cjkin%40folsom.ca.us%7C90d79ed9c9dc46fd805e08da12715c29%7C1cfb4b4a254c47b48448af71335fd6c0%7C0%7C0%7C637842575334134134%7CUnknown%7CTWFpbGZsb3d8eyJWl%7CjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000&sd=g2TYrT85J8gRDXyh4hpxYnGtiKPNrahBTOPqcwWYUSe%3D&reserved=0>

 Fong St. (hopefully)
Folsom, Ca 95630

March 23, 2022

Elaine Anderson, City Manager
Kerri Howell, Mayor
Rosario Rodriguez, Vice Mayor
Sarah Aquino, Council Member
YK Chalamcherla, Council Member
Mike Kozlowski, Council Member

RE: Lakeside Crematorium Application

To the Folsom City Manager and Folsom Council Members:

I am a resident in The Preserve neighborhood, which is directly across the street from Lakeside Memorial Lawn. I am writing this letter to request that you deny Caring Services Group's appeal to build a crematorium at Lakeside Memorial Lawn, and uphold the decision of the Historic District Commission that was reached on February 16, 2022, denying the Applicant's conditional use permit.

There are several details regarding the appellant's Initial Study and proposed Mitigated Negative Declaration (IS/MND) that do not comply with the California Environmental Quality Act (CEQA). Among the shortcomings, the IS/MND does not address key environmental safety and health issues that may significantly affect the surrounding community, despite that fact that there is substantial evidence indicating the potential for such significant effects. It would be very important to achieve a well-informed project review by preparing an environmental impact report (EIR) with all the relevant environmental topics where potential impacts could occur, sufficient substantial evidence to describe the nature and magnitude of potentially significant effects, and feasible alternatives and mitigation measures that could reduce or avoid potentially significant impacts.

A summary of the CEQA inadequacies is presented below:

1. Hazards and Hazardous Materials: The explosion risk and consequences in the event of explosion from two 250-gallon propane tanks are not analyzed. The potential for an explosion is dismissed as not likely without evaluation or evidence. Although there is a low probability of an accident, there would be high impact if it in fact occurred. As an example, the following story is from the website news feed of MTI Industries, a manufacturer of fire alarms, regarding the explosion of a 250-gallon propane tank in Prunedale, Monterey County.

Propane Tank Explodes in Prunedale, 2 Injured (Jul 28, 2011)

Prunedale, CA. Two people are injured after a propane tank exploded in Prunedale Thursday morning, said the North County Fire Department. The propane tank held 250

gallons of propane. The explosion happened around 11 am on the 500 block of Strawberry Road. Both of the victims were taken to the hospital with minor to moderate injuries. Fire officials say that there was a leak in the propane tank that ignited and caused the explosion. Witnesses say that they could feel the explosion all the way across the street. According to the fire department, the explosion sent a shock wave through the house that blew out the windows and shifted the walls of the house.

The concussion wave of explosions can be modeled to address how far damage would occur. The concussion may affect the homes in our neighborhood and travelers on Folsom Boulevard. Also, there is no analysis of exacerbation of wildfire risk if an explosion occurred. All these topics should be addressed in an EIR, because impacts may be significant. The analysis in the environmental study needs to be backed by evidence, analysis, and modeling. If a significant hazard is identified, feasible mitigation must be implemented.

2. Inaccurate/Unstable Project Description. The project description appears unstable and potentially flawed. For CEQA compliance, a project description must be accurate, and it needs to be stable during the course of environmental review.

The IS/MND says no family gathering will occur as a reason to not provide facilities for gathering. This premise is flawed, because it conflicts with the stated objective that the crematorium is designed to serve the customs of the families seeking cremation. Several cultures seek to have family members gather at the cremation site. Facilities would be needed to accommodate them (e.g., a turnaround for a hearse and dropping off family, parking including handicapped spaces, broad walkways to the crematory, seating on the grounds around the crematory).

Also, the IS/MND says no sewer is needed but does not comment on the sanitary needs of the employees working there. Where are comfort stations nearby for employees? Recognizing the likelihood of demand for family gathering, how will the sanitary needs of visitors be accommodated? This is a shortcoming of the project description that could overlook potentially significant environmental impacts related to sewer construction, such as increased tree removal.

The IS/MND states a fixed estimate of the rate of cremations (1 or 2 per day, 500 per year), which is misleading because it does not assume growth in demand. It is reasonable to conclude that the stated rate of cremations is likely underestimated in the future, based on the evidence that there are no local, nearby alternative crematories and the Folsom/eastern Sacramento County/southern Placer County region is projected to grow substantially. In fact, the document takes credit for the lack of nearby facilities through an estimate of reduced vehicle miles traveled to more distant sites, because the surrounding communities and funeral homes would logically use this closer facility. The document acknowledges growing demand with nearby populations over time, but does not account for the growth in demand in the environmental analysis by failing to provide future projections of cremations per day or per year based on that growing demand. Without such a demand-driven estimate, the analysis is short-sighted, inaccurate, and potentially well understated for 5 years, 10 years, or more, in the future.

A revised accurate, credible, and stable project description is needed to address these issues and provide adequate environmental review. With an accurate project description, environmental analyses will likely need to be revised and corrected.

3. Air Quality/Toxic Air Contaminants: If the demand is substantially higher than 500 cremations per year in the future, as questioned in the previous item, the air quality and toxic air contaminant estimates would also be underestimated. Higher emissions may result in significant health impacts, and it is important for neighbors to be able understand the nature and magnitude of potential health impacts. A more detailed study and non-technical explanation of potential health impacts, and if needed feasible mitigation, should be prepared and included in an EIR.

4. Noise: The analysis of noise impacts is without evidence substantiating the noise level generated by the crematory. There are no facts confirming "roughly" estimated noise generations, no evidence from other similar facilities, no document cited in the text, nor any description of noise reduction features. The document says the estimate is "rough", which means it appears to be qualitative, maybe even arbitrary. Noise measurements from other crematories would be easy and cost-effective to obtain as the basis for accurate noise modeling; such measurements are standard practice in CEQA noise studies. Recognizing the early (7:00 am) and late (10:00 pm) operation, the noise impacts during otherwise quiet times of day may be significant, especially single-event noise, or short-term noise during the hour or so of burning. Noise impacts, particularly during quieter times and reflecting growing demand, should be provided in an EIR with feasible mitigation for potentially significant noise effects.

These are the details regarding the appellant's Initial Study and proposed Mitigated Negative Declaration that I believe do not comply with the California Environmental Quality Act. Based on this noncompliance, I would ask that the Applicant's conditional use permit to install a crematorium be denied, upholding the Historic District Commission's vote on February 16.

Sincerely,

Salwa Kasabian
[REDACTED] Forrest Street
Folsom, CA 95630
[REDACTED]

Josh Kinkade

From: Elaine Andersen
Sent: Monday, February 28, 2022 7:44 AM
To: Josh Kinkade
Subject: FW: No Lakeside Memorial Crematorium

From: Sean Gates [REDACTED]
Sent: Sunday, February 27, 2022 3:26 PM
To: Sarah Aquino <saquino@folsom.ca.us>; YK Chalamcherla <ykchalamcherla@folsom.ca.us>; Rosario Rodriguez <rrodriguez@folsom.ca.us>; Mike Kozlowski <mkozlowski@folsom.ca.us>; kerri@atlanticcorrosionengineers.com; Elaine Andersen <eandersen@folsom.ca.us>
Subject: No Lakeside Memorial Crematorium

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

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Council Members,

I live in the Lake Natoma Shores neighborhood with my wife and two young children. This is a wonderful neighborhood. Each house shows pride of ownership. I can look out my front windows and see slivers of Lake Natoma. We have neighborhood access to the trails and lake. The bald eagles fly over my house and perch at the Lakeside Cemetery.

Putting a crematory in the historic cemetery will change all this. I don't want to look out my back windows and see "puffs of smoke" per Igor's words. I want to enjoy the beauty of the cemetery out my back windows. Lake view out the front windows and smoke puffs out the back window. What a contradiction.

I don't want to have to close my windows while 90 minute cremations are happening. I don't want to tell my kids to come in the house and stop playing with the neighborhood kids because the crematory is running.

This effects our quality of life.

During the 1/11/22 city council meeting there was much concern for the preservation of the oak trees with the Toll Brothers at Folsom Ranch Phase 2 Subdivision Project. Ten minutes was spent discussing grading concerns, buffering, and the probability of survival of one oak tree. I hope the Council gives the history at the cemetery, Historic District, open space, and residents of The Preserves/Lake Natoma Shores community as much time, concern, and thoughtfulness as the oak trees received.

Thank you,

Sean Gates

Terry Sorensen
[REDACTED] Forrest Street
Folsom, CA 95630
[REDACTED]

April 3, 2022

City Council
City of Folsom
50 Natoma Street
Folsom, CA 95630

RE: Lakeside Memorial Lawn
Crematorium Conditional Use Permit
(PN-19-182)
Hearing Date: April 26, 2022

Dear Councilpersons:

This letter is submitted in opposition to the request of applicant Igor Semenyuk (hereinafter, Applicant) for a conditional use permit (hereinafter, C.U.P.) allowing the operation of a crematorium on the premises of Lakeside Memorial Lawn, a historic cemetery located in the City. Numerous grounds have been raised in opposition to Applicant's request by various members of the community, but this letter will focus on only one ground; to wit: that Applicant's assertion that "the crematorium, as proposed, is an appropriate accessory use to the existing cemetery" is without merit and therefore cannot provide the basis for the issuance of the C.U.P. sought by Applicant. (emphasis added.)

Applicant's argument that the proposed crematorium should be allowed based solely on its "accessory use" status is set forth on pages 9-10 of the Historic District Commission Staff Report issued by the City. Basically, the argument advanced is that the existing cemetery is the principal (or primary) use of the property whereas "the proposed crematorium would be operating as an accessory use to the existing cemetery, not as a stand-alone business." (emphasis added.)

In support of this argument, the Staff Report relies on Section 4.46 of California Land Use Practice (2021) "Primary and Accessory Uses" by Adam U. Lindgren & Steven T. Mattas which reads as follows: "A primary or principal use is the main use to which the 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.... By definition, an accessory use must be associated with a principal use and cannot be established on a property without a principal use." (emphasis added.)

Obviously, reliance on Section 4.46 in support of the argument advanced in the Staff Report is misplaced in the fact setting a hand, and fatally so. Clearly, the proposed crematory operation could be established and function fully on a non-cemetery property, its existence and operation not in any way dependent on an underlying cemetery business. This is made clear by the City's finding on page 22 of the Staff Report that, of the 16 crematoriums currently operating in Sacramento County, only five are located within cemeteries.

Accordingly, and to quote the Lindgren & Mattas work relied on in the Staff Report, the operation of a crematorium on the cemetery property in question would not, "by definition," constitute an accessory use. To the contrary it would be operating as a stand-alone business. As such, Applicant's attempt to piggy-back its way to C.U.P. status by way of the proposed crematorium's "accessory use" status must be rejected, and the request for a C.U.P. denied.

Respectfully submitted,

/s/

Terry L. Sorensen
dg/TS

email: City Councilpersons and City of Folsom Staff
kerri@atlanticcorrosionengineers.com; rrodriguez@folsom.ca.us; saquino@folsom.ca.us;
ykc@folsom.ca.us; mkozlowski@folsom.ca.us; kmullett@folsom.ca.us; jkinkade@folsom.ca.us;
sbanks@folsom.ca.us; sjohnson@folsom.ca.us; pjohnson@folsom.ca.us

Josh Kinkade

From: Nicole Gates [REDACTED]
Sent: Sunday, April 17, 2022 5:43 AM
To: Elaine Andersen; Sarah Aquino; kerri@atlanticcorrosionengineers.com; Mike Kozlowski; YK Chalamcherla; Rosario Rodriguez; Josh Kinkade
Subject: No crematorium

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Council Members,

I have sent previous emails but none have touched on the emotional toll this has taken on me and my family. This proposed crematorium is effecting our sleep and mental health. I used to be a sound sleeper, but recently I am such an insomniac over thoughts and nightmares of the crematorium coming in. I write and research when I should be sleeping. I've been getting migraines for the first time in my life. I realize this sounds dramatic, but it's very true. This is the definition of stress.

I am so proud of my neighbors and family who are fighting so hard against this. I am not trained and educated to fight a city and business. I am, however, a mother, wife, daughter, sister and auntie to other families that live in the Preserves. I want my children, niece, and future niece/nephew living in a neighborhood where propane trucks aren't constantly rattling in. I don't want them knowing that when they see a puff of smoke or smell the smell of cremation they need to stop playing basketball or riding their bikes to come home and close the windows. I tried to shield my young kids about what we were fighting against in the neighborhood. This didn't last long with all the protest in the neighborhood. This has effected our quality of life already!

I drive around with "No Crematorium" magnets on my car. Everyday I take them off when I'm picking my kids up from school. I don't want to traumatize other kids the same way mine are being traumatized. They shouldn't have to know at an elementary school what a crematorium is.

I love the peaceful cemetery with animals. I have nothing against cemeteries or cremation, but this is not the right location for it. The cemetery was here before the neighborhood, but the neighborhood was here before the proposed crematorium.

Should this crematorium proposal pass, I will call to report every time there is odor. I will call every time there's smoke. I will call if there is after hours burning. I will call if ANYTHING from Lakeside disrupts the neighborhood.

I would like to add that I personally collected numerous signatures on the petition from people inside the Lake Natoma Shores neighborhood who use the trail to Lake Natoma that's located on Young Wo Circle. It's not just the people in this neighborhood who don't want the crematorium here, it's people from the greater Folsom area that use the neighborhood for recreation. Please listen the the public outcry!

Folsom's City Council motto, " The Folsom City Council is dedicated to ensuring Folsom's high standards for public health, safety, and quality of life."

I will protect my children's quality of life. Please help me protect it. I hope the council keeps their motto in mind during their vote.

Thank you,

Nicole Gates

Attachment 7

Public Comment Letters Received After Publication of the April 26, 2022 Staff Report

Peter Lucyga
[REDACTED] Young Wo Circle
Folsom, CA 95630
[REDACTED]

April 27, 2022

Mayor Kerri Howell
Vice-Mayor Rosario Rodriguez
Sarah Aquino
YK Chalamcherla
Mike Kozlowski
Christa Freemantle, City Clerk
City Council
50 Natoma Street
Folsom, CA 95630

Via E-mail

Pam Johns, Community
Director
Josh Kinkade, Associate Planner
Community Development
City of Folsom
50 Natoma Street
Folsom, CA 95630

**RE: UPDATE FROM COUNCIL MEETING OF APRIL 26, 2022 – LAKESIDE MEMORIAL LAWN
CREMATORIUM (PN 19-182)**

**Dear Mayor Howell, Vice-Mayor Rodriguez, Councilmembers Aquino, Chalamcherla and Kozlowski,
Director Johns, Ms. Freemantle, and Mr. Kinkade,**

I really appreciated the opportunity to provide citizen input at yesterday's Council Meeting, it was my first time in the chambers. I was the speaker who suggested that the city consider providing an incentive (tax or otherwise) to facilitate the siting of a crematorium at an alternate location further away from residential and especially the Historic District.

I have two additional insights after this meeting which I'd like to share with all.

#1 – Why the focus on needing a crematorium with Folsom city limits? The city and residents of Folsom leverage numerous other key services from Sacramento County instead of having it provided by the city itself or by businesses within city limits. A few examples:

- **Weekly residential and commercial trash disposal** – Folsom doesn't insist on its own landfill, we use Kiefer landfill for this important **service function**. I know because I've had occasion to use Kiefer and always seem to see Folsom "Distinctive by Nature" painted dump trucks there.
- **Electric utility** - Folsom doesn't insist on having its own electric utility, it uses SMUD for this important **service function**.
- **Folsom Police Department** - Folsom doesn't insist on having its own "Police Academy" to train new police officers, it relies on other larger police departments like the City of Sacramento to

conduct Police Academy training for this important **service function**. I know this because a relative is attending the Sacramento Police Academy next month.

#2 – Cremation as a Service function. I took a fresh look at the funeral process to connect the dots a bit better, at least for myself. The base components are:

- **Funeral home – a service function** not usually located on cemetery property. It's a business housed in a business-zoned area that provides families with body preparation and funeral services such as viewing.
- **Cemetery – a physical plot of land** for the express purpose of burying or housing the remains of the deceased. Traditionally cemeteries have cultural or religious significance and are considered sacred by many people, not to mention having historic significance as in this case. *There is a service ceremony with burial but primarily it's a sacred resting place for the deceased.*
- **Crematory – a service function** usually not located on cemetery sites themselves. It's a business housed in a business-zoned area. As explained by Mr. Semenyuk, the cremation process is typically done by an attendant and can be facilitated by a live video feed if desired by the relatives or friends of the deceased. This provides great flexibility on location, since a crematory is basically a giant industrial oven.

In reflecting on the wishes of my own parents before they passed, both asked to be buried in family plots. I have relatives who chose cremation and not one stated *"I wish my cremation process takes place in Auburn, Folsom, San Diego"*. What you do hear is that *"Please scatter my ashes in the Pacific Ocean, at Lake Tahoe, the mountains, or keep them at home with family"*.

My main point is that the physical cremation facility is really suited to a flexible location as a service function, even more so than a funeral home. Folsom is within Sacramento County and we leverage numerous services from the county as stated above. Why struggle to find a suitable Folsom location of greater than 500 feet from residential areas when Sacramento County offers locations with 15-20 minutes' drive that easily exceed the 500 or even 5,000 feet boundary? I see a great business opportunity for a Sacramento County sited location that can provide high volume services to multiple cities throughout the Sacramento area.

As a minor point with the stated quantity of possible cremations, it was claimed that a maximum of 4 per day could take place daily with a 500 annual limit. Given there are 365 days in the year and regardless if cremation days are 5,6 or 7 days a week, the math always exceeds 500 annually.

Please consider my additional insights and do not allow crematory operations to take place in our historic area cemetery.

Sincerely,



Peter Lucyga

Terry L. Sorensen
[REDACTED] Forrest Street
Folsom, CA 95630

May 02, 2022

City Council
City of Folsom
50 Natoma Street
Folsom, CA 95630

RE: Lakeside memorial Lawn
Crematorium Conditional Use Permit
(PN-19-182)
Hearing Date: May 10, 2022

Dear Councilpersons:

Please accept this correspondence as my attempt to summarize the written submissions that have been made to date by concerned citizens on the "loss in property value" issue that has been raised in this matter.

The issue is addressed forcefully in a 4-20-22 email to the City from Victoria Foster, a resident of The Preserve and a realtor with Interio Real Estate Services (page 9 of 4-26-22 Additional Information Transmittal). She has been a realtor for over 30 years and works full-time at Interio. She asserts that "being next to a crematorium will absolutely affect our property values.... Some homeowners stated they will feel compelled to move. This absolutely will affect our home values and eliminate a large number of buyers not only for health concerns, but yes, the creep factor." She further opines that all of this will cause a loss of home values of "tens of thousands of dollars and possibly even more...compared to other areas in Folsom because we have a crematorium dropped in our neighborhood."

Ms. Foster states that the California Association of Realtors requires that a seller of real property fill out a Sellers Property Questionnaire which constitutes a mandatory disclosure document that must be included in every sales transaction. She points out seven difference paragraphs on page 4 thereof which would require the seller to make disclosure of the existence of a crematorium in the area. In her words: "It's not something to be taken lightly." She adds that "No buyer coming to Folsom has ever asked me, 'how is your crematorium her?'" They come...and they stay for the quality of life – not death."

Nearly identical in tone and substance is an email dated 9-13-21 from RE/MAX Gold real estate agent Barbara Krieger (Staff Report Part 1 of 2, page 330). She recounts her inability to sell a property that she recently listed "in the beautiful Historical District of Lake Natoma Shores because of buyer concerns about the crematorium going in." The third paragraph of her email merits a verbatim quotation:

"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 from 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 this is occurring at all.”

Another “decrease in property value” comment is found at pages 456-7 of the Staff Report, Part 1 of 2, a 7-20-21 email from Preserve resident Kim Higgins. On the second page of that email in the next-to-the last paragraph, she references an article by Mark Agree dated June 19, 2008 from “Applied Economics Magazine” that analyzed 27 months of home sale data (7 months before and 20 months after the startup of crematory operations) in which it was concluded “that proximity measured in terms of direction and distance from the crematory, imparts a statistically significant negative impact on average home sale prices,” the prices increasing the further the home was from the crematory.

Ms. Higgins concludes her email with these comments: “California disclosure law requires us to disclose. Not many people desire to live near one. Do you?...Our quality of life will be affected if the crematorium goes forward. Honestly, would you want this in your backyard?”

At pages 144-5 of the Staff Report, Part 2 of 2, we find another email from realtor Victoria Foster who identifies herself as a resident of the Preserve living on Young Wo Circle. She voices numerous objections to the proposed crematory. Finally she focuses on decreased property values on the second page of her email, as follows:

“Lastly, I am a local Realtor and it will DECREASE OUR HOME VALUES in the Preserves/Lake Lake Natoma Shores if a crematorium is built...I have 3 clients that want to buy in this neighborhood – two of them will not reside here if a crematorium is built and my 3rd client Liz Chighizola has stated to me, she would want the crematorium to be put in because home prices would then drop here and then she would finally be able to afford this neighborhood. Really?? How is it OK for this business to decrease our home values??”

Last, I would invite the attention of the members of the Council to an email dated March 30, 2022, from Patrick Nooren of El Dorado Hills (Staff Report, Part 2 of 2, page 618). I would classify this email as a “cross-over” between the issue of property values and the issue of health concerns raised by the proposed crematory. In any event, I found the email heart-wrenching, dealing as it does with the proposed crematory crushing the hopes of Mr. Nooren to obtain the “perfect” home on Fong Street for his disabled daughter (wheelchair-bound with respiratory issues and compromised in a number of other ways due to PKS). As Mr. Nooren puts it: “Should this vote approve the crematorium, I will, unfortunately, not be able to continue with the purchase of this, the perfect home. I simply cannot risk the elevated emissions and the potential for a negative impact on my extremely vulnerable daughter.”

In closing, I would like to raise a personal concern/irritation in regard to the manner in which many of the issues on the crematory question have been framed. To put it bluntly, I am sick and tired of hearing it implied (if not flat-out asserted) that the residents of the Preserve are motivated by a selfish, “not-in-my-backyard” (NIMBY) attitude, using that attitude to deprive the Applicant of his property rights. Nothing could be further from the truth.

No one is claiming that the Cemetery does not have the right to exist and do business as a cemetery. The Cemetery has preexisted the Preserve residential development by many, many years. However, that certainly is not the case with the crematory. With the crematory, the situation is reversed with the Preserve preexisting even a claim by the Applicant of any right to establish a crematory on the Cemetery property. To put the issue in “territorial” terms, the Applicant is the “intruder” on the crematory issue, not the residents of the Preserve. It is the Applicant who is taking the role of the

aggressor here, not the residents. The residents are OK with the Applicant pursuing his cemetery business, but not OK with the Applicant opening a new business enterprise (i.e., a crematory) that interferes with and diminishes the preexisting private property rights of his neighbors.

Respectfully submitted,

/s/

Terry L. Sorensen

email: City Councilpersons and City of Folsom Staff

kerri@atlanticcorrosionengineers.com; rrodriguez@folsom.ca.us; saquino@folsom.ca.us;
ykc@folsom.ca.us; mkozlowski@folsom.ca.us; kmullett@folsom.ca.us; jkinkade@folsom.ca.us;
sbanks@folsom.ca.us; sjohnson@folsom.ca.us; pjohns@folsom.ca.us

From: [REDACTED]
To: kerri@atlanticcorrosionengineers.com; [Rosario Rodriguez](#); [Sarah Aquino](#); [YK Chalamcherla](#); [Mike Kozlowski](#); [Kelly Mullett](#); [Josh Kinkade](#); [Steven Banks](#); [Scott Johnson](#); [Pam Johns](#)
Cc: [REDACTED]
Subject: Lakeside Cemetery Project RE: Chung Wah Cemetery National Register of Historic Places
Date: Wednesday, April 27, 2022 3:04:56 PM
Attachments: [ChungWahCemetery_Natnl_RegHistPl.pdf](#)
[Historic Preservation Master Plan plus Cultural Resources Inventory](#)

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Dear Council Members and Staff,

There was a brief discussion at last night's City Council Meeting regarding the significance of the Chung Wah Cemetery and its National Register of Historic Places status. Attached please find the national application finalized for Folsom's Chung Wah Cemetery to the National Register of Historic Places on March 21, 1995. This application was submitted by Mary L. Maniery, Historian and Cindy Baker, Historian. The national importance of this Chinese Cemetery to the nation's founding, contains valuable information about the Chinese pioneers and events they participated in critical to the founding of the American West, the City Folsom, and the State of California. The Chung Wah is of national importance.

The authentication of the Chung Wah Chinese Cemetery was archived at:

- the Folsom Historical Society and History Museum in Folsom,
- the Chinese Historical Society of America in San Francisco,
- the Sacramento County Archives and Museum Collection Center in Sacramento,
- and the California State Historic Preservation Office.

The Chung Wah Cemetery, the Young Wo Cemetery, along with all eight of the small Lakeside Cemeteries, together, were included in the City of Folsom's Historic Preservation Master Plan and Cultural Resources Inventory List, adopted by the City of Folsom on November 5, 1998. The authentication of these cultural resources and sites on the Cultural Resources List was archived at:

- The City of Folsom;
- The Folsom Historical Society and History Museum;
- referenced in Folsom Zoning Code 17-57 Historic District;
- and referenced in Folsom's Historic District Design and Development Guidelines.

How could ECorp's Cultural Resources report, contained in the 2022 Lakeside Memorial Lawn Crematorium Project, have missed all of these publicly available environmental documents in its Cultural Resources report for inclusion in the Initial Study and the C.U.P. Mitigated negative Declaration?

Indeed, how could the Community Services Director have missed cultural significance of these environmental documents for inclusion in the Staff Report's Initial Study and Mitigated Negative Declaration?

This information is critical to the Findings that the City Council will make on the Lakeside

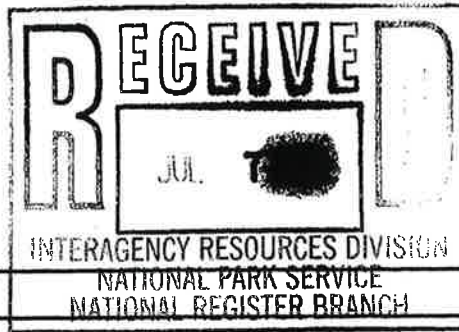
Memorial Lawn Crematorium Project proposal and C.U.P.

Sincerely,

Deborah Grassl

999

United States Department of the Interior
National Park Service



**NATIONAL REGISTER OF HISTORIC PLACES
REGISTRATION FORM**

1. Name of Property

historic name: Chung Wah Cemetery

other name/site number: Sze Yup/Sam Yup Cemetery

2. Location

street & number: Mormon Street vicinity

not for publication

city/town: Folsom

vicinity

state: California

code: CA

county: Sacramento

code: 067

zip code: 95

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1986, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register-criteria. I recommend that this property be considered significant nationally statewide locally. (see continuation sheet for additional comments.)

[Handwritten Signature]

6/6/95

Signature of certifying official

Date

California Office of Historic Preservation

State or Federal agency and bureau

In my opinion, the property meets does not meet the National Register criteria. (See continuation sheet.)

Signature of commenting or other official

Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that this property is:

Signature of Keeper of Action

Date

- entered in the National Register
 - See continuation sheet.
- determined eligible for the National Register
 - See continuation sheet.
- determined not eligible for National Register
- removed from the National Register
- other (explain): _____

[Handwritten Signature]

3/21/95

5. Classification

Ownership of Property
(check as many boxes as may apply)

- private
- public-local
- public-State
- public-Federal

Category of Property
(check only one box)

- building(s)
- district
- site
- structure
- object

Number of Resources within Property
Contributing Noncontributing

	1				buildings
					sites
					structures
					objects
	1	0			Total

Number of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing)

N/A

Number of contributing resources previously listed in the National Register

None

6. Function or Use

Historic Functions
(Enter categories from instructions)

FUNERARY/cemetery
FUNERARY/graves/burials

Current Functions
(Enter categories from instructions)

FUNERARY/cemetery

7. Description

Architectural Classification
(Enter categories from instructions)

OTHER/shrine
OTHER/vault

Materials
(Enter categories from instructions)

foundation CONCRETE, BRICK
roof
walls BRICK, STONE/cobbles
other

Narrative Description

(Describe the historic and current condition of the property on one or more continuation sheets.)

8. Statement of Significance

Applicable National Register Criteria

(Mark "x" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A** Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B** Property is associated with the lives of persons significant in our past.
- C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D** Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply)

- A** owned by a religious institution or used for religious purposes.
- B** removed from its original location.
- C** a birthplace or grave.
- D** a cemetery.
- E** a reconstructed building, object, or structure.
- F** a commemorative property.
- G** less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance

(Enter categories from instructions)

ETHNIC HERITAGE/Asian

RELIGION

Period of Significance

1906 - 1946

Significant Dates

Significant Person

(Complete if Criterion B is marked above)

Cultural Affiliation

Architect/Builder

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

Bibliography

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67) has been requested
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey # _____
- recorded by Historic American Engineering Record # _____

Primary Location of Additional Data:

- State historic preservation office
- Other state agency
- Federal agency
- Local government
- University
- Other

Name of Repository:

Sacramento Archives and Museum Collection Center
Chinese Historical Society, San Francisco,
Folsom Historical Society, Folsom

10. Geographical Data

Acreeage of Property 2.616 acres

UTM References

(Place additional UTM references on a continuation sheet.)

	Zone	Easting	Northing	Zone	Easting	Northing
1	10	657000	4281540	3		
2				4		

See continuation sheet

Verbal Boundary Description

(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification

(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

Name/Title: Mary L. Maniery, Historian/Cindy Baker, Historian

Organization: PAR ENVIRONMENTAL SERVICES, INC./City of Folsom Date: February 21, 1995

Street & Number: P.O. Box 160756 Telephone: (916)739-8356

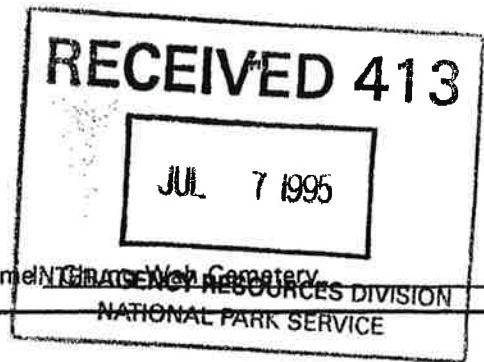
City or Town: Sacramento State: CA ZIP: 95816

United States Department of the Interior
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET**

Section number 7 Page # 1

Property Name Chung Wah Cemetery
AGENCY RESOURCES DIVISION
NATIONAL PARK SERVICE



SUMMARY

Folsom's Chung Wah cemetery encompasses 2.616 acres of land south and west of Block 70 and on parts of Lots 7, 8, 9, and 10. Located on a bluff near today's Lake Natoma, the cemetery is surrounded by dredge tailings, native oaks, and mature grey pines. Its features include burial mounds, exhumation depressions, brick-lined vaults, a burning pit, and the remains of a shrine. Although subject to vandalism in the 1960s, this site retains a high level of integrity. Its physical separation from the main Folsom cemetery, haphazard arrangement of burial mounds and pits, lack of formal landscaping, and rural setting increases the integrity of setting, feeling, and association that cloaks the site.

DESCRIPTION

The town of Folsom, located in eastern Sacramento County, once housed a flourishing Chinese community. Two cemeteries were associated with the community and were owned and maintained by different associations. The Yeong Wo Association's plot currently is landscaped and partially obscured by a building and retains no surface reminders of its use as a burial ground for members of the Yeong Wo association. The Chung Wah cemetery, used by members of the Sze Yup and Sam Yup associations, is the larger and probably older of the two cemeteries and retains numerous features and burials.

The present 2.616-acre site includes parts of Lots 7, 8, 9, and 10 of Block 70, then extends south and west to the Bureau of Reclamation property line. The larger portion of this cemetery lies outside the original 1855 town limits depicted on Theodore Judah's plat map for the City of Folsom (see Maps 1 and 2). The Chung Wah cemetery is near Folsom's non-Asian cemetery, which dates to the 1850s. Chinese burials in the motherlode region were typically located in segregated sections of non-Asian cemeteries. The Chung Wah is close to the other cemetery, but is a separate, remote site.

The site's irregular shape suggests it was haphazardly planned, perhaps beginning with a few Chinese burials and then spreading out as more Chinese died in Folsom over the years. The lack of historical photographs and maps for the cemetery precludes an accurate description of its early physical appearance. Oral testimony presents an image of the cemetery in the 1920s to the 1940s, allowing for a reconstruction of the cemetery's physical appearance. Physically, the site was located on the outskirts of town. Dredging occurred around the perimeters of the site in 1907 and 1908 (Map 3), but the cemetery plot was left undisturbed. Throughout its period of use it nestled on the bluff near the American River, surrounded by dredge tailings or steep escarpments leading to the American River.

The Chung Wah plot was accessed from the north by passing through a gate. A wagon road led east, then south and west, traversing the perimeter of the cemetery (Map 4). The road exited out the southwest side of the cemetery, allowing mourners to enter at the gate, travel around the cemetery, and leave without backtracking or crossing over their entry path. Graves were dug wherever there was room, with no specific orientation or layout. People were buried in shallow graves about two feet deep and were covered with a mound of earth. The earthen mounds were often touching or at angles to each other and protruded about two to three feet above the ground surface. Occasionally wooden markers or inscribed bricks marked the surface of graves. More often than not, however, graves were unmarked. As one Chinese-American related, it was better to be "unmarked and undisturbed" (G. Chan, Jr. 1994). While the deceased were often not identified by surface grave markers, other markers of bricks, stone, or wood inscribed with name, date, association affiliation, and ancestral village or province were placed in the graves to assist in identification of remains during exhumation.

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**NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET**

Section number 7 Page # 2

Property Name Chung Wah Cemetery

Scattered in and around the mounds were depressions from the exhumation of bodies. While bodies were carefully exhumed, the pits were not backfilled (and could have been used for future burials) and the pits were interspersed with the mounds. While the majority of exhumed remains were sent to China for reburial, others were placed in urns and reburied at the Chung Wah cemetery. Graves were not well-tended, aside from yearly ancestral ceremonies. The Chung Wah cemetery was not landscaped with lawns, benches, domestic trees or shrubs, or other landscaping elements typical in a non-Chinese burial site. Instead, the cemetery was left in a natural state and its appearance matched that of the surrounding vacant fields, seasonally covered with grasses with occasional scattered native oaks or grey pines. The road was sometimes kept clear by mowing, but the mounds were often overgrown.

Apart from the mounds and pits several burials were placed in brick-lined, rectangular-shaped vaults that were laid into the ground. A large depression was dug just inside and to the south of the entry gate and served as a burning pit where the belongings of the deceased were set afire. A rectangular brick, cobble, and concrete shrine, used during the *Ch'ing Ming* ceremony, was in place on the west side of the cemetery by 1940 and was likely constructed by the 1920s or before. This shrine stood approximately four feet high, and was eight feet wide and 13 feet long.

By the 1930s, the Chung Wah cemetery was still in use, although declining, as only a few families remained in the area to tend to the graves of their deceased relatives and friends. In the early 1940s, brick markers still remained on some of the grave mounds, and some lay scattered around. In addition, the burning pit and shrine were still in use into the 1960s.

In 1967 vandals desecrated the cemetery. The graves of Chin Oak, his wife, Ping Woo Choy, and Chin Lai Shee were uncovered and their coffins smashed. The Chan family discovered bones left scattered on the ground (H. Chan, Sr. 1981). The vandals also destroyed the shrine, believing it to be the grave of a wealthy person (*Sacramento Bee* n.d.). A deep hole extending below the shrine foundation attests to this vandalism. Jewelry stolen from the graves was sold and was later traced to San Francisco pawn shops. Those responsible for the desecration were only charged with public health laws concerning unlawful digging in a cemetery (G. Chan, Jr. 1991). The Chans reburied their family's remains on site and covered the graves with a concrete slab. A brass grave marker was set flush into the concrete at this time and is the only marker currently visible at the cemetery.

Today the cemetery retains much of its original appearance (see Map 4). The wagon road, while overgrown, can still be traced around the perimeter of the site. The cemetery contains between 75 and 100 mounds, many barely discernible due to settling. The mounds vary from only a few inches to about two feet in height. Their location is haphazard, with many perpendicular to each other and arranged in no set pattern. Exhumation pits, ranging in depth from six inches to several feet, are interspersed among the mounds. The entire burial site is overgrown with tall grasses, thistles, and encroaching vegetation and appears hummocky. This untended appearance, however, is in keeping with the historical appearance of the site as related by numerous people in Folsom. The graves of Chin Oak and his kin are clearly marked, covered by a large concrete slab with a flat brass monument.

The burning pit is evident inside the gate, although immature oaks and vegetation are growing inside it. An ash lens attests to its past use. While the shrine was dismantled by the vandals, its foundation and part of its cobble and brick walls are still intact (Map 5). One rectangular brick-lined vault, now empty, is exposed and evident along the west edge of the fence line. The vault is four feet wide, eight feet long, and about four feet deep. Four courses of brick are present around the top of the vault. In addition to its physical features, the site remains secluded, tucked between dredger tailings and an undeveloped area along Lake Natoma and physically separated from the Folsom cemetery by a vacant lot. Its seclusion, hummocky appearance, and intact features all contribute to the sense of peace and timelessness that pervades the site, adding to the integrity of feeling and association so apparent at the cemetery.

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National Park Service

NATIONAL REGISTER OF HISTORIC PLACES CONTINUATION SHEET

Section number 8 Page # 1

Property Name Chung Wah Cemetery

SUMMARY

The Chung Wah cemetery in Folsom is unusual for its strong association ties and ownership, for its continued existence in an area that has been extensively mined, and for the intact associated features. Folsom's Chinese community once contained the homes, businesses, and gardens of hundreds of people. Today, only this cemetery remains as the last visual reminder of a rich heritage and a viable Chinese population that once flourished in town. Acquired in 1906, the cemetery also represents strong district association relationships that were maintained in Folsom well into the twentieth century. It has numerous features associated with historical use, including burial mounds and vaults, exhumation depressions, a burning pit, and a shrine foundation, all attesting to the overall physical integrity of the cemetery and reflecting the spiritual beliefs and practices of the association members. The sense of time and place evident when standing in the cemetery grounds is strong. The historical and ethnic associations of the cemetery, combined with its high level of physical integrity, contribute to its importance under Criterion A, Consideration D and G. The last burial occurred in 1946, ending a 40-year period of use and representing the decline of the Chinese community in Folsom.

HISTORICAL CONTEXT

Folsom's Chinese Heritage

Chinese men and women have lived in Folsom since the California gold rush. Arriving as miners, laborers and merchants, their numbers gradually climbed through the 1850s and 1860s, sharply rose during the 1870s and peaked in the 1880s. Exclusionary immigration laws, dwindling mining and labor opportunities, and racial tension precipitated a steep population decline during the 1890s and 1900s. By the early twentieth century, only a handful of the original Chinese community remained. Today the Chan family is the last remaining fragment of what was once a large and flourishing community.

Gold Rush Era

The start of large-scale Chinese immigration to California dates to the early months of the gold rush. News of the discovery of gold drew thousands of Chinese to California from throughout the Pearl River delta in South China, particularly the City of Canton. Given the political unrest, worsening economic conditions, and the repressive Manchu rule in China in the mid-nineteenth century, reports of the fabulous *Gum Shan* (Mountain of Gold) became even more appealing, resulting in a mass immigration to California, primarily by people from the Kwangtung Province (cf. Chinn 1969; Chiu 1967; Hoexter 1976; Lai and Choy 1972; Sung 1967). Immigration records from the Customs House in San Francisco attest to this migration: 325 immigrants recorded in 1849, 450 in 1850, and 2,716 in 1851. This number jumped to 20,000 in 1852 (Chiu 1967:12; Hoexter 1976:10; Lai and Choy 1972:45).

Some scholars estimate that one in ten newly arriving Chinese remained in San Francisco, while the others headed out to either the northern or southern mining regions (Chinn 1969; Chiu 1967; Williams 1930). In the first few years of the gold rush, mining in the northern region focused on the American River because of its proximity to Sacramento (Williams 1930). It is probable that by late 1849 Chinese arrived at Negro Bar, predecessor to the town of Folsom, where they either stopped to mine or continued up the river.

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Section number 8 Page # 2

Property Name Chung Wah Cemetery

Typically, a Chinese merchant would set up shop in a central location in a mining region to sell food, supplies, and clothing to both his countrymen and Anglo miners. Often the store owner would start serving tea to his kinsmen in the back of the store and, if interest was high, might expand into a restaurant business, selling Chinese delicacies as well as beef steaks to American miners (Hoexter 1976:61-62). If business was steady and profitable, a back room might have housed a few fan-tan or domino tables, or other diversions. Sometimes, a woman might be brought in to entertain the miners. As one merchant thrived, others might join him and a Chinatown would grow. In larger mining towns, one or more temples would be erected by local Chinese leaders or benevolent associations to allow immigrants to offer prayers to the gods (Hoexter 1976:62).

From such humble beginnings a Chinatown would emerge, as was probably the case at Folsom. While there is some indication that at least one Chinese merchant was operating at Negro Bar in 1852, the location of this center is uncertain (J. Chan 1992; *The Telegraph* 1966). It is probable that the Chinese center of Negro Bar in 1852 was situated upstream and separated from the Anglo camp, at or near the area known as Chinatown today. The first evidence of a Chinese presence centered in Folsom is found in the first assessment plat of the newly formed town of Folsom, completed in 1855. According to the 1855 Folsom Map Book, Chinese owned lots or owned improvements on lots on Blocks 8, 9, 10, and 19. In addition, they had a church located in Block 11 (Sacramento County 1855).

In the late 1850s, as the initial gold rush ended and claims were abandoned, many Chinese miners arrived in the region to rework old claims or work as laborers for the Natoma Company. While usually residing at their mining claims, these men contributed to the growth of the local Chinatown, frequenting it on their day of rest. The local benevolent association hall (You See Tong) probably served as a social center for the men, providing mail from home, news of friends, gambling diversions, and tea or food. Barbers and doctors took care of personal hygiene and health needs, while the many stores offered a variety of supplies (United States Bureau of the Census 1860).

A Flourishing Community - 1860 to 1900

Folsom's Chinatown continued to expand rapidly in the 1860s, fed in part by miners retreating to the town to escape escalating racial violence. Trouble continued in the region in the 1860s, but Chinese miners found other ways to earn a living. While independent miners and companies were driven off their claims and harassed, hundreds of others were being employed to work on Anglo-owned claims, particularly in hydraulic and ground sluicing operations. The Natoma Company also hired Asian laborers to work their property, especially after 1864 when they acquired legal title to the eastern half of the historic Rancho de los Americanos (Castaneda et al. 1984:83).

As gold deposits dwindled and Anglo miners left the region, independent Chinese miners and companies once again began working old tailings and claims and the population increased in number. This general pattern is evident in the census records. In 1860, 94 miners were enumerated within the Chinese district of Folsom. In 1870 this number increased to 187. In addition, at least 370 miners were living in camps outside Folsom, but likely visited town occasionally to obtain supplies (United States Bureau of the Census 1860, 1870). By 1879 some 3,000 Chinese were said to be mining in the Folsom area (Askin et al. 1980:11; Plimpton n.d.). It is probable that many of these miners lived at least seasonally in Folsom and used it as a residential base.

During the 1880s, Chinatown continued to grow. This growth was related to anti-Chinese sentiment throughout the region in the late 1870s. As racial violence forced miners and laborers out of the countryside and surrounding communities, they often retreated to Folsom. The San Francisco *Alta* reported trouble in the region in 1878, noting that

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NATIONAL REGISTER OF HISTORIC PLACES CONTINUATION SHEET

Section number 8 Page # 3

Property Name Chung Wah Cemetery

Chinese expelled from Rocklin, Roseville, and Penryn had gone to Folsom "where a camp of several hundred strong has been formed" (*Alta* 20 September 1878; Bancroft n.d.:37). This pattern continued for years.

In the midst of this period of economic prosperity and peak population, two Chinese associations purchased land for Chinese cemeteries. Yeong Wo & Company purchased Lots 3 through 8 of Block 40 from James and Mary Harris for their cemetery in 1883 (Sacramento County 1883). Two years later, Chung Wah Company purchased Lots 6 through 11 of Block 71 from James S. Meredith for \$190 (Sacramento County 1885b).

The Chinese living in town who did not own stores typically formed small companies to mine claims, or went to work for others. The Natoma Company continued to be the major source of employment during the 1880s. The company hired Chinese as employees and paid them \$1.00 a day, or rented land to them for mining. Company records note several mining companies buying water from the Natoma Company in 1882 (Plimpton n.d.). As employees, Chinese worked building, maintaining and clearing water ditches, as well as on company agricultural operations.

While manuscript census records are not available for 1890, Folsom's Chinatown appears to have continued to flourish during the late 1880s and 1890s, despite tepid local efforts to eliminate the Chinese from the city. In fact, Chinese advertisements in the local paper indicate a growing interaction with the non-Asian community. Three companies placed business ads in the *Folsom Telegraph* beginning in 1889: Fong Lee Lung, whose store carried groceries and miners' supplies; Cop Kee, a grocer; and Wing Sing Wah, a grocery store owned by merchant Chin Oak.

In 1893 an undetermined epidemic killed many Chinese in Folsom. The local paper reported that "Chinatown is full of sick heathens . . . and the number of deaths is greater than ever before known in history" (*Folsom Telegraph* 4 November 1893). Perhaps this epidemic, striking near the peak of Chinatown's population, marked the beginning of the community's gradual decline. The decline was also aided by the development of dredging in the region, an activity that effectively ended mining by small, independent companies around Folsom (Askin et al. 1980:13).

Decline - 1900 to 1946

As a new century dawned, Chinatown was holding its own. The 1900 census records depict a decrease in population within Chinatown since 1880, but only by 30 people. The district still had 13 merchants or grocers (three less than 1880), shoemakers, barbers, clerks, gardeners, cooks, butchers, launderers, restaurant owners, and gamblers (United States Bureau of the Census 1900). The main difference in 20 years is the numbers of Chinese within Granite Township but living outside of Folsom. This number fell from about 300 in 1880 to only 27 in 1900. Without the hundreds of miners and laborers frequenting Chinatown on days off, the economy within the district began to fail (Castaneda et al. 1984).

Ideally the decline of Chinatown would have occurred gradually, but was unfortunately hurried by fire. In August 1901 a big fire broke out in Chinatown at 3:00 a.m. According to the *Folsom Telegraph*, the fire started near the Tong Hing store (southwest corner of Block 9) and ended up consuming half of Chinatown. Firecrackers, bombs, and an oil tank helped spread the fire (*Folsom Telegraph* 17 August 1901).

By 1910, census records indicate only five merchants remained in town, compared to the 13 listed in 1900 (United States Bureau of the Census 1910). A few Chinese-operated laundries, some of whom had relocated on Sutter Street after a major fire, were still open (Sanborn Company 1899, 1910) and several Chinese cooks were privately employed (United States Bureau of the Census 1910).

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CONTINUATION SHEET

Section number 8 Page # 4

Property Name Chung Wah Cemetery

Over the next ten years Chinatown declined rapidly. In 1913 the old Chinese temple located on a knoll in Block 11 burned down. This building had stood on the same spot since the early 1850s and was a fixture in the district. By the time it burned, however, the paper noted that it was "little used of late due to the small number of Chinese remaining in this community" (*Folsom Telegraph* 20 June 1913; Plimpton n.d.a). By 1920 two Asian merchants remained in town, among them Chin Oak and his family store on Sutter Street, along with the three laundries and a few cooks. Only 26 Chinese were enumerated in Granite Township that year, most of whom lived on Block 10 in Folsom or on Sutter Street (Sacramento County 1921; United States Bureau of the Census 1920).

When Chin Oak died in 1924, the last pioneer Chinese in Folsom was laid to rest, signaling the end of the original gold rush Chinese community. His family continued to live and work in town, although the other few remaining Chinese families moved away looking for opportunity elsewhere over the next two decades. By 1925, non-Chinese residents were building new residences on abandoned sections of Folsom's historic Chinese district (Sanborn 1925). Chinatown dwindled to a couple of old stores, which were all gone by the late 1930s (Fong 1994). Some Chinese bachelors remained in Folsom until their death.

During the 1920s and 1930s, other Chinese families who had left Folsom occasionally returned to bury family members and to perform the annual ceremonies at their family grave sites. The shrine was intact and in use during the early 1940s (Puffer 1994). After her death in 1946, Chin Lai Shee became the last Chinese person interred in the cemetery (G. Chan, Jr. 1991).

After Chin Oak's death, his eldest son, George, Sr., ran the family store, the Chan and Chan Market on Sutter Street. Until his death in 1959, George, Sr., led his family as they observed the annual cemetery ceremonies. These rituals were modified during the 1930s and 1940s when food became precious during the Great Depression, followed by World War II rationing (G. Chan, Jr., 1994). All of Chin Oak's children in Folsom continued to observe these ceremonies, although more sporadically as the decades slipped by.

Today, only Chin Oak's grandchildren remain in town as active representatives of Folsom's early Chinese heritage. His grandson, George, Jr., continues to run the family store on Sutter Street and is the guardian of the Chung Wah Cemetery. His granddaughter, June Chan, continues her parents' efforts to honor and preserve the Chinese legacy in Folsom.

District Associations in Folsom

The Chinese who came to California during the mid-1800s came from 24 districts in Kwangtung Province (Map 6). The overwhelming majority was comprised of three major dialect groups: the Sam Yup (a.k.a. Sam Yip), Sze Yup (a.k.a. See Yup, Sze Yap), and Heungshan (a.k.a. Chungshan) people (Chinn 1969:4; Leung 1984:15, 28; Minnick 1988:6-7). Sam Yup-speaking people came from the districts of Namhoi, Punyu, and Shuntak. Sze Yup-speakers arrived from Sunwui, Hoiping, Yanping, and Toishan districts. Heungshan people immigrated from the district of Chungshan. The Hakka, a fourth smaller dialect group, came from a scattering of districts throughout Kwangtung Province (Chinn 1969:4).

The Sam Yup, Sze Yup, and Heungshan formed separate district associations to assist their members during their time abroad. All three associations offered temporary housing for their new arrivals disembarking in San Francisco, as well as in smaller Chinese communities near mining and agricultural centers. The Heungshan people named their association Yeong Wo (a.k.a. Young Wah, Yong Wa), while the Sam Yup and Sze Yup used their district name. These

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CONTINUATION SHEET**

Section number 8 Page # 5

Property Name Chung Wah Cemetery

associations provided employment and legal assistance, recreational and spiritual considerations, advice on dealing with non-Asians, and access to familiar foods, medicines, and clothing (Minnick 1988:9-10).

Chinese usually maintained their distance from other Chinese from different districts or associations. According to Chinese-American historian Sylvia Minnick, "Those from Toishan encamped away from the Heungshan diggings, and both kept their distance from the Hakkas" (Minnick 1988:13). This was due to personal preference as well as distinct dialectic differences; people from one district often could not understand those from another district. In addition, Chinese from these two districts felt a great deal of animosity towards each other and brought their long-standing feud with them to America (Leung 1984:7).

The feuding between the districts, especially the Sze Yup and/or Sam Yup versus the Yeong Wos, resulted in "wars" or small-scale battles that occurred in the 1850s in several of the mining camps in California. In Weaverville, disputes over mining claims led to a full scale battle between the "See-Yups" and the "Yong Wahs" that culminated in a series of fights and numerous deaths between 1853 and 1859 (Brott 1982:13-17; Minke 1960:14-15). Chinese Camp, in Tuolumne County, was the site of another physical battle between numerous "Sam Yups" and "Yan Wos" over mining claim disputes. This battle took place in 1856 and ended in four dead and four wounded (Minke 1960:18-19; Paden and Schlichtmann 1959:71-72). While no known battles occurred at Folsom, these incidents point to the level of antagonism that existed between the various factions.

The Sam Yup Association quickly established branches in Sacramento and Stockton to meet the needs of the large number of Sam Yup immigrants heading for the gold fields. During the 1860s Chinese from some non-Sze Yup districts previously under the jurisdiction of the Sze Yup applied to the Sam Yup for membership (Lai n.d.:16). By 1878 Sam Yup membership peaked at 12,000 members statewide (Lai n.d.:17). Unfortunately a feud, climaxing in the 1890s, created tension between Sam Yup and Sze Yup people (Lai n.d.:18), although there is no evidence to indicate how this affected the Chinese community in Folsom.

The separation between the Yeong Wo and Sze Yup/Sam Yup lasted in Folsom into the 1920s. The Yeong Wo Association members, while doing business with other Chinese, socialized separately from members of other district associations in Folsom's Chinese community. Yeong Wo members traveled into Sacramento to visit other Yeong Wo rather than socialize with the Folsom Sze Yup or Sam Yup (G. Chan, Jr. 1994). This, in part, explains why two different groups of Chinese in Folsom bought land for cemeteries instead of sharing one cemetery.

Members of all three major district associations resided in Folsom. Their association buildings were prominent fixtures in Folsom's Chinatown (Minnick 1988:22). The Sam Yup Association established their Folsom branch during the 1850s (Lai n.d.:15). The association rented land on Block 19 for their operations into the twentieth century, including a store, social hall, and housing for the sick and aging (Minnick 1988:22; Sacramento County, 1893a, 1893b, 1895a, 1895b, 1900). In the 1880s, the branch corresponded with their headquarters in San Francisco regarding funding for repairs to their association hall building (Lai 1994). This perhaps indicates the vitality of the association and its positive outlook for continued membership in Folsom.

The Yeong Wo Association, comprised of Heungshan people, owned property for its operations by 1883, although it probably rented for many years before buying (Map 7). The association built their benevolent hall and shrine on their property on Lots 1 through 4 of Block 17, on the southwest corner of the intersection of Leidesdorff and Burnett Streets (Sacramento County 1883, 1885a, 1912). Their shrine remained in the 1930s, although the structure, with its black doors and peeling red paint, was almost abandoned (G. Chan, Jr. 1994). All that remained of their benevolent hall at that

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time was a small "shack" where a Chinese caretaker tended the gardens and fruit trees surrounding the site (Fong 1994). Yeong Wo also owned and maintained a cemetery on Lots 3 through 8 on Block 40, several blocks from the Chung Wah burial site (see Maps 3 and 7). No evidence of the Yeong Wo cemetery remains today.

Spiritual Life

Associations provided for the spiritual and religious needs of their members. As early as 1855 Folsom Chinatown had two "churches," one on Block 10 and one on Block 11 (Sacramento County 1855). In December, 1865 the *Folsom Telegraph* reported:

The Celestial portion of our community, dedicated their new temple on last Thursday -- Many strange looking images were placed upon their altars. On one side of the altar, there was a picture representing a dragon, on the other side was a tiger. At the entrance there was a representation of his Plutonic Majesty leading a tiger. Goats, pigs, chickens and numerous other edibles were placed upon the altar for their hungry gods to feast upon.

Despite frequent fires, the Chinese rebuilt and maintained their churches, or joss houses, into the twentieth century.

Concern for the Spirit After Death

Receiving proper care after death was a major concern to Chinese sojourners living far from their native land and family. Accounts in miners' diaries and newspapers detailing Chinese funerals, care of the dead, and burial practices began appearing as early as 1849. For example, one Euroamerican miner working in the Folsom region observed that after a Chinese miner drowned on the North Fork of the American River in 1850, his countrymen put gold dust in his mouth and hands and buried him. Four weeks after the burial the remaining members of the dead man's company came down to the grave, bringing boiled beef, pork, a dozen oranges, raisins and some brandy. They placed the food on the grave, burned cakes beside it, and shared the brandy with the Euroamerican on-lookers (Forbes 1850).

This attention and respect for the dead is deeply rooted in Chinese culture. Two traditional Chinese ceremonies annually honor and tend to relatives' spiritual afterlife. During the Pure Brightness Festival (*Ch'ing Ming* or Chinese Memorial Day) the family elder ritually sweeps the graves of relatives with a willow branch, believed to repel evil spirits. Once the grave is swept, the family cleans and removes weeds growing on the grave mound. Dishes of cooked food, such as roast pork, are placed before the grave, then wine is poured over the grave. As incense sticks, red candles, paper money and paper clothing are burned to send to the deceased in the spirit world, exploding firecrackers create confusion to hopefully stop evil spirits from pursuing the deceased. Following the ceremony the food is removed and eaten at home. This festival usually occurs during the spring, in the third month of the Chinese calendar (Chinn 1969:76; Culin 1887:195).

The second festival is celebrated on the fifteenth day of the seventh moon as relatives make their second visit to their family graves. This Spirits' Festival (*Shao'!* or "burning paper clothing") is described by Chinese historian, Thomas Chinn as:

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the day the dead were believed to return to roam at will, or to visit living relatives. And since the spirits must have money to travel, more paper money and paper clothing was transmitted by burnt offerings than at the *Ch'ing Ming* festival [Chinn 1969:77].

Associations usually provided for the burial and later return of their members' remains to China, where their families would attend to their needs in the afterlife. Associations also frequently erected shrines within their cemeteries in America to meet the spiritual needs of the deceased before their remains were hopefully one day returned to China. These shrines were used extensively during *Ch'ing Ming* for burning incense and other offerings (Chinn 1969:77).

The patriarch of Folsom's Chan family, Chin Tock Oak, came from Toishan district in China, a member of the Sze Yup Association, and therefore he and his descendants used the Chung Wah cemetery. The Chan family celebrated *Haung Tien*, loosely translated as "Climb to Heaven" in the spring and autumn of each year. In this ceremony, the family would boil a whole chicken, with head and feet still attached, and take the chicken with boiled eggs, Chinese whisky and beer to the cemetery. Occasionally the family would travel into Sacramento or San Francisco to buy special Chinese foods, like leechee nuts, unavailable in Folsom. In later years, they also brought non-Chinese foods. The elder male would put the food near the head of the grave mounds of family members, pour whisky or beer over the grave, and talk to the deceased. He would also burn paper money and punks, lighting them three at a time, to send as offerings to the deceased. Some punks were thick, some thin, some red and some waxy, each conveying a different kind of message (G. Chan, Jr. 1994).

By custom, the deceased was buried in a wooden coffin in a shallow grave, about two feet deep. An identification marker was often placed in the coffin, and sometimes on the grave mound itself. This marker provided verification of the identity of the remains when the body was exhumed after a period of five or more years for return to China. Identification markers consisted of either a brick painted or etched with the deceased's name, a marked slip of paper in a bottle, or an above-ground wooden marker (Askin et al. 1980:11-12; Minnick 1988:291-292, 1994).

Professional exhumers from association headquarters in San Francisco periodically traveled to outlying Chinese communities to conduct exhumations. After ensuring all the deceased's bones had been properly cleaned and accounted for, the skeleton was reassembled in a crouching position and placed in an urn or small box. Sometime after the turn of the century, remains were only returned to China if relatives existed to pay the high costs of exhumation permits, shipping, and reburial (H. Chan, Sr. 1981; Minnick 1988:291-292). Otherwise, the urns were reburied in the cemetery.

One account of a nineteenth-century exhumation at Chinese Camp in Tuolumne County serves to illustrate the ceremony that surrounded this procedure. Paden and Schlichtmann (1959:137-138) quote Mr. Edwin Harper's story as follows:

I remember when a boy, that a group of us used to watch a certain Chinaman when he came here from San Francisco. He was a priest or some important official. We would hide in the bushes to watch the priest with several others as they walked slowly, in single file, to the graveyard. They wore fine Chinese clothing and hung bright-colored banners on the shrubs around the grave they had come to open. Then they chanted and gestured for a time. The officials brought Chinese laborers to do the actual digging but they were most particular to see that every tiny bone was gathered. A piece of silk was spread at one side of the grave and bones placed on that. When every single one was found and accounted for they were placed in a small wooden box which was given to the Chinese priest with a good deal of ceremony and they all went back to Chinatown.

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Paden and Schlicktmann continue to relate that the box was always the length of a human thigh bone and that the bones were scraped clean and sealed, with the queue carefully placed on top of the bones.

The Sam Yup Association began exhuming and returning remains from California to China in 1858, again in 1863, and then every ten years thereafter until the 1910s (Lai n.d.). No records exist for exhumations in Folsom, although apparently they did occur until the late 1910s (Askin et al. 1980:12; G. Chan, Jr. 1994; H. Chan, Sr. 1981; Lai 1994). By periodically removing remains, hundreds of Chinese could be buried in a relatively small cemetery without running out of space.

Accounts of Funerals in Folsom

Accounts of Chinese funerals in Folsom offer a vivid image of the spiritual vitality of the Chinese community. Limited funds made most funerals simple affairs. A few friends of a miner or laborer would follow his coffin to the grave, scattering paper money along the way in the hopes of distracting evil spirits from bothering the dead. The noise from firecrackers, a fiddle or a gong would fill the air to scare away those spirits (Minnick 1988:288). Such was probably the case with Ah Tan, a miner who died in Folsom after a brief illness in 1889. He was buried "with the characteristic ceremonies of his race" in a fine coffin purchased from the Folsom undertaker, Jacob Miller. The coffin had been purchased by a Chinese merchant, presumably acting on behalf of the deceased's association (*Folsom Telegraph* 30 November 1889).

The elaborate funeral of Ah Chung, a merchant with Num Sing and Company, was described in the *Folsom Telegraph* on September 23, 1871 as follows:

His remains were followed to the grave by a large number of his countrymen in carriages and on foot. A son of the deceased who seemed almost overwhelmed with grief, was dressed in white, with a white cloth over his head, and carried a pan of ashes in front of him, and was supported in a bent position by a Chinaman on each side of him and presented a singular appearance.

The Chinese community conducted traditional funerals at least as late as 1910. The coffin was transported in a horse-drawn hearse from the 900 block of Sutter Street to one of the Chinese cemeteries. Some mourners walked along with the wagon, while others rode with the coffin. As the procession moved west down Sutter Street, the Chinese tossed food, small change, and red paper with holes in it along the way (F. Hill 1994). Strewing perforated strips of red paper was a common element of Chinese funerals (Minke 1960:10).

When Chin Oak, a well-known merchant and resident of Folsom for 65 years, died in 1924, his eldest son, George, washed his body and placed him in a coffin. The ceremony and casket were both simple. A Chinese priest, who tended the local joss house, conducted the ceremony dressed in a black gown and black hat. Presiding over Chinese funerals provided the priest's sole income, amounting to two or three dollars for Chin Oak's service in 1924. Many local residents, Asian and non-Asian alike, came to pay their last respects to this pioneer of Folsom's Chinese community (G. Chan, Jr. 1994; H. Chan, Sr. 1981; J. Chan 1994).

The Chinese used two locations in Folsom for burning the deceased's belongings needed for their journey in the afterlife, such as their clothes, shoes, and blankets. A finely-built brick oven with steel doors stood near the temple on the Yeong Wo property on Block 17. As the belongings burned, smoke rose out of a large exhaust pipe to accompany

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the deceased's spirit (H. Chan, Sr. 1981). At the Chung Wah Cemetery, relatives or friends of the dead person burned their belongings in a large depression located just inside the main entrance (G. Chan, Jr. 1994).

Identification of Chinese Burials

It is unlikely that the names and number of all Chinese and Chinese-Americans buried in Folsom can ever be discovered. The community of Folsom kept no death records, unlike Sacramento where city officials and cemetery owners maintained comprehensive records of deaths and burials dating back to 1849.

Jacob Miller, the founder of Folsom's sole funeral business from the 1860s to the present, retrieved those Chinese discovered dead or those who died from unnatural causes. He also signed most coroner's inquest reports. The Miller family funeral business sold coffins from their store on Sutter Street to the Chinese and let their hearse for conveyance to the cemetery. Unfortunately the Miller family kept no written business records (Askin et al. 1980:10; Clane 1994).

The *Folsom Telegraph* published notices of Chinese deaths, but rarely included given names prior to the 1890s, unless the deceased was well-known by the non-Asian community. The *Folsom Telegraph* notices indicate that burials were occurring in the Chinese cemeteries at least by 1871, although interment probably began in the 1850s. The Sacramento County Recorder only began issuing death certificates for Folsom after the Chinese community had dwindled to a mere handful. Three death certificates for Chinese burials in Folsom cited in Askin et al.'s report on Folsom's Chinese cemeteries are for Chin Him, 9-11-1916, Wing Sing Wo, 11-20-1923, and Charlie Heung, 2-28-1935 (Askin et al. 1980:10). The death certificate of Wing Sing Wo, also known as Chin Oak, gives the date of death as November, 1923, his grave marker notes that he passed away in 1924. The majority of deaths in the Chinese community after 1893 were the result of old age.

As Chinese immigration and population in California declined, the original Chinese Six Companies (a composite of district associations and guilds) were succeeded by the Consolidated Chinese Benevolent Association or *Chung Wah Wui Kun* in Chinese (Minnick 1988:273). While the Chung Wah Association remained strong in California until the 1950s, no membership records have been found for Folsom. The Sam Yup Association does not know when its membership in Folsom ended, although Sam Yup historian, Him Mark Lai, believes it likely ended in the 1920s as the aging bachelor community died off or moved away (Lai 1994).

Chung Wah Cemetery

Records of property tax assessments and deeds usually provide concrete evidence of land ownership and use, but this is not the case with the Chinese. Due to prevailing prejudice, the transient nature of the Chinese sojourner in California, and lack of funds, among other reasons, it was common for Chinese associations and business people to rent property from non-Asians rather than purchase it themselves, or to rent for a while and then purchase the property. It is reasonable to assume that lots purchased for cemeteries were already being rented for that purpose prior to acquisition of title. After passage of the Alien Land Acts in 1913 and 1921, Chinese were no longer able to purchase land, but retained title to land acquired before 1913.

The first recorded Chinese burial in 1871 occurred 14 years before the Chung Wah Association acquired their land. There were certainly Chinese deaths in or near Folsom as early as 1850 (Forbes 1850). While some deceased may have

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been transported by their association to burial sites in the New Helvetia or City cemeteries in Sacramento, the majority were likely buried in Folsom. Considering the intensive mining occurring in this area, as well as the great importance Chinese spirituality places on the afterlife, it is unlikely that Chinese were buried in isolated graves.

Comparative analysis of other Chinese burial sites further supports the use of the plot as a cemetery long before its purchase for that use. Throughout Sacramento County, Chinese were buried in segregated sections of non-Asian cemeteries. This did not occur in Folsom. The Chinese who died in Folsom before 1883 were not buried in other Folsom cemeteries, were probably not interred in isolated locations, and most likely were buried in devalued land already mined out well above seasonal river flooding levels, precisely the location of the Chung Wah site.

The Chung Wah cemetery is the larger and probably older of Folsom's Chinese cemeteries. Evidence suggests the present cemetery, along with another adjoining six lots, comprised a large Chinese cemetery dating from the gold rush. Initially, the Natoma Water and Mining Company, and its descendant, the Natoma Vineyard Company, owned the land, a tiny segment of the company's tens of thousands of acres of property. Although there appear to be no records of the Natoma Company leasing the land to the Chinese for a cemetery, several factors suggest that this may have been the case. First, the Natoma Company relied heavily on Chinese labor for its canal and ditch operations, as well as its ranch and vineyard businesses. Chinese use of two acres for burials, out of the company's more than 32,000 acres, would probably have been ignored, especially on land mined out early during the gold rush. Secondly, the Chung Wah cemetery is near Folsom's non-Asian cemeteries, which date to the 1850s. Chinese burials in the motherlode region were typically located in a segregated remote section of non-Asian cemeteries. The Chung Wah is close to the other cemeteries, but more remote.

The site's irregular shape suggests it was haphazardly planned, perhaps beginning with a few Chinese burials and then spreading out as more Chinese died in Folsom over the years. When the Folsom Development Company deeded the present site to the Chung Wah Company in 1906, the site was referred to on the deed as the China Mission cemetery, suggesting its pre-existence as a cemetery. When fire consumed the last Chinese temple, located on Block 11, in Folsom in 1913, the *Folsom Telegraph* referred to the structure as the "China Mission #1," stating it had stood since the 1850s (*Folsom Telegraph* 20 June 1913; Plimpton n.d.). The similarities in their names suggests they may have been related.

Concrete evidence for Chung Wah Company ownership of a cemetery begins in 1885. On October 6th, James S. Meredith deeded Lots 6 through 11 of Block 71 to Chung Wah for \$190 (Sacramento County 1885b). Previously, the only recorded owner was Charles G. W. French, an attorney who left Folsom to set up a practice in Sacramento after the death of his wife, Abby Hewes (Sacramento County 1875). French owned numerous lots in Folsom as investment property until his death in 1892 (Sacramento County 1892).

The Chung Wah Company owned no other land in Folsom. During this period the Sam Yup Company rented property for a store and possibly a hall, while other buildings identified as tongs (or associations) were prominent fixtures in Chinatown (Sacramento County 1893a, 1893b, 1900). It is probable the Sam Yup and other associations, such as the Sze Yup, combined resources to purchase the Chung Wah site as a cemetery for joint use.

In 1906 the Chung Wah Company exchanged Lots 6 through 11 of Block 71 for the present 2.616-acre site, then owned by the Folsom Development Company. C. G. Lang, listed as president of Chung Wah Company, acted as agent for the association. Presumably provisions were made for the removal of any remains in Lots 6 through 11 before the company dredged Block 71 in 1907 and 1908 (Sacramento County 1906a, 1906b).

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As association membership was eclipsed by family and community identification, Chinese-American families in Folsom continued to bury and honor their relatives in the Chung Wah Cemetery. The last known burial in the site occurred in 1946 when Chin Lai Shee was interred there. The mother of Marie Chan, George Chan, Sr.'s wife, had lived for years in San Francisco. After she died there, the Chan family brought her to Folsom for burial (G. Chan, Jr. 1994; H. Chan, Sr. 1981).

For decades the Chan family and other families with friends or relatives buried in the Chung Wah Cemetery have celebrated holidays that honor and tend to the needs of the dead; each generation learning from the last, passing on and adapting the rituals to their times. Today, George Chan, Jr. is the trustee and guardian for the cemetery, a natural extension of the family association passed down through the Chung Wah Company lineage.

Comparative Analysis

Folsom's Chinese cemetery is unique in Sacramento County. All other known Chinese burial sites lie within community cemeteries shared by Asian and non-Asian alike. There appear to be no other separately owned and operated Chinese cemeteries in the county. Of particular note is the proximity of two Chinese cemeteries in Folsom, indicating the strong identification with district associations from China, as well as the vitality of the associations.

In Sacramento, the New Helvetia and City cemeteries both contained Chinese sections dating back to the gold rush. The Record of Deaths book for Sacramento City, 1850 to 1870, lists the first Chinese death in Sacramento occurring on September 25, 1851. This entry lists this individual as "Chinaman," native of China, no age, no former residence, no cause of death, no attending physician, and cites a burial location in either the New Helvetia or City Cemetery that can no longer be traced due to plot renumbering.

Chinese district and family associations bought large "family" lots for their member interment. For example, in 1891, Sow Yuen Tong & Co. purchased a 24-foot by 60-foot lot for \$270. Burial registers list Chinese burials in the City Cemetery as early as 1865. Chinese associations that purchased lots between 1867 and 1874 alone include Ming Yueng Co., See Yup Co., Sam Yup Co., Foulk Hing Tong Co., Hop Wo Co., Coy Chew Co., Chong Chaw Co., Hong Chew Co., Young Chow Co., and Quong Chew Co. (Sacramento, City of 1847-1955, 1850-1870, 1871-1874).

District associations periodically exhumed remains for return to China beginning in the 1850s. In 1955, Chinese remains were disinterred from the New Helvetia Cemetery when that cemetery was de-activated. Those remains were either returned to China or reburied in East Lawn Cemetery and marked with wooden markers. (A. Lee 1994).

The earliest Chinese burial sites in the City Cemetery, the "tiers," have been modified and the bodies moved to the southern corner of the cemetery. The Chinese association lot purchase records indicate that the Southside section of the City Cemetery became the Chinese section of the City Cemetery after 1900. No monument, altar or shrine was ever erected in this section. The Odd Fellows purchased the adjacent land from the City Cemetery in 1905 and retain its ownership to the present day. The Masonic Order bought more adjacent land in 1906. Together they presently maintain the appearance of the Chinese section (Bettencourt 1994).

In communities outside Sacramento, this pattern of burial in a section of the larger community cemetery continued. Elsewhere in the foothills, communities actively excluded the Chinese from the main cemeteries. Chinese can be found in separate areas set aside outside the main confines of the cemeteries (Bettencourt 1994).

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The Elder Creek District Cemetery, between 65th Street and Power Inn road on Elder Creek Road, contained a Chinese section (Hayse 1994). Franklin had a Chinese section in their larger cemetery (L. Chan 1994; Hayse 1994; P. Lee 1994). The large Chinese community of Locke never had its own Chinese cemetery (P. Lee 1994). There are also no Chinese/Chinese-American burials in Courtland (L. Chan 1994).

In the nearby communities of Rio Vista, Franklin, and Stockton, all outside of Sacramento County, most Chinese burials exist only in the regular cemetery, not in exclusively Chinese cemeteries (P. Lee 1994). However, at least two exclusively-Chinese cemeteries outside of Sacramento County are known to exist. One is located on Matthews Road in French Camp. This private cemetery was founded in the late 1920s by Stockton's Chung Wah group and is still in use. The leaders of Chung Wah in that area conduct "tomb sweeping" rites twice every year (Minnick 1988:290). Another is located in Auburn. This cemetery, located in behind a gravel plant off Highway 49, still contains the oven used for burning belongs and offerings for the deceased (Costello 1994; Minnick 1994). In addition, there were three small Chinese cemetery sites at Virginiatown in Placer County. Two were exclusively Chinese and are on two separate hills. The third is smaller and an oral history map refers to this third cemetery as "the woman's Chinese cemetery" and also notes that the Sickles, a Euro-American family, were buried there. Apparently, all bodies were removed from all three cemeteries (exhumation pits are evident) and no associated features remain (Farnscomb 1994).

PERIOD OF SIGNIFICANCE

While it is likely that the cemetery was in use in the nineteenth century, there are no documents to support this supposition. Therefore, the period of significance begins in 1906 when Chung Wah Company acquired legal ownership of the plot in a trade with the Folsom Development Company. The last burial occurred in 1946 with the interment of Chin Lai Shee, ending the period of significance. Annual ceremonies, like *Ch'ing Ming*, continued long after 1946, but no burials or planned exhumations (other than those associated with the 1967 vandalism) occurred after this date.

STATEMENT OF SIGNIFICANCE

The Chung Wah Cemetery in the City of Folsom is eligible for the National Register of Historic Places under Criterion A, Consideration D and G. As the last visible reminder of the viable Chinese population that once inhabited Folsom, the cemetery acts as a link to the rich ethnic heritage of the town. The burning pit, shrine remains, and other features also attest to the spiritual value Chinese place on the afterlife and the permeation of religious beliefs into all aspects of their culture. One of two district cemeteries in town, the Chung Wah is unusual for its strong association ties and actual Chinese ownership. Elsewhere, Chinese shared a portion of Anglo cemeteries and other cemeteries in the county no longer contain traditional elements like the Chung Wah, increasing its importance on a local level.

Folsom's Chinese community consisted of stores, restaurants, barber shops, gaming houses, gardens, homes, churches, and association halls that serviced the hundreds of miners working around Folsom. As a commercial transportation center for a vast mining area, Folsom played an important role in the life of Chinese miners or laborers from the 1850s until around 1910, when the population rapidly declined. District associations were extremely important, providing a link to the traditional culture and to relatives back home in China, a social center for workers far from home, and a guarantee that one's remains would be properly taken care of after death. Regular exhumations, with remains sent home for burial and care by relatives, was an important role fulfilled by the association.

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The last burial occurred 49 years ago, in 1946, marking the end of the period of significance and qualifying the cemetery under Consideration G. The significance placed on the burial place of relatives in Chinese culture is seen in the observation of yearly *Ch'ing Ming* ceremonies by Folsom's Chinese-American residents for many years after the termination of the Chinatown. The cemetery remains in the care of the Chan family, the last of Folsom's original Chinese families still residing in town. Its natural setting, its location in a remote area on the outskirts of town, the intact features, and the sense of time and place that pervade the site mark a high level of integrity and increase the historical value of the site.

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Lai, Him Mark, and Philip P. Choy

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Minnick, Sylvia Sun

1988 *Sam Fow: The San Joaquin Chinese Legacy*. Panorama West Publishing, Fresno, California.

Minke, Pauline

1960 *Chinese in the Mother Lode, 1850-1870*. Reprinted in 1974 by R. and E. Research Associations, San Francisco, CA.

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1909 Museum Collection Center.

Paden, Irene D., and Margaret E. Schlichtmann

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Sacramento, City of

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1850-1870b Record of Lots, City Cemetery. On file, Old City Cemetery Archives, Sacramento.

1847-1955 Record of Lots, New Helvetia. On file, Old City Cemetery Archives, Sacramento.

**United States Department of the Interior
National Park Service**

**NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET**

Section number 9 Page # 3

Property Name Chung Wah Cemetery

1871-1874 City Cemetery Daily Register Record. On File, Old City Cemetery Archives, Sacramento.

Sacramento County

1855 Assessment Plats for City of Folsom. On file, Sacramento Archives and Museum Collection Center, Sacramento.

1875 Assessment Plats for City of Folsom. On file, California Room, California State Library, Sacramento.

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1885a Tax Assessment Rolls for City of Folsom. On file, Sacramento Archives and Museum Collection Center, Sacramento.

1885b J. S. Meredith to Chung Wah, 10 October. Book of Deeds 116, pp. 306-307.

1892 Assessment Plats for T9N, R7E. On file, Sacramento Archives and Museum Collection Center, Sacramento.

1893a Assessment Plats for City of Folsom. On file, Sacramento Archives and Museum Collection Center, Sacramento.

1893b Personal Tax Assessment Rolls. On file, Sacramento Archives and Museum Collection Center, Sacramento.

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1899 Sanborn Fire Insurance Map of Folsom, California. On file, Library of Congress, Washington, D.C.

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United States Department of the Interior
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET**

Section number 9 Page # 4

Property Name Chung Wah Cemetery

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Sung, B. L.

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1860 Manuscript census records for Granite Township, Sacramento County. On file, Library of Congress, Washington, D.C.

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1880 Manuscript census records for Granite Township, Sacramento County. On file, Library of Congress, Washington, D.C.

1900 Manuscript census records for Granite Township, Sacramento County. On file, Library of Congress, Washington, D.C.

1910 Manuscript census records for Granite Township, Sacramento County. On file, Library of Congress, Washington, D.C.

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Williams, Steven

1930 *The Chinese in the California Mines, 1848-1860*. Ph.D. dissertation, Stanford University, Stanford, California. Reprinted in 1971 by R. and E. Research Associates, El Cerrito, California.

Personal Communications

1992	Chan, June	Folsom resident
1994	Bettencourt, James	Cemetery historian, Sacramento
	Chace, Paul	Historical archaeologist/Chinese historian
	Chan, George, Jr.	Folsom resident and Chung Way cemetery trustee and guardian
	Chan, June	Folsom resident
	Chan, Lincoln	Courtland resident
	Claney, Robert	Folsom resident
	Costello, Julia	Historical archaeologist/Chinese sites specialist
	Farnscomb, Melissa	Historical archaeologist working at Virginiatown
	Fong, Robert	Former Folsom resident
	Hayes, John	Cemetery historian, Sacramento County
	Hill, Fern	Folsom resident
	Lai, Him Mark	Chinese-American historian, Chinese Historical Society, Sam Yup Association
	Lee, Anna	Chinese-American historian, Sacramento
	Lee, Ping	Locke/Walnut Grove resident

United States Department of the Interior
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET**

Section number 9 Page # 5

Property Name Chung Wah Cemetery

Minnick, Sylvia Sun
Wegars, Priscilla

Chinese-American historian
Director, Asian Collection Center, University of Idaho, Moscow

United States Department of the Interior
National Park Service

**NATIONAL REGISTER OF HISTORIC PLACES
CONTINUATION SHEET**

Section number 10 Page # 1

Property Name Chung Wah Cemetery

VERBAL BOUNDARY DESCRIPTION

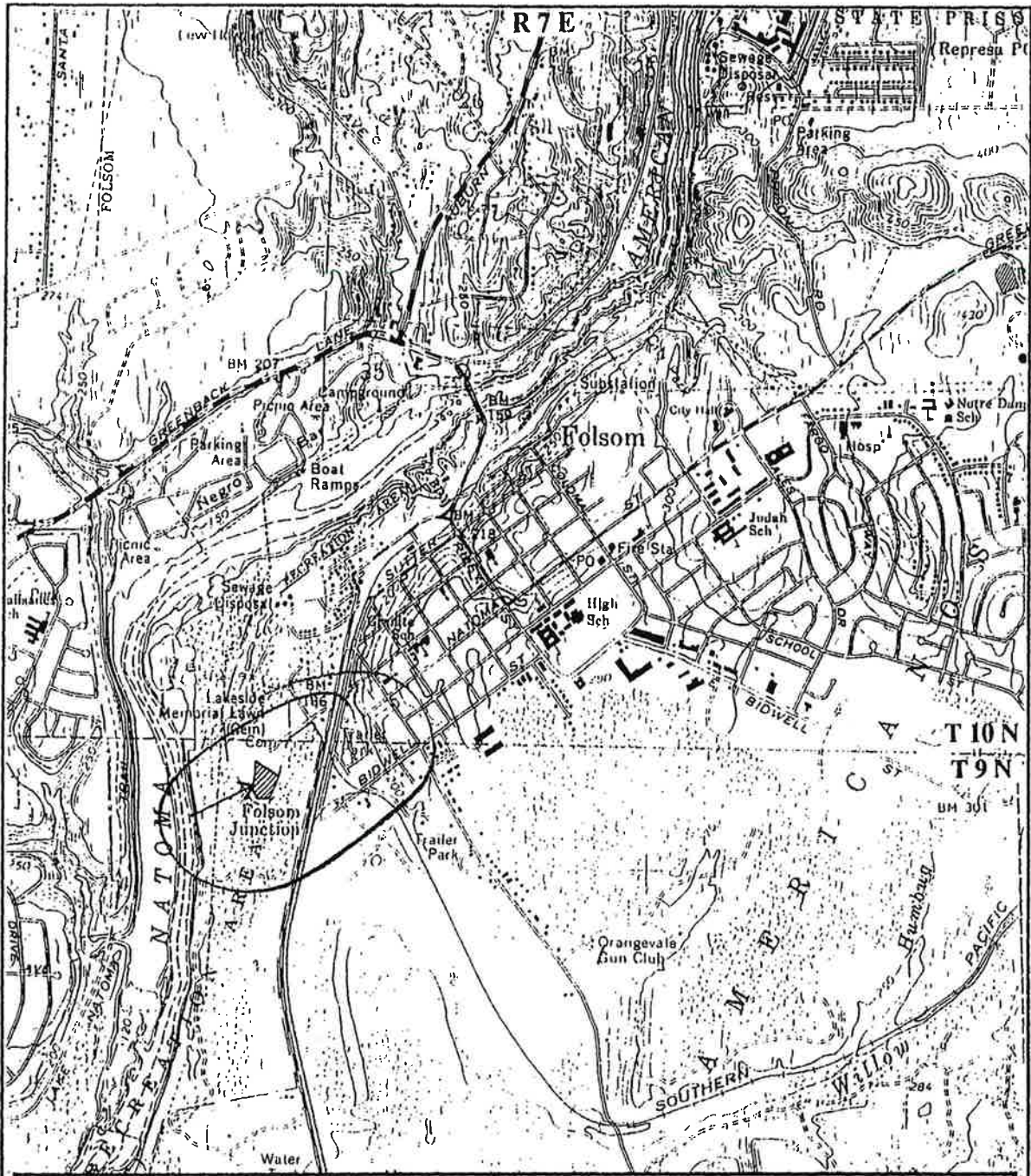
The cemetery encompasses 2.616 acres contained within an irregularly-shaped parcel. The parcel includes a portion of Lots 7 and 8 in Block 70 and continues south and west on unparceled land to the boundary of the Bureau of Reclamation's Lake Natoma holdings. The boundaries are depicted on attached Map 8, labeled "Chung Wah Cemetery Boundaries."

BOUNDARY JUSTIFICATION

The boundaries delineated for the Chung Wah cemetery include the area outlined on the 1906 land deed transferring this property to the Chung Wah company for use as a cemetery. The boundaries encompass the area currently held in trust under the guardianship of George Chan. All related cemetery features are contained within the fenced boundaries.

CHUNG WAH CEMETERY

MAPS



FOLSOM, CA
1967, PHOTOREVISED 1980
7.5 MINUTE SERIES (TOPOGRAPHIC)

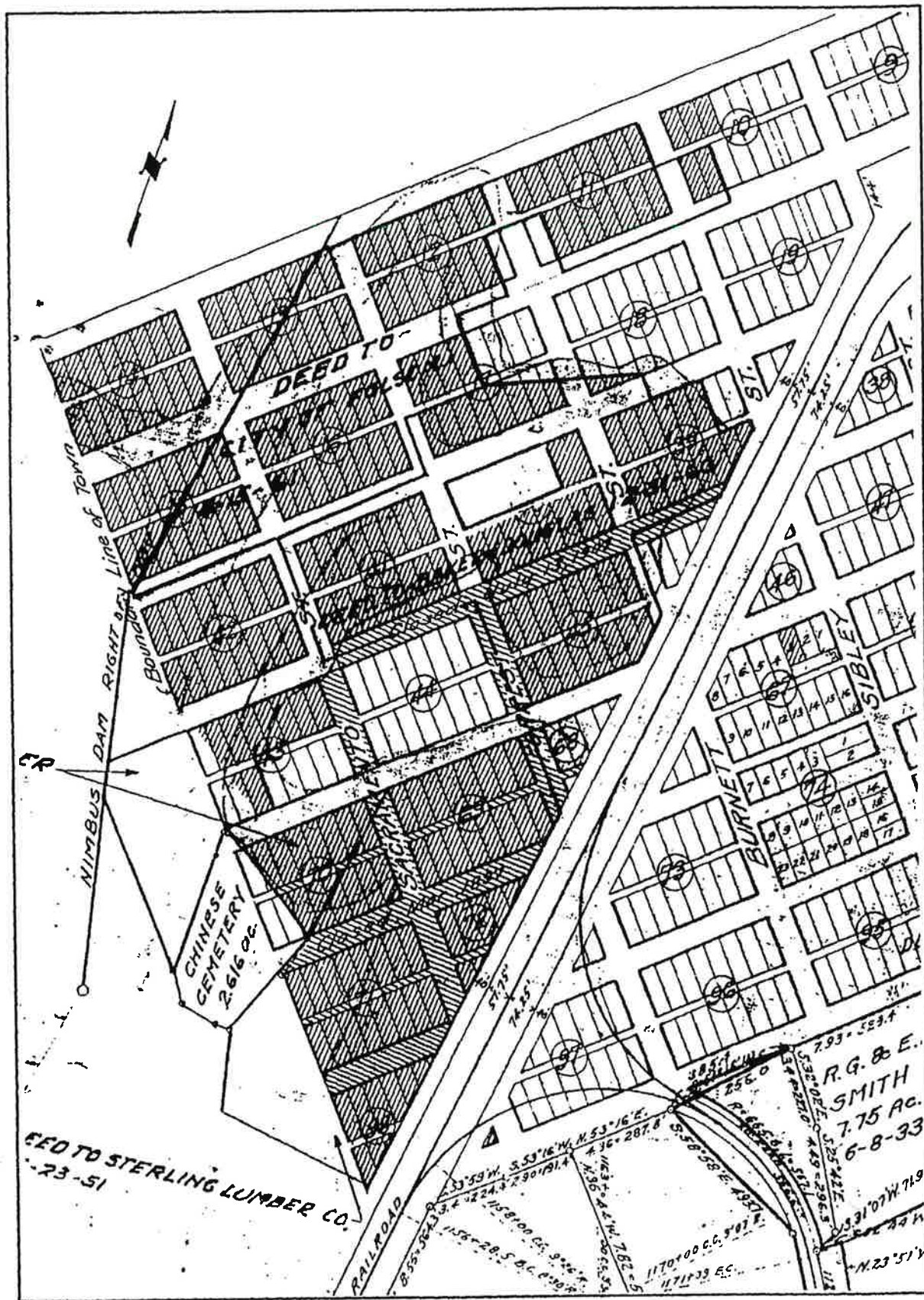
N

SCALE 1:24000

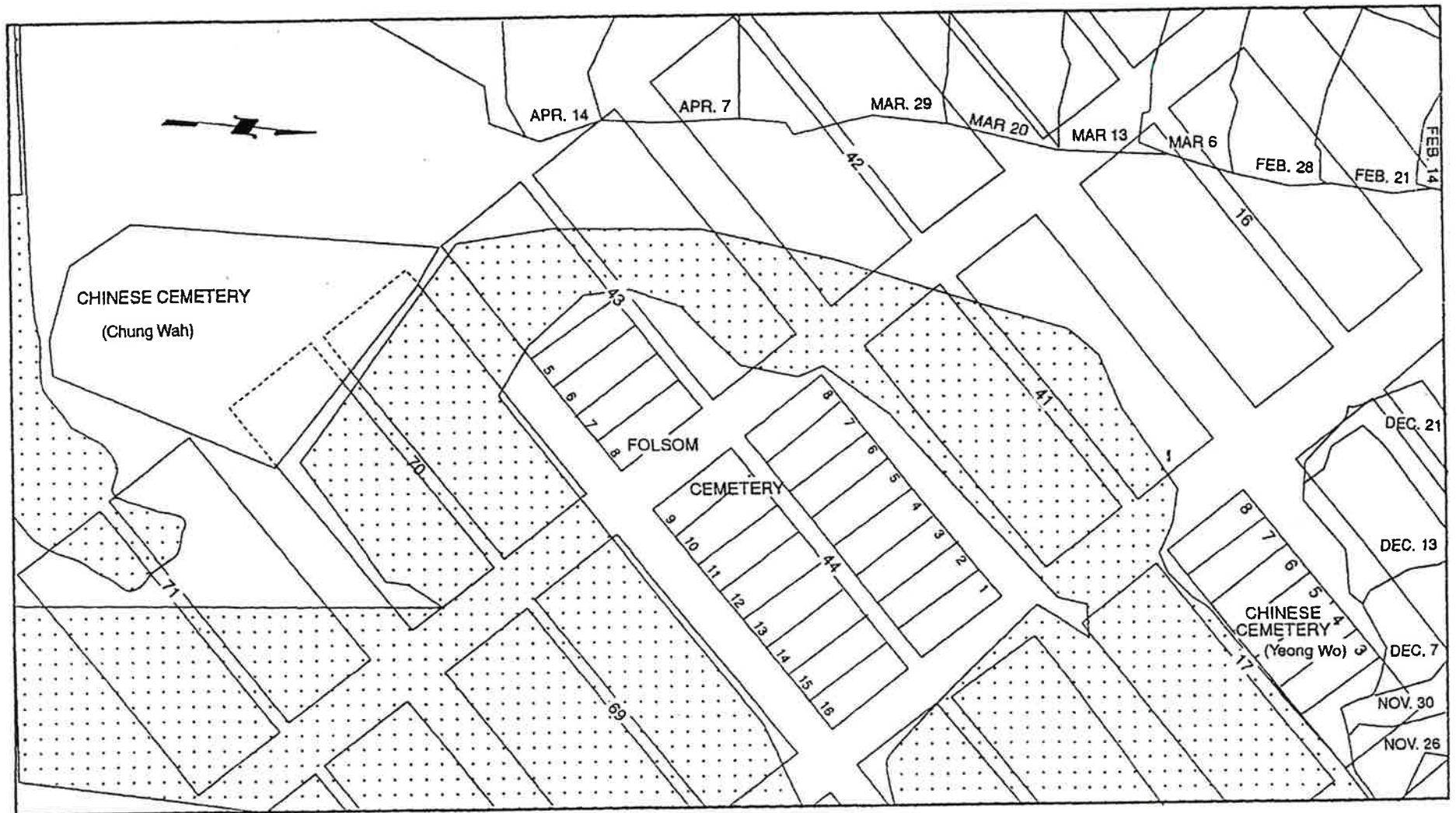
1 1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 5 0 KILOMETER

Map 1. Chung Wah Cemetery

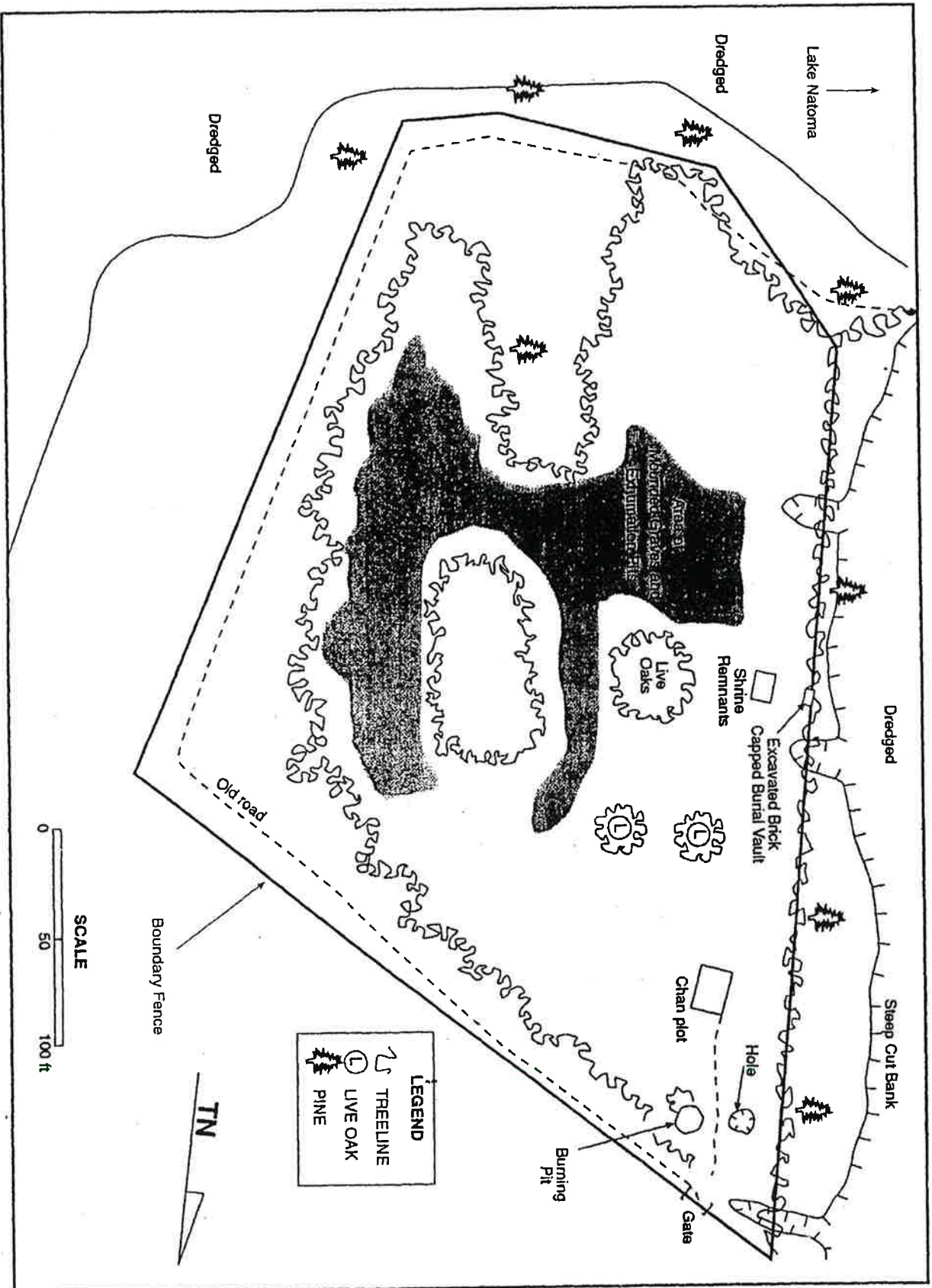


Map 2. Location of the Chung Wah Cemetery within the City of Folsom



Map 3. Map of Dredged Land Depicting Chinese Cemeteries (Adapted from Natomas Company 1907-1909; Screened Areas and Dates Represent Dredged Lands)

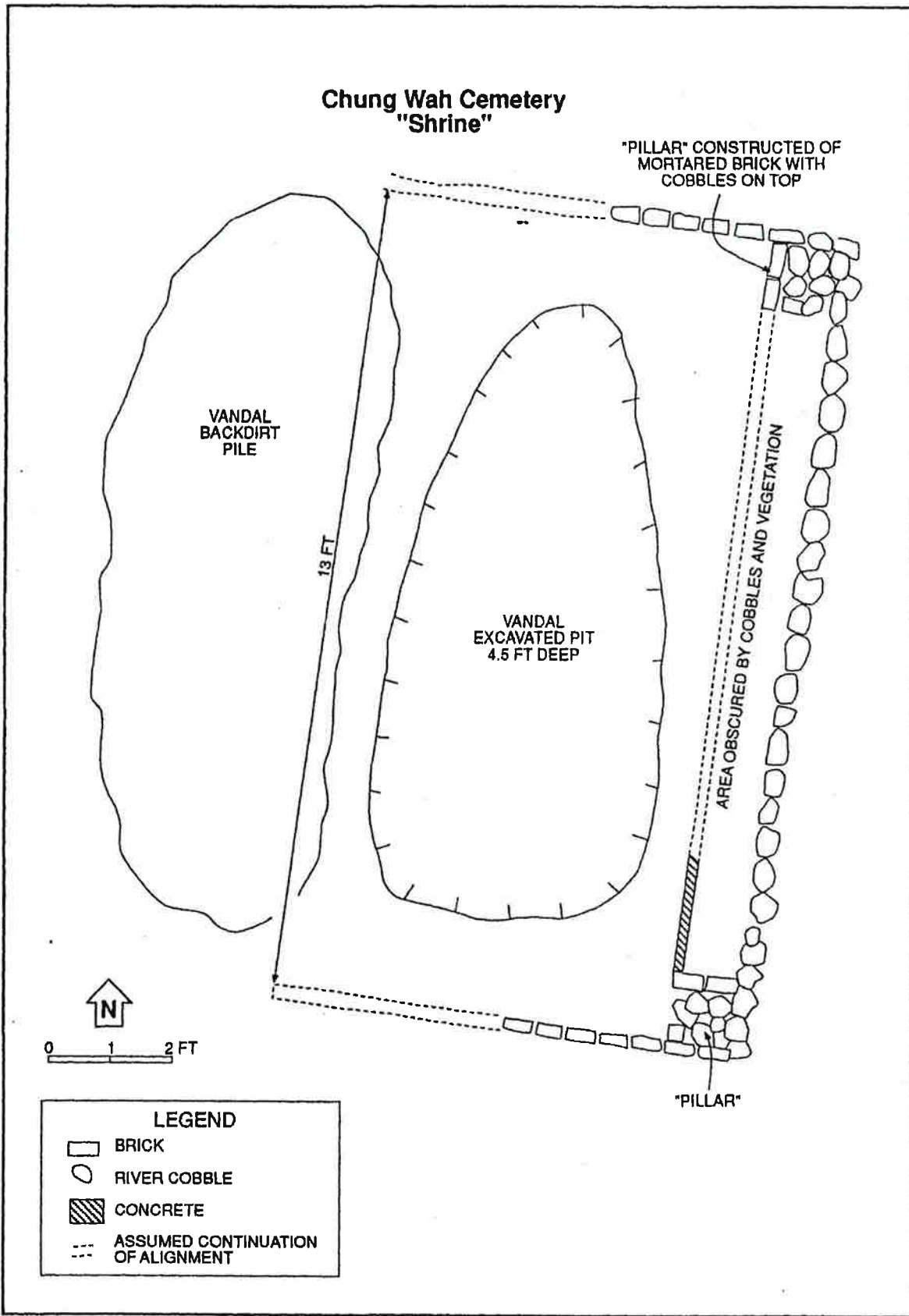
Map 4. Map of Chung Wah Cemetery Site, 1994



LEGEND
 TREE LINE
 LIVE OAK
 PINE

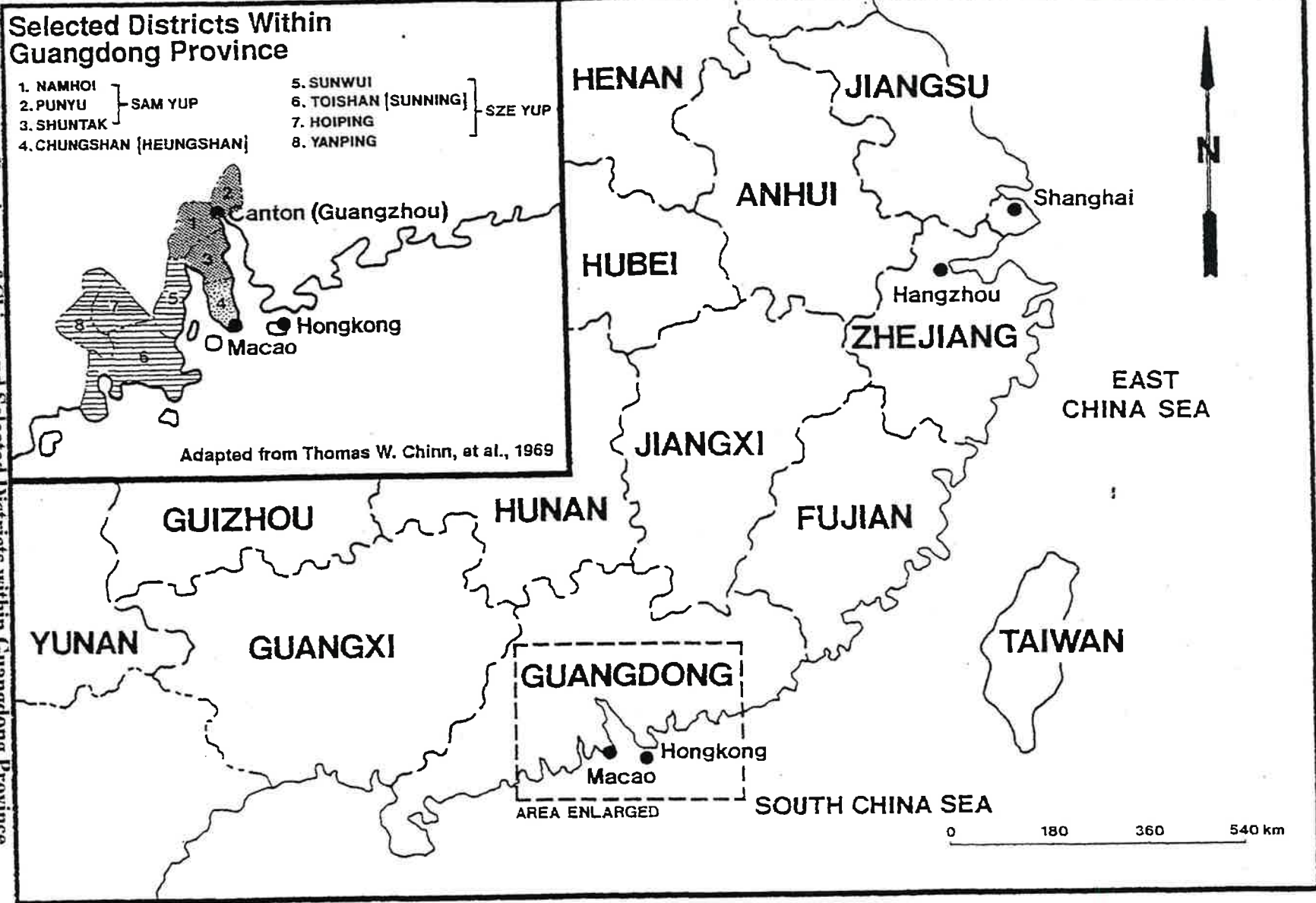
SCALE
 0 50 100 ft

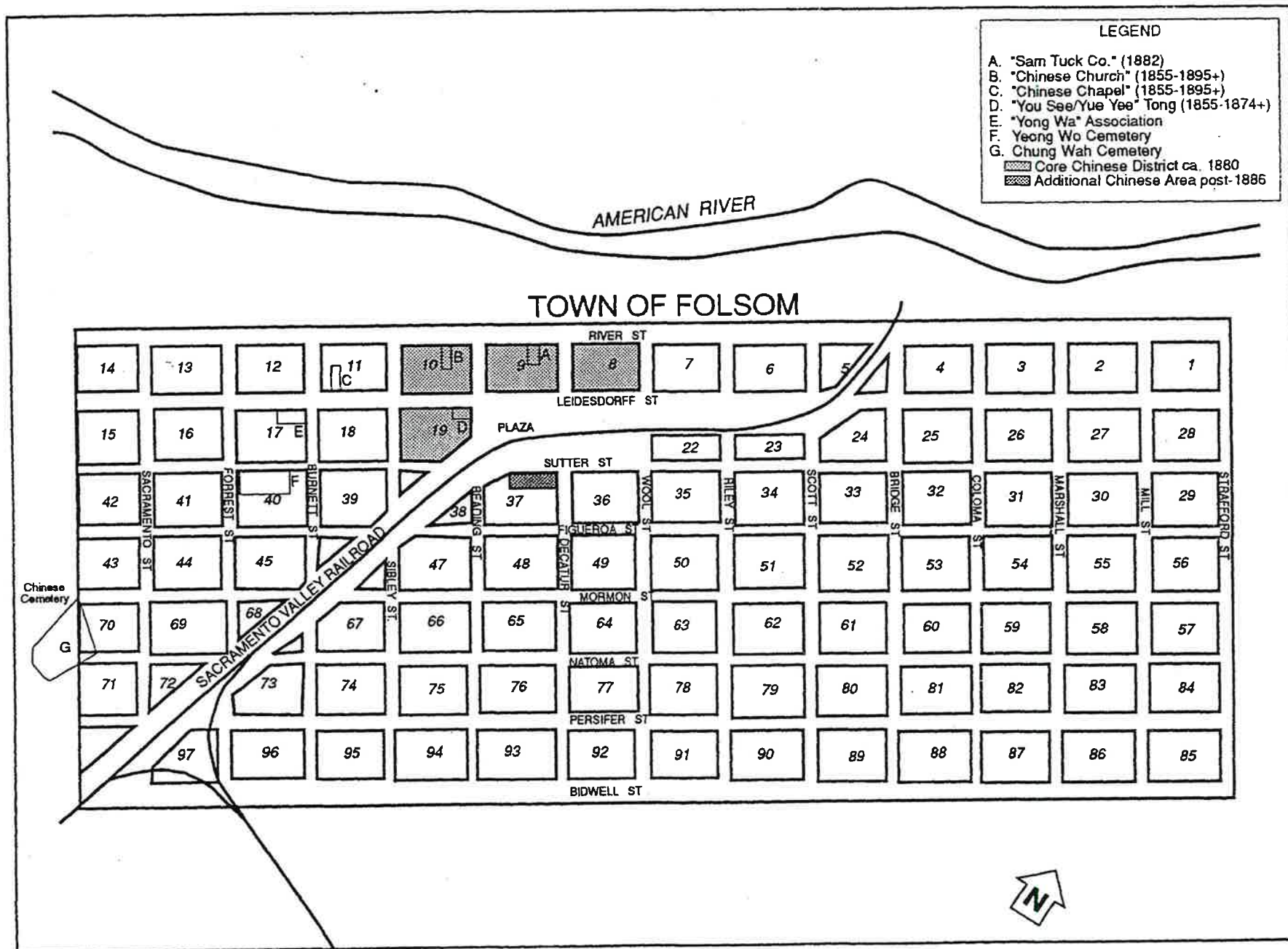
Boundary Fence
 TN



Map 5. Sketch of Chung Wah Cemetery Shrine, 1994

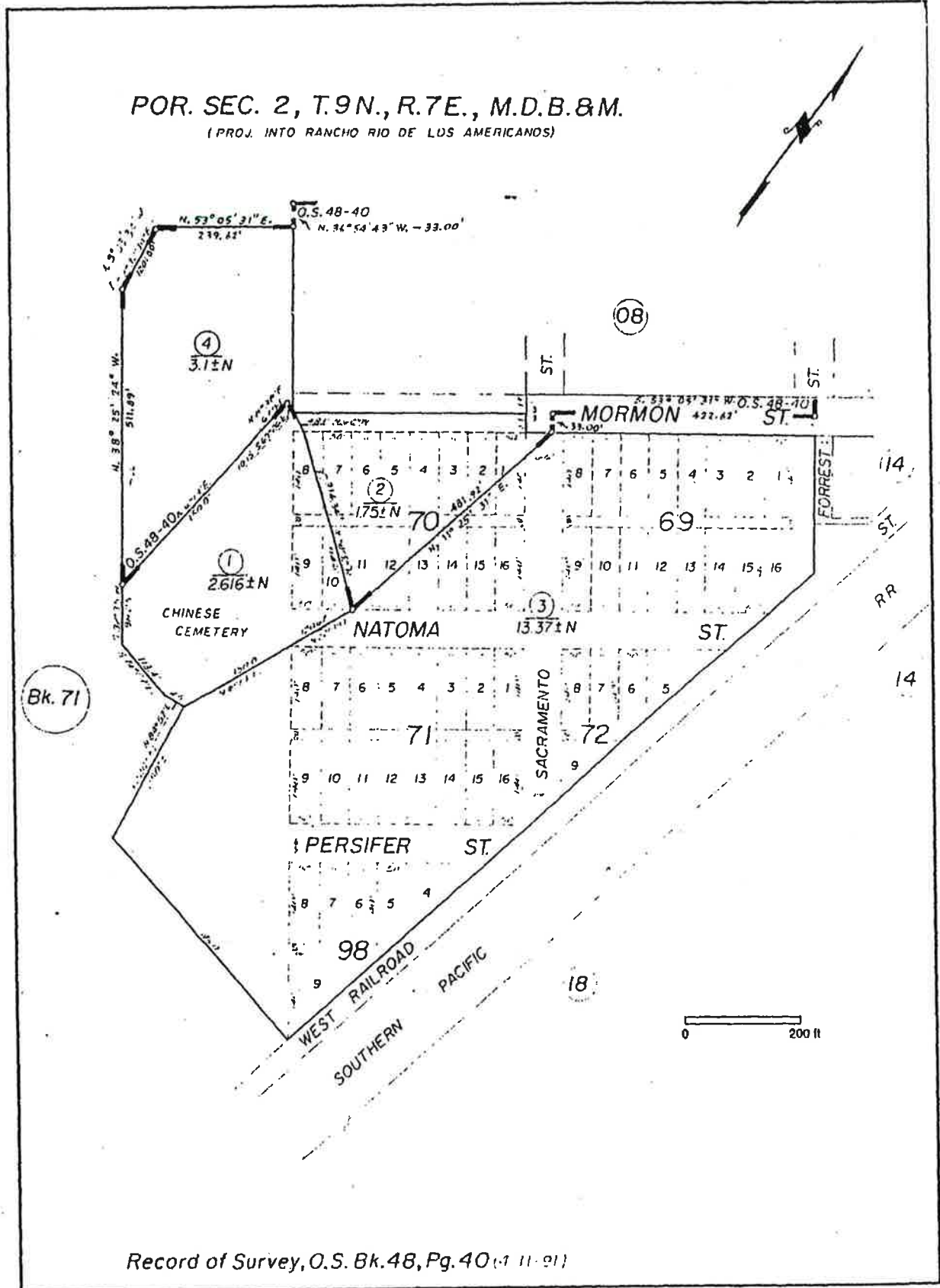
Map 6. Major Provinces of China and Selected Districts within Guangdong Province
 (after Minnick 1988:3)





Map 7. Areas of Chinese Use in Folsom and Association-Owned Property

POR. SEC. 2, T.9N., R.7E., M.D.B.&M.
 (PROJ. INTO RANCHO RIO DE LOS AMERICANOS)



Record of Survey, O.S. Bk. 48, Pg. 40 (11-91)

Map 8. Chung Wah Cemetery Boundaries

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Continuation Sheet**

Section number _____ Page _____

SUPPLEMENTARY LISTING RECORD

NRIS Reference Number: 95000999

Date Listed: 8/21/95

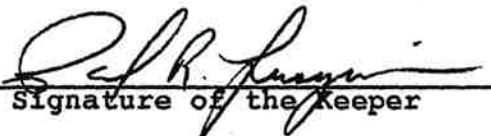
Chung Wah Cemetery
Property Name

Sacramento
County

CA
State

N/A
Multiple Name

This property is listed in the National Register of Historic Places in accordance with the attached nomination documentation subject to the following exceptions, exclusions, or amendments, notwithstanding the National Park Service certification included in the nomination documentation.


Signature of the Keeper

8/21/95
Date of Action

=====
Amended Items in Nomination:

Significance:

The areas of significance are revised to read: Ethnic Heritage-Asian and Social History in order to correspond with the site's well-documented traditional cultural use by local Chinese residents over an extended period.

This information was confirmed with Marilyn Lortie of the California SHPO.

=====
DISTRIBUTION:

- National Register property file
- Nominating Authority (without nomination attachment)



CITY OF FOLSOM

HISTORIC PRESERVATION MASTER PLAN

November 5, 1998

Draft October 20, 1998

Table of Contents

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Appendix A	Determining Eligibility for the City of Folsom Cultural Resources Inventory
Appendix B	Information Packet for General Distribution
Appendix C	City of Folsom, Cultural Resource Inventory and Registration Form
Appendix D	List of Cultural Resources
Appendix E	Map of Cultural Resources

Acknowledgements

The Historic Preservation Master Plan committee as listed below prepared this document. The committee wishes to thank all of the individuals who assisted in the development and review of this document, especially David Storer, Director of the Department of Planning, Inspection, and Permitting, who provided City staff support to the committee. The committee further wishes to thank the City Council and former Mayor Glenn Fait for their efforts toward protecting and preserving the rich history of our community.

- Cindy Baker: Historic Residences
- Stan Gisler: Folsom Historical Society
- Patrick Maxfield: Planning Commission
- Candy Miller: Historical District Commission and Historical Area Architectural Review Commission
- Chuck Thurman: Gold Mining History
- Dallas Grenley: Friends of the Folsom Powerhouse Association
- Sue Mehrten: Cattle Ranching History
- Tom Hickey: Folsom Prison Museum
- Bob Minshew: Folsom, El Dorado and Sacramento Historical Railroad Association, Pacific Coast Chapter, Railway and Locomotive Historical Society

Introduction

During the State of the City Report delivered at the January 14, 1997 City Council meeting, Mayor Glenn Fait proposed that Council convene an ad hoc committee of representatives from historic preservation groups and others with similar interests in City of Folsom. The purpose of this committee was to develop a comprehensive Historic Preservation Master Plan to ensure that historic preservation is given proper consideration as the City continues to grow.

On March 25, 1997, the City Council passed and adopted Resolution No. 5346, a resolution establishing an ad hoc committee for the preservation of Folsom's history to develop a comprehensive historic preservation master plan. Mayor Fait appointed 12 committee members representing different aspects of Folsom's history.

This committee began meeting on November 19, 1997 in order to establish the plan, along with an inventory of cultural resources to present to the City Council. The following is that plan and inventory, along with recommendations for preservation action.

The committee's intention was to create an inventory that shall be updated over time. Listing on the inventory shall be accessible to all members of the community using an inventory nomination or registration form. Standardized forms will be available through the City of Folsom Planning, Inspections and Permitting Department (PIP) and accessible to the general public. Completed forms will then be submitted for review by PIP staff and then to the Historic District Commission for determination of eligibility.

The current Cultural Resources Inventory and a complete set of registration forms, including maps and photographs, shall be kept by City of Folsom PIP Department. Archaeologically sensitive or historically sensitive information will be considered as such and held back from public distribution if that distribution might endanger the resource through vandalism or theft, or for privacy considerations.

Goals and Objectives

- *Mission Statement*

The City of Folsom by this Master Plan seeks to preserve and promote its rich and colorful historical heritage by protecting its cultural and historical resources and educating the citizenry and general public of its past.

- *Ongoing Objectives*

1. To **identify** historical resources, including sites, structures, archaeological resources, documents, and artifacts,
2. To **protect and preserve** these resources for future generations,
3. To **educate** the public about these resources through interpretation and exhibition in the hopes that knowledge will result in a greater respect for and appreciation of these resources,
4. To **promote** Folsom's history through tourism and local programs in the hopes of enriching the city through cultural and economic development.

Area of Preservation

The City of Folsom shall extend this preservation policy throughout the City of Folsom limits and other areas outside the city limits that were part of Folsom's historical sphere of influence, including areas such as Mormon Island, Prairie City, and Aerojet.

Objective Actions

- *To identify historical and cultural resources, including sites, structures, archaeological resources, documents, and artifacts,*

An inventory of cultural resources shall be maintained and available to the public by the City through the PIP Department. This list shall be derived from the inventory submitted herein, as well as extant publications and reports, and updated systematically with the receipt of new and ongoing environmental documentation and historical publication. A registration or nomination form for applying and adding to the inventory shall be adopted so that the City, individuals, and organizations will be able to apply for listing of a resource with the City of Folsom.

- *To protect and preserve these resources for future generations,*

The City of Folsom shall consider the protection, preservation, documentation and/or recordation of cultural resources on the inventory when decisions affecting these resources come before the City. This includes notification of the Planning Commission, or any other decision-making body, of a resource's inclusion in the inventory as part of that body's staff report. The City, when possible, should consider the acquisition and storage or deposition of artifacts or resources when feasible or practicable.

The City of Folsom, in seeking to preserve the history and development of the municipality, shall maintain its system of records management whereby City documents are regularly cycled from active use, to inactive storage, to archival storage. The City shall designate an archival storage facility for said purpose.

These documents should at a minimum include the records of the City decision-making bodies, including the City Council and all commissions and public meetings or hearings. Other records should include the logs of the Police and Fire Departments, the PIP Department maps, plats, and other documents that will help plot the history and development of Folsom. Copies of the Department of Parks and Recreation flyers, brochures, and memorabilia should also be archived.

- *To educate the public about these resources through interpretation and exhibition in the expectation that knowledge will result in a greater respect for, recognition of and appreciation of these resources*

The City of Folsom shall recognize and support the important role of education and promotion in meeting its goals of preservation and protection. Further, the City shall recognize and support the importance of our heritage in the economic and cultural development of the community. The City shall suggest ways to make information about the resource interesting and readily available to the public and to promote tourism.

- *To promote Folsom's history through tourism and local programs in the hopes of enriching the city through cultural and economic development.*

The City shall continue to promote its cultural resources through tourism, events, and special programs. The City shall also cooperate with local historical interest groups to meet all the goals of the Historic Preservation Master Plan.

Cultural Resources Inventory

- *Processes for Applying to and Maintaining the Inventory*

A Cultural Resources Registration or Nomination Form shall be completed and submitted to the PIP Department staff for consideration. The PIP Department shall apply the criteria above in determining whether or not the resource appears to be eligible for the Inventory. The PIP Department shall then submit all applications with their recommendations to the Historic District Commission.

The Historic District Commission shall then consider the application and determine if it is eligible for listing on the Inventory. If an application is determined ineligible by the committee, the applicant may appeal to the City Council for consideration.

Responsibility for maintaining the inventory will be assigned to the Historic District Commission. PIP staff shall provide staff support to this committee. New additions to the Cultural Resources Inventory shall be forwarded to the Planning Commission for consideration in actions before that commission. PIP shall be responsible for notifying the Planning Commission of any cultural inventory listings in active project areas as part of its normal staff report to commissioners.

Listing on the City of Folsom Cultural Resources Inventory does not grant any special privileges or impose any restrictions on private property rights. Rather it recognizes the resource as significant in Folsom's cultural and historical heritage and may assist the property owner in obtaining awards or financial benefits from outside agencies. Listing may also grant a priority to a resource in applying for City of Folsom Redevelopment Agency funding for preservation or promotion. Listing may also provide for application of the more flexible Historic District Building Code to structures outside the Historic District, if the owner of the property so desires.

PIP shall notify the owner of the resource that it is being considered for nomination to the Inventory. The owner shall be provided with a copy of the application and given 90 days to comment on the nomination. No property shall be listed on the Inventory over the notarized objection of the owner. However, properties may still be registered as eligible for the Inventory.

Public Education

The City shall make available to the public free of charge a general information handout on the City of Folsom Cultural Resource Inventory, its impacts, and procedures for distribution to the general public (see Appendix B for example). The City shall also make available free of charge an instructions packet for individuals interested in nominating a resource to the inventory.

Mapping

A map indicating the location of the resource shall be submitted with the nomination or registration form. In order to establish standardization of the inventory and to avoid confusion, the applicant shall use the most current USGS 7.5' (minute) series topographical quadrangle map with the resource indicated in pencil, not ink. Coordinates of the resource shall be written in the margin of the map.

Identification

Identification of the resource shall be accomplished using the nomination form, inventory, USGS map, and photographic documentation. Black and white photographs and negatives shall be submitted to the PIP once a resource has been accepted to the inventory.

ADDITIONAL RECOMMENDATIONS FOR IMPLEMENTING THE GOALS AND OBJECTIVES

General Public Education

- A coordinating council/committee could be established to follow upon the implementation of these recommendations. Said council/committee would be representatives from the various historical groups and possibly city staff. This body would seek to coordinate the efforts of their representative groups by reporting upcoming events, issues and concerns and hopefully coordinating event planning and mutual support.
- **Initiate Historic Tours.** The Department of Parks and Recreation could institute periodic tours of the following: historic district residences, historic cemeteries, river-front nature trails in the following segments (1) from the zoo to the rainbow bridge focusing on the geologic history of the ravine, the natural botanical array, and the ditch and canal; (2) from the powerhouse to Lake Forest Café or Willow Creek Park access focusing on the Nisenan history, Chinatown history, Negro Bar mining town, Texas Hill mining town, placer bedrock sluicing and Natoma Company dredging tailings; (3) from Rainbow Bridge east along the bike trail on the north bank discussing the original toll bridges, the Stockton Flour Mill, Folsom Prison, and Folsom Dam. Similar tours conducted in kayaks or canoes could be developed on Lake Natoma in the same general configurations in conjunction with kayak rental facilities already in operation at Negro Bar State Park.
- Install a Historical Display Area in public waiting areas or lobbies of City Hall for changing historical exhibitions and notice of upcoming historical promotion events.

- Organize Folsom History events commemorating significant periods in Folsom's history (i.e. inauguration of the SVRR, etc.). Themes could change annually (i.e. Chinese history year, railroad history year, etc.) or be fixed (founding of Folsom City) and could include an historical theme parade, like the former Pioneer Days parade. Schools, community groups, and residential subdivisions would be encouraged to enter floats and entries with a theme relevant to the history of Folsom.
- Encourage local merchants and restaurants to name products and menu items after specific or general aspects of Folsom's past (i.e.: the Leidesdorff Burger, etc.)
- Install vista points at various overlooks in Folsom such as at top of Folsom Point (formerly Dyke 8) entrance looking south and southeast, another at the Folsom Dam Overlook, another near the new high school site, also at the Rainbow Bridge/ Historic Trestle Bridge site.
- Create and distribute public brochures, signage, and other materials for public information.
- New development street and project names should, if possible, have an historical linkage to the project area under development. These could be ranch names, local ditch or mining site names, historical personages, or general historical land use of the area.
- Establish Historic District Signage, such as a standardized program for residents of the historic district to apply to the City for a bronze or some other kind of sign identifying the history of their house. These would be keyed into a walking tour brochure, self-guided.
- Develop a Ranch Center at the Broder Ranch property. Move historical buildings from the Wilson Ranch to this center for historical interpretation/living history of Folsom's cattle ranching, farming/agricultural, and rodeo history. Site could also develop equine center for recreation and historical interpretation.
- Establish appropriate archival storage facility for record storage

Youth Programs

- Establish essay contests, like a local history day program, judged by City officials and awarded through a monetary scholarship or award and plaque (\$100 or less). The winning essay could then be published in the Folsom Telegraph, the City of Folsom Newsletter, or some other local periodical.

- Consider creating an Official Folsomite Card program: This program is designed to engage families (the greater majority of new Folsom residents) in actively learning about Folsom's history together. Children participating would ask the Department of Parks and Recreation for an application to become an official Folsomite. The application would include a general knowledge test and a list of historical sites in Folsom with a check-off list. The child would be required to pass the general knowledge test and visit three local sites of historical interest. The signature of an adult, either a parent, museum personnel, etc would verify visits. The test and visit list would then be returned to the Department of Parks and Recreation. The child would receive a business card-size "Official Folsomite" card and thereby become card-carrying Folsomite. This activity would encourage parents to spend their limited leisure time actively learning about Folsom.

APPENDIX A

DETERMINING ELIGIBILITY FOR CITY OF FOLSOM- CULTURAL RESOURCES INVENTORY

DETERMINING ELIGIBILITY

In order to be listed on the inventory, resources need to meet a level of significance within Folsom's history. By adopting the Secretary of the Interior's standards for the National Register of Historic Places to a local level, it is possible to establish a set of criteria for inclusion on the inventory.

Cultural resource significance is evaluated in terms of a resource's eligibility for listing in the National Register of Historic Places (36 CFR 60.6 [48 R 46306]) as outlined below.

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association; and,

- That are associated with events that have made a significant contribution to the broad pattern of our history; or
- That are associated with the lives of persons significant in our past; or
- That embody the distinct characteristics of a type, period, method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction, or;
- That has yielded, or may be likely to yield, information important in prehistory or history.

Sites younger than 50 years, unless of exceptional importance, are not eligible for the National Register.

An integral part of assessing cultural resource significance, aside from applying the above criteria, is the physical integrity of the resource. Prior to assessing a resource's potential for listing on the National Register, it is important to understand the subtleties of the seven kinds of integrity mentioned above. To summarize a National Park Service (NPS) bulletin, entitled *How to Apply the National Register Criteria for Evaluation* (1991:44-48), the types of integrity are defined as:

- **Location** is the place where the historic property was constructed or the place where the historic event occurred;
- **Design** is the combination of elements that create the form, plan, space, structure and style of a property;
- **Setting** is the physical environment of a historic property;

- *Materials* are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property;
- *Workmanship* is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory;
- *Feeling* is a property's expression of the aesthetic or historic sense of a particular period of time; and
- *Association* is the direct link between an important historic event or person and a historic property.

Integrity is based on significance: why, where, and when a property is important. Only after significance is fully established is the issue of integrity addressed. Ultimately, the question of integrity is answered by whether or not the property retains the identity for which it is significant. A resource must have at least two types of integrity and meet one of the four criteria listed above in order to qualify for the Cultural Resources Inventory.

NOTE:

Guidelines and further information for determining what is or is not culturally significant are available through the National Park Service in Washington, D. C. and the State Office of Historic Preservation in Sacramento. Using these guidelines, the Commission shall seek to apply the standards at the local level, not at the national or state level, of significance. The applicant should be encouraged to seek state or national recognition if they feel the property merits that consideration.

APPENDIX B

INFORMATION PACKET FOR GENERAL DISTRIBUTION

**THE CITY OF FOLSOM
CULTURAL RESOURCE INVENTORY**

PURPOSE AND PROCEDURES

TABLE OF CONTENTS

Introduction

- What is the Cultural Resource Inventory?
- Questions and Answers

The Nomination Process

- Procedures
- Appeals and Removals

Introduction

What is the Cultural Resources Inventory?

- The Cultural Resources Inventory is a guide to the City of Folsom's significant historical and archaeological resources.
- The City of Folsom has designed this program for use by private groups and citizens to identify, evaluate, register and protect Folsom's cultural resources.
- The Cultural Resources Inventory program encourages public recognition and protection of resources of architectural, historical, archaeological and cultural significance, identifies historical resources for City planning purposes and determines eligibility for Redevelopment Agency preservation grant funding.

Questions and Answers

What protection does listing in the Cultural Resources Inventory offer?

- Listing in the Inventory does not guarantee that a resource will not be preserved. Projects that will affect resources may be subject to review pursuant to the California Environmental Quality Act (CEQA). All projects carried out by public agencies are subject to environmental review (require preparation of an environmental impact report) as are projects involving privately owned properties when a permit or review is required. For questions related to a specific resource and CEQA review, please contact the local government or state agency with jurisdiction over the project.

How does the Inventory define a cultural resource?

- For the purposes of listing, a “cultural resource” includes, but is not limited to, any object, building, structure, site, area or place which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, education, social, political, military or cultural annals of Folsom. Historical resources may be eligible for listing in the inventory if they satisfy the criteria established by the City of Folsom for this program.

What are the criteria for listing a resource in the Inventory?

- While the significance criteria for the Inventory is similar to that used by the National Register of Historic Places and the California Register of Historical Resources, this inventory will document the unique history of Folsom. The resource must:
 - 1) Be associated with events contributing to the broad patterns of Folsom’s history and culture;
 - 2) Be associated with historically important people;
 - 3) Embody distinctive characteristics of a type, period, region or construction method, or represent the work of a creative individual; or
 - 4) Have the potential for yielding important information in Folsom’s history or prehistory.

How does a resource become listed in the Inventory?

Resources may be added in two ways:

- 1) Some are automatically eligible, including those determined eligible for the National Register of Historic Places, the California Register of Historical

Resources, and California State Historical Landmarks pertaining to Folsom and its historical sphere of influence.

- 2) Other resources can be nominated to the Inventory by private organizations or citizens.

Does listing on the Inventory affect property rights?

- Listing on the City of Folsom Cultural Resources Inventory does not grant any special privileges or impose any restrictions on private property rights. Rather it recognizes the resource as significant in Folsom's cultural and historical heritage and may assist the property owner in obtaining awards or financial benefits from outside agencies. Listing may also grant a priority to a resource in applying for City of Folsom Redevelopment Agency funding for preservation or promotion. Listing may also provide for application of the more flexible Historic District Building Code to structures outside the Historic District, if the owner of the property so desires.
- Cultural resources nominated to the Inventory may not be listed over the written notarized objection of the property owner. However, a resource whose owner objects to the listing may still be formally determined eligible for the Inventory. Property owners must be notified, sent a copy of the nomination and provided the opportunity to comment on the nomination. Property owners may specify that specific records of their property be confidential and not for public distribution.

What are the benefits of being listed in the Inventory?

- The Historic Building Code may be applied when the use of the Uniform Building Code threatens the historical integrity of a resource. Also, resources included on the Inventory will receive priority consideration for any funds available from the City of Folsom for historic preservation. Further, City of Folsom staff shall include a resource's eligibility to the inventory in its reports to City Council and all other decision-making bodies.

Where do I get more information on historical resources?

Further information about historical resources in Folsom can be obtained from the Folsom History Museum and Folsom Historical Society, the Folsom Chamber of Commerce, the Folsom Railroad Museum, the Folsom Prison Museum, and the Folsom Power House. These resources can also direct you to other agencies, museums, and repositories available in the region.

The Nomination Process

PROCEDURES

Cover Letter

- A cover letter must be submitted with the nomination and must include the names and addresses of the applicant and the resource owner, along with a concise statement of significance. The statement of significance should clearly list the justification for the importance of the historical resource.

Nomination Submission

- The application shall be submitted to the City of Folsom Department of Planning, Inspections, and Permitting (PIP), who will then review the documents for completion and apply the criteria to the application. PIP will also notify the resource owner within 30 days of receipt of the application. After the 90-day waiting period for owner comment, or as soon as comment is received, PIP will then forward the application and comments, along with its recommendations, to the Historic District Commission.
- The Historic District Commission will then consider and determine the resource's eligibility for inclusion on the Inventory.

City of Folsom Review

- The applicant, owner, interested parties, and the general public will be notified by PIP of time, date and location where the Historic District Commission will consider and determine the resource's eligibility. Notification will be sent at least 21 days prior to the hearing and decision. Following the hearing and decision, notification letters will be sent within 45 days to the applicant and owner(s) informing all entities of the Commission's decision and of procedures for requesting an appeal.
- PIP will notify all resource owners of the nomination within 30 days of receipt of the nomination. If the resource owner objects by notarized letter to the nomination, the resource cannot be listed in the Inventory, but can still be formally determined eligible for listing by the Historic District Commission.

Appeals and Removals

Request for Appeal

- Request for an appeal must be made to PIP in writing within 30 days of the Commission's decision. Only an error in the facts presented or an error in judgement by the Commission may be grounds for an appeal. Within 60 days of receipt of a request for an appeal, the Commission will advise the applicant if it will consider the request and, if so, the time and place where the hearing will take place. If the request for an appeal is denied, the applicant may make one final appeal in public hearing before the City Council.

Removal from the Inventory

- The Historic District Commission or its successor may remove a resource from the Inventory if the resource, through demolition, alteration or loss of integrity, has lost its historic qualities or potential to yield information or if new information or analysis shows that the resource was not eligible at the time of its listing. Requests for removal must be made to the Commission in writing and must include a detailed justification for removal, photographs, other documentation regarding the current condition of the resource, and complete ownership information. Requests for removal are subject to the same notification and Commission hearing process as those for nomination.

APPENDIXC

**CITY OF FOLSOM
CULTURAL RESOURCES INVENTORY
REGISTRATION FORM**

CITY OF FOLSOM CULTURAL RESOURCES INVENTORY REGISTRATION FORM

1. Name of Property

historic name: _____
other name/site number: _____

2. Location

street & number: _____ not for publication
city/town: Folsom vicinity
state: California code: CA county: Sacramento zip code: 95630

3. City Agency Certification

As the designated authority under the City of Folsom Master Historic Preservation Plan of 1998, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the City of Folsom Master Historic Preservation Plan and meets the procedural and professional requirements set forth in _____. In my opinion, the property meets does not meet the City of Folsom criteria. † recommend that this property be considered significant nationally statewide locally. (see continuation sheet for additional comments.)

Signature of certifying official

Date

City agency and commission

In my opinion, the property meets does not meet the City of Folsom criteria. (See continuation sheet.)

Signature of commenting or other official

Date

City of Folsom agency and commission

4. City of Folsom Certification

I hereby certify that this property is:

entered in the Cultural Resources Inventory

See continuation sheet.

determined eligible for the Cultural Resources Inventory

See continuation sheet.

determined not eligible for Cultural Resources Inventory

removed from the Cultural Resources Inventory

other (explain): _____

Signature of Keeper of the Inventory

Date

5. Classification

Ownership of Property

(check as many boxes as may apply)

- private
- public-local
- public-State
- public-Federal

Category of Property

(check only one box)

- building(s)
- district
- site
- structure
- object

Number of Resources within Property

Contributing

Noncontributing

_____	_____	buildings
_____	_____	sites
_____	_____	structures
_____	_____	objects
_____	_____	Total

Number of related multiple property listing

(Enter "N/A" if property is not part of a multiple property listing)

Number of contributing resources previously listed in the Cultural Resources Inventory

6. Function or Use

Historic Functions

(Enter categories from instructions)

Current Functions

(Enter categories from instructions)

7. Description

Architectural Classification

(Enter categories from instructions)

Materials

(Enter categories from instructions)

foundation _____
 roof _____
 walls _____
 other _____

Narrative Description

(Describe the historic and current condition of the property on one or more continuation sheets.)

8. Statement of Significance

Applicable Cultural Resources Inventory Criteria

Mark "x" in one or more boxes for the criteria qualifying the property for Cultural Resources listing.)

- A Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B Property is associated with the lives of persons significant in our past.
- C Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "x" in all the boxes that apply)

- A owned by a religious institution or used for religious purposes.
- B removed from its original location.
- C a birthplace or grave.
- D a cemetery.
- E a reconstructed building, object, or structure.
- F a commemorative property.
- G less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance

(Enter categories from instructions)

Period of Significance

Significant Dates

Cultural Affiliation

Architect/Builder

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

Bibliography

(Write the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (City):

- preliminary determination of individual listing has been requested
- previously listed in the National Register
- previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey

- recorded by Historic American Engineering Record

Primary Location of Additional Data:

- State historic preservation office
- Other state agency
- Federal agency
- Local government
- University
- Other

Name of Repository: _____

10. Geographical Data

Acreage of Property _____

UTM References

(Place additional UTM references on a continuation sheet.)

Zone	Easting	Northing	Zone	Easting	Northing
------	---------	----------	------	---------	----------

 See continuation sheet**Verbal Boundary Description**

(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification

(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

Name/Title: _____

Organization: _____ Date: _____

Street & Number: _____ Telephone: _____

City or Town: _____ State: _____ ZIP: _____

**CITY OF FOLSOM
CULTURAL RESOURCES INVENTORY
CONTINUATION SHEET FOR ADDITIONAL INFORMATION**

Section number ____ Page# ____ Property Name _____

SAMPLE

APPENDIX D

**CITY OF FOLSOM
PRELIMINARY CULTURAL RESOURCES
INVENTORY**

CITY OF FOLSOM
PRELIMINARY CULTURAL RESOURCES INVENTORY
(Numerical Index to Cultural Resources Map)

Ethnographic Features – Native American

1. BRM locations along American River below Rainbow Bridge

Historical Buildings/ Structures/ Features – Transportation-Related

2. Sacramento Valley Railroad Grade, factual date 1855
3. Granite Block Culvert beneath Folsom Boulevard near Willow Creek State Park, factual 1855
4. Alder Creek Trestle
5. SVRR/CPRR turntable site on Railroad Block, National Register Property, factual dates 1856, 1867, 1900.
Archaeological deposits on Railroad Block, circa 1856-1870
6. Alder Creek Depot Building, circa 1890s
7. Station Master's House near Wye Junction, circa 1920s
8. Ashland Depot, National Register Property, circa 1860s
9. Folsom Depot, National Register Property, factual 1906
10. Kinsey Bridge Abutments, circa 1850s
11. Rainbow Bridge, NRHP eligible, factual 1917
Steel Truss Bridge, factual 1983-1930
12. Sacramento, Placer and Nevada Railroad ROW, factual 1862
Railroad grade along Oak Avenue Parkway near Cascade Falls
13. California Central ROW, Folsom to Lincoln Railroad grade
Wye junction at Bidwell and Folsom Boulevard
14. Ashland townsite
15. Placerville and Sacramento Valley Railroad ROW
16. Folsom Dam
17. Stone building remnants

Historical District Cultural /Architectural Resources

18. Granite pillars from State Capitol grounds
19. Granite School, circa 1900
20. Figueroa Street Bridge, between Riley and Wool, factual 1916
21. Sutter Street Historic Commercial District, 600-900 blocks of Sutter Street
Historic Residential Area
22. Emma's

Historical Cemeteries and Churches:

23. St. John's Catholic Church, est. circa 1855
24. Trinity Episcopal Church, est. circa 1860
25. Landmark Baptist Church, est. circa 1855
26. St. John's Catholic Cemetery, established circa 1855
27. Odd Fellows and Mason's Cemeteries, est. circa 1856
Remainder of Lakeside Cemetery, est. circa 1850s
28. Chung Wah Cemetery, NRHP property, est. circa 1850s
29. Young Wo Cemetery, CHL, est. circa 1870s
Mormon Island Cemetery

Previously surveyed Structures:

30. a) 305 Scott Street, Cohn House, NRHP property, factual 1860, alt. 1895
b) 607 Sutter Street, original library, circa 1915
c) 701 Sutter Street, Murer Gas Station, circa 1920
d) 707, 709, 711, 713 Sutter Street, Commercial buildings, circa 1860
e) 917, 921, 923 Sutter Street, Chinese Laundries and residences
31. Stockton Flour Mill site and remnant foundations, circa 1856
32. Giuseppe Murer House

Historic Structures, Industrial/Energy

33. Folsom Hydroelectric National Historic Landmark, CA-Sac-429H
Powerhouse 1, NRHP Property, CHL, est. 1895
Powerhouse 2, NRHP Property, CHL
Twin Mines/ Gray Eagle Mine
34. Livermore sawmill foundation remnants and mill pond
35. Diversion Dam and Powerhouse, Folsom Prison
Canal (1.5 miles) and main Gates, Livermore operation
Gas plant archaeological remains, circa 1860
Granite Quarry, Folsom Prison
Other granite quarry sites
36. Aerojet and aerospace industrial operation

Historic Features, Mining-related Resources

37. Walltown gold mines and ditch network
38. Natoma Ground Sluice diggings, Hwy. 50
39. Placer Sluicing pits, tailing piles, ditches and drains, Lake Natoma
40. Dredger Tailing Piles representative of different dredging technology episodes
41. Natoma Water and Mining Company ditches and reservoirs
42. Mining adits and tunnel portals, Lake Natoma
43. Tate's (aka Teat's) Flat Ditch
44. Alder Creek Pump House remains

45. Negro Bar townsite, 1849-1856
46. Texas Hill townsite, 1849-1856
47. Prairie City townsite, 1850-1856
48. Mormon Island townsite, 1850-1945
49. Pratt Rock narrow-gauge railroad grade
50. Eucalyptus and olive grove experimental reclamation project property
51. Willow Spring Hill Diggings
52. Humbug and Willow Creeks Mining Corridors
53. Hydraulic mining sites American River bike trail across from City Park
Hydraulic mining areas
54. Negro Hill
55. Chinatown Site
56. Chinese mining site

Historic Structures, Sites – Agricultural/Ranching-related

57. Broder Ranch Complex
58. Russell Ranch Complex(with old horse barn)
59. Smith Ranch
60. Wilson Ranch (1850s house and barn)
61. Olive Orchard east of Folsom-Auburn Road north of Oak Avenue
62. Salmon Falls townsite

Points of Local Interest

63. Natoma Grove
64. Dredge/Natoma townsite
65. Folsom Institute Site
66. Folsom High School (original Hall/wing)
67. Rodeo Arena site
68. John Kemp House
69. Clarksville

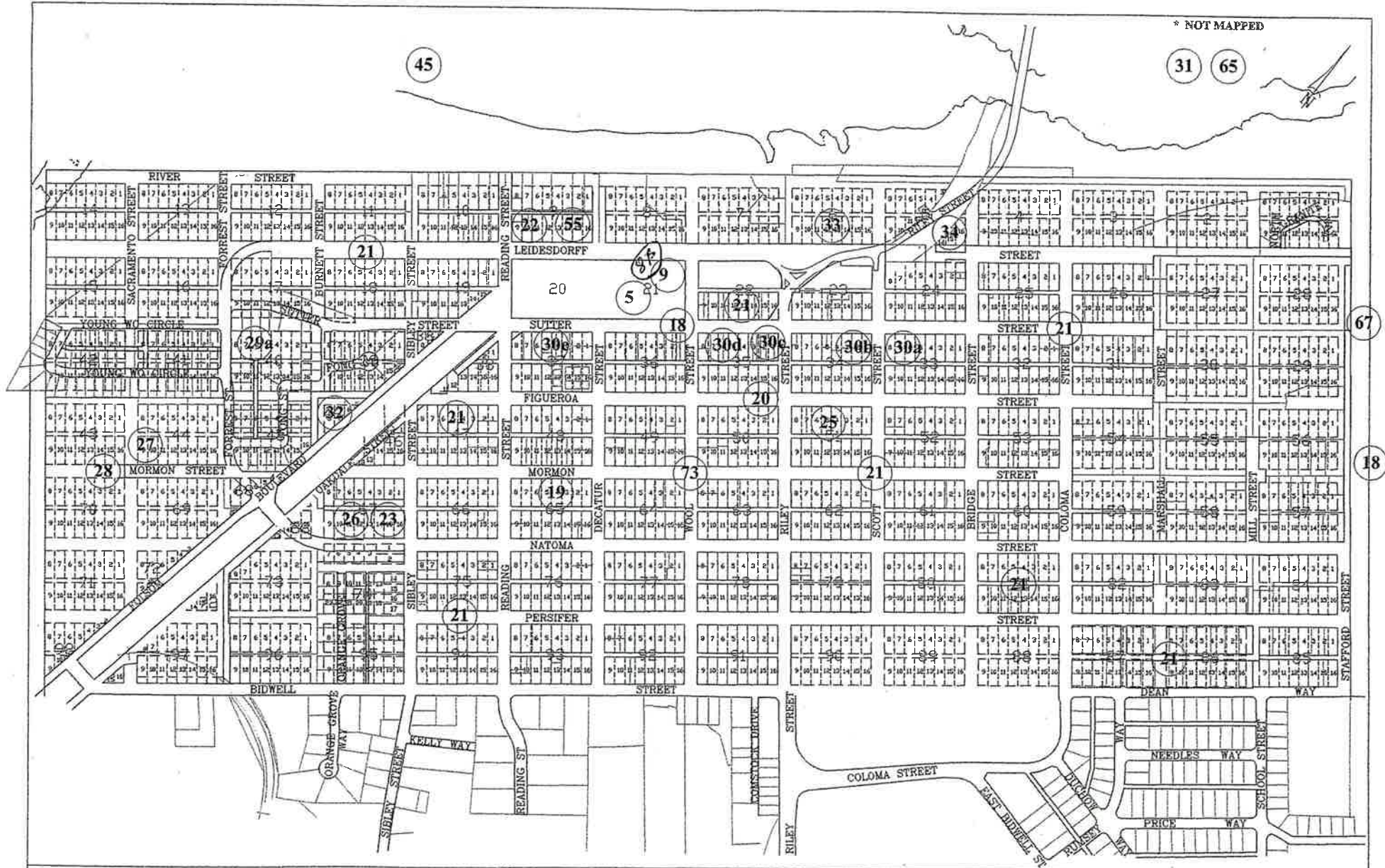
Views, Viewsheds, and Landscapes

70. Oak Canopy on Folsom Boulevard between Blue Ravine and Factory outlets
Folsom Historic District from Greenback looking southeast from northwest corner
of Negro Bar State Park.
71. River and gorge looking upstream from Rainbow Bridge
72. River and bluffs looking downstream from new bridge
American River drainage from new high school site looking west.
73. Shoot-out site at Wool and Mormon Streets

* NOT MAPPED

45

31 65



ENLARGED MAP INSERT

SCALE
1"=400'

SHEET
1
1

Attachment 8

Public Comment Letters Received After the April 26, 2022
Hearing



CITY OF
FOLSOM
CALIFORNIA

Folsom City Council Meeting

Additional Information Transmittal

MEETING DATE:	4/26/2022
AGENDA SECTION:	Public Hearing
STAFF REPORT TITLE	Agenda Item # 8- 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
FROM:	Community Development Department

Staff is providing the attached additional information for the above-referenced agenda item.

- Public comment letters received by Staff since the publication of the City Council staff report.

Instructions to staff: Deliver original and 30 stapled/double-sided copies to the City Clerk's Department; City Clerk's Department will distribute via email and hardcopy to City Council, City Manager, City Attorney, and City Clerk.

Updated: Jan 2022

April 20, 2022

Council Members

Opposition to the Lakeside Crematorium

Disagreement with Primary Use

My name is Dave Higgins and I oppose the crematorium.

During the Historic District Commission hearing, 02-16-2022 Igor Semenyuk stated the crematorium is an accessory to the existing cemetery, as does the memo from Helix dated 02-15-2022.

In the Helix Memo dated 02-15-2022, page 3-4 states:

“In this case, the cemetery is the primary or principal and the applicant is proposing a crematorium as an accessory use to the existing cemetery. As proposed, the crematorium would be subordinate to area, extent and purpose to that of the existing cemetery.

It would provide a service related to and supportive to the service already provided by the cemetery and the 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 such, a crematory can be considered as an accessory use subject to a CUP”

So when the cemetery reaches capacity for in ground burials and the mausoleum niches are full is the crematorium still accessory to the cemetery? It is my opinion the crematorium will be the primary business immediately after approval. After more than 150 years of ground burials one would think the cemetery is full now.

I disagree. In my opinion the crematorium becomes the primary or principal use.

Using Igor Semenyuk’s data from his powerpoint presentation during the HDC hearing he states that:

70% of California’s population currently choose cremation as an disposition choice

54% of Folsom residents choose cremation.

In a letter **“Scope of Work - Installing a crematory”** dated 02-27-2020, Igor Semenyuk states:

“Since 2019, the City of Folsom has an estimated 450 deaths a year and rising as the population increases. That is an estimated 300 cremation needed to be performed every year”

What these statements tell me is that cremations are increasing. Over 50% of Folsom residents are choosing cremations. 2019 data, 450 Folsom deaths a year with 54% (243) Folsom residents choosing cremations. Igor's estimate is 300 needed to be performed. That leaves roughly 250 cremations from outside Folsom. Miller Funeral needs to import 250 corpses to the Historic District to fulfill the 500 cremations a year. Does Folsom want or need that kind of distinction?

Living directly across from the cemetery I witness an estimated one funeral a week, 52 per year. Some of the funerals are ground burials, the others are placements in the mausoleum. I speculate all the burials and mausoleum placements are not Folsom residents. However, this is still a far lower number than 500 cremations per year.

If the number of cremations exceeds the number of burials and mausoleum placements I believe the primary use becomes cremations. The cemetery is not the primary or principal entity anymore. Lakeside Cemetery becomes the accessory to the Crematory. As such, the crematory can not be considered an accessory; it becomes the principal and is not subject to a CUP. The Lakeside Cemetery does not have the ability or capacity to provide 500 burials or mausoleum placements a year. With the crematorium now becoming the new primary business I believe an environmental impact report (EIR) must be conducted.

Igor said they are running at a capacity of 500+ cremations a year now at some of their facilities. They are taking human remains from all over Northern California to their other facilities for processing. During the peak of Covid they received a temporary exception from Air Quality and were allowed to exceed the 800lbs a day, 500 per year numbers and burn more human remains.

Igor said Folsom needs a crematory so Miller Funeral Home can provide a necessary service to the community. What service and benefit is there when Miller Funeral Home begins importing human remains from the greater Sacramento Region to Folsom for processing? **How does the City of Folsom and the residents benefit?** The cemetery is tax exempt. I see no monetary gain for the City of Folsom. The only benefit is to Miller Funeral Home. There

are 16 other crematory businesses between Sacramento and Folsom. This is a very competitive industry. Igor is seeking that competitive advantage at the risk of Folsom residents.

Miller Funeral Home can find other locations outside the City of Folsom such as the commercial areas off Sunrise Blvd in Rancho Cordova, The Industrial Park off Latrobe Rd in El Dorado Hills, and Aerojet Industrial Park. There are other options. Miller Funeral Home does not want to invest in a practical manner. Miller Funeral home wants to go to the cheapest option, a metal tool shed.

Conditional Use Permit FMC 17.60.040

The establishment, maintenance, or the operation of the use or building applied for will or will not, under the circumstance of the peculiar 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 improvement in the neighborhood, or to the general welfare of the City. (prior code 3122.04)

Thank You for your time and consideration

David Higgins

April 22, 2022

Council Members

Opposition to crematorium

On March 14, 2022 on I-80 near Applegate a propane delivery truck was involved in an accident which resulted in I - 80 closure and nearby evacuations for 9 hours.

My Name Is Dave Higgins. I live in the Preserves neighborhood. I'm a retired Fremont fire captain with 30 years experience, 10 of which I was assigned to the HazMat Response Team. Three years as a Training Officer.

I have a serious concern about the fire safety and egress in the neighborhood.

Miller Funeral Home wants to store 500 gallons of highly flammable propane on property. In two separate tanks. Within 13 -14 feet of a 19 ft. exhaust stack operating at over 1000 degrees.

The Fire Chief stated he didn't see a problem with this.

The problem I see with this is access and visibility

In the **Hazards Section** of the Negative Declaration it states:

“As an existing facility Lakeside Memorial Lawn maintains adequate fire response infrastructure for both current operations and the proposed project.”

I am curious as to what fire response infrastructure there is to control a fire involving 500 gallons of propane.

There are no fire hydrants on the property.

The closest fire hydrant is 650 feet away on Forrest St.

The old metal shed is there to store tools and equipment.

What is the fire Infrastructure? Is it a fire extinguisher??

In section F **Emergency Response or Evacuation Plan;**

States:

“Project site meets the fire department standards for fire engine maneuvering, location for fire engine to fight fire, rescue access to the units ???, and fire hose placement to all sides of the building.”

I don't know what the statement **“rescue access to the units”** means. Storage units, apartment units????
Maybe staff or Helix can explain.

This statement was obviously written before all the construction at the site.

This statement does not take into account the stored 500 gallons of highly flammable propane.

It does not take into account the automatic security gate at the entrance of the cemetery.

It does not take into account the metal security fence and locked gate surrounding the maintenance grounds.

It does not take into account the wooden fence hiding the propane tank pad.

It does not take into account the trees and shrubbery surrounding maintenance grounds.

It does not take into account the Dredger Tailing pile.

There is no emergency access to the propane tanks

In my opinion, Emergency response and mitigation will be delayed. Site access has become very difficult because of the obstacles created. Fire personnel will have difficulty identifying the nature of the incident because of hampered visibility.

Due to the difficulty in ACCESS and VISIBILITY fire apparatus and other emergency vehicles will be parked or staged in the street.

This would effectively block egress out of the Preserves Neighborhood trapping the community.

The difference between the Lakeside Cemetery propane tanks and the propane tanks you see throughout the City is access.

The other tanks are approachable from 360 degrees and visible from far better distances.

An Incident involving one of these propane tanks would have early detection and timely 911 notification.

People can self evacuate.

These tanks are not within 13-14 feet of an 1000 degree ignition source.

These other locations create a far safer planning and firefighting environment.

My suggestion, should this proposed project get approved, would be to require the energy source be **natural gas**. It would be extremely safer. The fuel is delivered underground and on demand. Removing the need to store 500 gallons of highly flammable propane gas near a 1000 degree exhaust stack. Natural gas would eliminate the need to have weekly propane deliveries in an already busy area, reducing the hazard further.

In the “**Environmental Setting**” section

There is a statement:

The project site not located in or near a State Responsibility area or lands classified a “Very High Fire Hazard Zone”

This is misleading. The project's environmental setting is located right next to a State Responsibility area.

Though the State Responsibility area is not classified as a **Very** High Fire hazard it is next to the recognized City of Folsom Community Wildfire Area which makes it a fire exposure.

The Community Wildfire Protection Plan, dated 2013, states the area around the City Corporation Yard and the East Natoma Lake Trail is a high fire priority for fuel management. This was proven true a couple of years ago with a wildfire at the entrance to the East Lake Natoma trail and Young Wo Circle. All we needed was a north wind (red flag weather) to make that situation worse.

So it's true it is not in a **Very** High Hazard Zone. It is near the City of Folsom High Fire Priority area. The threat of a wildfire is real.

In the webcast from the HDC hearing (at 1:34 minutes) The Fire Chief stated he had a hard time linking the evacuation wildland fire scenario and the Crematorium propane hazard scenario together.

The link is the location of the incident.

In the wildfire scenario, the incident is in the back of the neighborhood and the evacuation is directed away from the incident, past the cemetery. With the propane scenario the incident is at the evacuation exit, and will be likely blocked by emergency vehicles.

There are serious issues related to fire and life safety.

Miller Funeral Home needs to review their business plan. It would have been far cheaper to have originally invested in a zoned commercial site. Possibly in a neighboring community, close the Folsom. It would have protected the Miller Funeral Home Brand and Reputation from the frustration and anger fostered within this community and beyond.

Thank you for your time and consideration

Dave Higgins

From: Elaine Andersen
To: Josh Kinkade
Subject: FW: Please VOTE NO for the Lakeside Crematorium
Date: Thursday, April 21, 2022 7:34:32 AM
Attachments: SPO.pdf

From: Victoria Foster [REDACTED]
Sent: Wednesday, April 20, 2022 6:55 PM
To: Elaine Andersen <eandersen@folsom.ca.us>
Cc: Victoria Foster [REDACTED]
Subject: Please VOTE NO for the Lakeside 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 Elaine Andersen,

April 19, 2022

When the applicant first applied for the conditional use permit to start this new business – it was to burn 2 bodies a day- now it's already up to 4 bodies a day and the business hasn't even started. This application states it is putting the crematorium in an existing metal structure... a metal shed. They also are stating this is to help the growing demand for the community and of a religion where they need to be present during the cremation. I don't see how anyone can feel at peace standing inside a metal shed like this during the burning of their family member. I've seen nicer Rubbermaid sheds in backyards. So what would be next with the increasing demand?? A bigger and newer building to be put in this historic cemetery? You give an inch - they take a mile -It's the wrong location - it needs to be in an industrial area. So how big will that number grow too? A business needs to make money to sustain and like with any business, what does their business plan look like? What are their 3-5-10 -20 -year forecasts and projections? This business needs to be taken seriously and put in the proper place not just conveniently placed within a business he conveniently owns inside the **historic district**. With this demand growing how would anyone know if extra bodies aren't being cremated well past their allowed limit? You really think he's going to ask the city again for a license to increase the number of bodies to burn knowing what he's up against now? I don't think so! This business needs to be put in an industrial area that can increase with the demand and if Folsom doesn't have the industrial area, well than the applicant needs to find the next best location for it.

Also, I don't think anyone can guarantee that the emissions from mercury and unknown metals from the burning bodies won't affect the air we breathe. The air quality tests & data were done from the vicinity of the 2 Sacramento airport's- We are in a different geographical zone than that. I'm not an expert but common sense needs to come into play -the homes in The Preserves/ Lake Natoma Shores are on the American River/ Lake Natoma which is up against the canyon bluffs. This waterway is filled with wild- life, kayakers, paddle boarders and the trails filled with runners, bikers and families on strolls and into the cliffs, our protected bald eagles with 2 baby hatchlings. These massive sheer walls hold in the fog in the winter and smoke during fire season. How can you tell me it won't be any different for each burning body that's be expelled into the air with poisonous mercury? Some days during winter when it's foggy- we will be fogged in our neighborhood most the day - yet you drive out of our development and 1/4 mile away it's clear and sunny.

I and the neighbors are not coming to you as whiners and not just with the 'not in my neighborhood' mentality- we also come to you with facts. I'm a realtor for over 30 years and full time at Intero Real Estate services. Being next to a crematorium will absolutely affect our property values. As you know owning a house is a large investment and even more so a HOME where we live, breathe & raise our families. We as homeowners have purchased homes knowing a couple historical cemeteries were here, but not a business such as a crematorium - that's totally different. Some homeowners stated that they would feel compelled to move. This absolutely will affect our home values and eliminate a large number of buyers not only for health concerns, but yes, the creep factor. Why should we have to uproot from our homes for fear of unknown health risks that no one can guarantee? And on top of that, lose tens of thousands of dollars and possibly even more with the way home prices are going now in California, potentially lose a hundred thousand dollars or more compared to other areas in Folsom because we have a crematorium dropped in our neighborhood.

The real estate phrase that's been heard thru the years of "Location, location, location" is trumped in this litigation filled business of real estate where now Realtors chant to their clients "Disclose, disclose, disclose".

The California Association of Realtor's have a mandatory disclosure form that must be included in every sale. It's the Sellers Property Questionnaire. I am attaching it to this email and I highlighted and indicated in 7 different paragraphs on this 4 page document. This is where a seller would have to disclose about this crematorium and its issues. It's not something to be taken lightly.

In the applicant's case study, they pointed out that there are other crematoriums next to residential homes, but none are in a historic district. Pictures of those homes shown in the study looked vacant and abandon, cars were on the lawns, they were next to run down apartment buildings and in 'mixed use' zoning areas. Nothing in comparison to the historic quality or pricing of the neighborhood here or up next to such beautiful trails and waterways.

We have two very important boards in Folsom-The City Council and The Historic District Commission. **The Historic District already researched, heard the request from Lakeside Cemetery, heard the City's response and turned down this request 6-1!!!!** **I'm asking there be unity with their decision** and for the City Council to all be on the same page and support each other. One of the reason's we have a Historic Committee is to help uphold the history that makes Folsom quaint and unique.

As a realtor I talk to Families that love living here and ones that want to move to here- all for such reasons for the outstanding schools, for the trails & recreation of both lakes, the restaurants, shopping, for the family feel of the community, for the quaint historic feeling of Folsom. No buyer coming to Folsom has ever asked me, 'how is your crematorium here?' They come.... and they stay
.....
for the quality of life- not death.

Is a Crematorium needed? maybe ... but not in an area that will affect **hundreds of tax paying residents home values and more importantly their health values and of the community enjoying the downtown, river and trails.** A crematorium needs to be placed in the proper area and zoning to be capable of the ever -increasing need and growth to come and not sacrificing the historic district and the living citizens of Folsom over the deceased.

Please vote No against this proposal.

Warm Regards,

Victoria Foster

██████ Young Wo Circle. Folsom

██████

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SELLER PROPERTY QUESTIONNAIRE
(C.A.R. Form SPQ, Revised 12/21)

This form is not a substitute for the Real Estate Transfer Disclosure Statement (TDS). It is used by the Seller to provide additional information when a TDS is completed. If Seller is exempt from completing a TDS, Seller should complete an Exempt Seller Disclosure (C.A.R. Form ESD) or may use this form instead:

NOTE TO SELLER: YOU ARE STRONGLY ADVISED TO CAREFULLY REVIEW THE DISCLOSURE INFORMATION ADVISORY (C.A.R. Form DIA) BEFORE YOU COMPLETE THIS SELLER PROPERTY QUESTIONNAIRE. ALL SELLERS OF CALIFORNIA REAL PROPERTY ARE REQUIRED TO PROVIDE VARIOUS DISCLOSURES, EITHER BY CONTRACT, OR BY STATUTE OR CASE LAW. MANY DISCLOSURES MUST BE MADE WITHIN CERTAIN TIME LIMITS. TIMELY AND THOROUGH DISCLOSURES HELP TO REDUCE DISPUTES AND FACILITATE A SMOOTH SALES TRANSACTION.

Seller makes the following disclosures with regard to the real property or manufactured home described as 123 Example Street, Assessor's Parcel No. _____, situated in _____ County of Sacramento California ("Property").

1. Disclosure Limitation: The following are representations made by the Seller and are not the representations of the Agent(s), if any. This disclosure statement is not a warranty of any kind by the Seller or any agents(s) and is not a substitute for any inspections or warranties the principal(s) may wish to obtain. This disclosure is not intended to be part of the contract between Buyer and Seller. Unless otherwise specified in writing, Broker and any real estate licensee or other person working with or through Broker has not verified information provided by Seller. A real estate broker is qualified to advise on real estate transactions. If Seller or Buyer desires legal advice, they should consult an attorney.

2. Note to Seller, PURPOSE: To tell the Buyer about known material or significant items affecting the value or desirability of the Property and help to eliminate misunderstandings about the condition of the Property.
- Answer based on actual knowledge and recollection at this time.
- Something that you do not consider material or significant may be perceived differently by a Buyer.
- Think about what you would want to know if you were buying the Property today.
- Read the questions carefully and take your time.
- If you do not understand how to answer a question, or what to disclose or how to make a disclosure in response to a question, whether on this form or a TDS, you should consult a real estate attorney in California of your choosing. A broker cannot answer the questions for you or advise you on the legal sufficiency of any answers or disclosures you provide.

3. Note to Buyer, PURPOSE: To give you more information about known material or significant items affecting the value or desirability of the Property and help to eliminate misunderstandings about the condition of the Property.
- Something that may be material or significant to you may not be perceived the same way by the Seller.
- If something is important to you, be sure to put your concerns and questions in writing (C.A.R. form BMI).
- Sellers can only disclose what they actually know. Seller may not know about all material or significant items.
- Seller's disclosures are not a substitute for your own investigations, personal judgments or common sense.

4. SELLER AWARENESS: For each statement below, answer the question "Are you (Seller) aware of..." by checking either "Yes" or "No." There is no time limitation unless otherwise specified. Explain any "Yes" answers in the space provided or attach additional comments and check section 19.

5. DOCUMENTS: ARE YOU (SELLER) AWARE OF...
Reports, inspections, disclosures, warranties, maintenance recommendations, estimates, studies, surveys or other documents (whether prepared in the past or present, including any previous transaction), pertaining to (i) the condition or repair of the Property or any improvement on this Property in the past, now or proposed; or (ii) easements, encroachments or boundary disputes affecting the Property whether oral or in writing and whether or not provided to the Seller.
[] Yes [] No
Note: If yes, provide any such documents in your possession to Buyer.
Explanation: _____

6. STATUTORILY OR CONTRACTUALLY REQUIRED OR RELATED: ARE YOU (SELLER) AWARE OF...
A. Within the last 3 years, the death of an occupant of the Property upon the Property [] Yes [] No
B. An Order from a government health official identifying the Property as being contaminated by methamphetamine. (If yes, attach a copy of the Order.) [] Yes [] No
C. The release of an illegal controlled substance on or beneath the Property [] Yes [] No
D. Whether the Property is located in or adjacent to an "industrial use" zone [X] Yes [] No
(In general, a zone or district allowing manufacturing, commercial or airport uses.)
E. Whether the Property is affected by a nuisance created by an "industrial use" zone [X] Yes [] No
F. Whether the Property is located within 1 mile of a former federal or state ordnance location (In general, an area once used for military training purposes that may contain potentially explosive munitions.) [] Yes [] No
G. Whether the Property is a condominium or located in a planned unit development or other common interest subdivision [] Yes [] No



SELLER PROPERTY QUESTIONNAIRE (SPQ PAGE 1 OF 4)

Property Address: 723 Example Street, CA 95828-6169

- H. Insurance claims affecting the Property within the past 5 years Yes No
- I. Matters affecting title of the Property Yes No
- J. Material facts or defects affecting the Property not otherwise disclosed to Buyer Yes No
- K. Plumbing fixtures on the Property that are non-compliant plumbing fixtures as defined by Civil Code § 1101.3 Yes No

Explanation, or (if checked) see attached; NEXT TO LAKEVIEW MEMORIAL DOWN CEMETERY AND CREMATORY

7. REPAIRS AND ALTERATIONS: ARE YOU (SELLER) AWARE OF...

- A. Any alterations, modifications, replacements, improvements, remodeling or material repairs on the Property (including those resulting from Home Warranty claims) Yes No
- B. Any alterations, modifications, replacements, improvements, remodeling, or material repairs to the Property done for the purpose of energy or water efficiency improvement or renewable energy? Yes No
- C. Ongoing or recurring maintenance on the Property (for example, drain or sewer clean-out, tree or pest control service) Yes No
- D. Any part of the Property being painted within the past 12 months Yes No
- E. Whether the Property was built before 1978 Yes No
 - (a) If yes, were any renovations (i.e., sanding, cutting, demolition) of lead-based paint surfaces started or completed Yes No
 - (b) If yes to (a), were such renovations done in compliance with the Environmental Protection Agency Lead-Based Paint Renovation Rule Yes No

Explanation: _____

8. STRUCTURAL, SYSTEMS AND APPLIANCES: ARE YOU (SELLER) AWARE OF...

- A. Defects in any of the following (including past defects that have been repaired): heating, air conditioning, electrical, plumbing (including the presence of polybutylene pipes), water, sewer, waste disposal or septic system, sump pumps, well, roof, gutters, chimney, fireplace foundation, crawl space, attic, soil, grading, drainage, retaining walls, interior or exterior doors, windows, walls, ceilings, floors or appliances Yes No
- B. The leasing of any of the following on or serving the Property: solar system, water softener system, water purifier system, alarm system, or propane tank(s) Yes No
- C. An alternative septic system on or serving the Property Yes No

Explanation: _____

9. DISASTER RELIEF, INSURANCE OR CIVIL SETTLEMENT: ARE YOU (SELLER) AWARE OF...

- Financial relief or assistance, insurance or settlement, sought or received, from any federal, state, local or private agency, insurer or private party, by past or present owners of the Property, due to any actual or alleged damage to the Property arising from a flood, earthquake, fire, other disaster, or occurrence or defect, whether or not any money received was actually used to make repairs Yes No

Explanation: _____

10. WATER-RELATED AND MOLD ISSUES: ARE YOU (SELLER) AWARE OF...

- A. Water intrusion, whether past or present, into any part of any physical structure on the Property; leaks from or in any appliance, pipe, slab or roof; standing water, drainage, flooding, underground water, moisture, water-related soil settling or slippage, on or affecting the Property Yes No
- B. Any problem with or infestation of mold, mildew, fungus or spores, past or present, on or affecting the Property Yes No
- C. Rivers, streams, flood channels, underground springs, high water table, floods, or tides, on or affecting the Property or neighborhood Yes No

Explanation: _____

11. PETS, ANIMALS AND PESTS: ARE YOU (SELLER) AWARE OF...

- A. Past or present pets on or in the Property Yes No
- B. Past or present problems with livestock, wildlife, insects or pests on or in the Property Yes No
- C. Past or present odors, urine, feces, discoloration, stains, spots or damage in the Property, due to any of the above Yes No
- D. Past or present treatment or eradication of pests or odors, or repair of damage due to any of the above Yes No

If so, when and by whom _____
Explanation: _____



12. BOUNDARIES, ACCESS AND PROPERTY USE BY OTHERS:

ARE YOU (SELLER) AWARE OF...

- A. Surveys, easements, encroachments or boundary disputes
B. Use or access to the Property, or any part of it, by anyone other than you, with or without permission, for any purpose, including but not limited to, using or maintaining roads, driveways or other forms of ingress or egress or other travel or drainage
C. Use of any neighboring property by you

Explanation: LAKE SIDE MEMORIAL LOWN CEMETERY AND

13. LANDSCAPING, POOL AND SPA:

ARE YOU (SELLER) AWARE OF...

- A. Diseases or infestations affecting trees, plants or vegetation on or near the Property
B. Operational sprinklers on the Property
C. A pool heater on the Property
D. A spa heater on the Property
E. Past or present defects, leaks, cracks, repairs or other problems with the sprinklers, pool, spa, waterfall, pond, stream, drainage or other water-related decor including any ancillary equipment, including pumps, filters, heaters and cleaning systems, even if repaired

Explanation:

14. CONDOMINIUMS, COMMON INTEREST DEVELOPMENTS AND OTHER SUBDIVISIONS: (IF APPLICABLE)

ARE YOU (SELLER) AWARE OF...

- A. Any pending or proposed dues increases, special assessments, rules changes, insurance availability issues, or litigation by or against or fines or violations issued by a Homeowner Association or Architectural Committee affecting the Property
B. Any declaration of restrictions or Architectural Committee that has authority over improvements made on or to the Property
C. Any improvements made on or to the Property without the required approval of an Architectural Committee or inconsistent with any declaration of restrictions or Architectural Committee requirement

Explanation:

15. TITLE, OWNERSHIP LIENS, AND LEGAL CLAIMS:

ARE YOU (SELLER) AWARE OF...

- A. Any other person or entity on title other than Seller(s) signing this form
B. Leases, options or claims affecting or relating to title or use of the Property
C. Past, present, pending or threatened lawsuits, settlements, mediations, arbitrations, tax liens, mechanics' liens, notice of default, bankruptcy or other court filings, or government hearings affecting or relating to the Property, Homeowner Association or neighborhood
D. Any private transfer fees, triggered by a sale of the Property, in favor of private parties, charitable organizations, interest based groups or any other person or entity.
E. Any PACE lien (such as HERO or SCEIP) or other lien on your Property securing a loan to pay for an alteration, modification, replacement, improvement, remodel or material repair of the Property
F. The cost of any alteration, modification, replacement, improvement, remodel or material repair of the Property being paid by an assessment on the Property tax bill

Explanation:

16. NEIGHBORS/NEIGHBORHOOD:

ARE YOU (SELLER) AWARE OF...

- A. Neighborhood noise, nuisance or other problems from sources such as, but not limited to, the following: Neighbors, traffic, parking congestion, airplanes, trains, light rail, subway, trucks, freeways, buses, schools, parks, refuse storage or landfill processing, agricultural operations, business, odor, recreational facilities, restaurants, entertainment complexes or facilities, parades, sporting events, fairs, neighborhood parties, litter, construction, air conditioning equipment, air compressors, generators, pool equipment or appliances, underground gas pipelines, cell phone towers, high voltage transmission lines, or wildlife
B. Any past or present disputes or issues with a neighbor which could impact the use and enjoyment of the Property

Explanation: A) CREMATORY B) PRESERVE NEIGHBORHOOD OPPOSED THE MILLER / LAKE SIDE CREMATORY IN 2004 AND IN 2022.



17. GOVERNMENTAL:

ARE YOU (SELLER) AWARE OF...

- A. Ongoing or contemplated eminent domain, condemnation, annexation or change in zoning or general plan that applies to or could affect the Property
B. Existence or pendency of any rent control, occupancy restrictions, improvement restrictions or retrofit requirements that apply to or could affect the Property
C. Existing or contemplated building or use moratoria that apply to or could affect the Property
D. Current or proposed bonds, assessments, or fees that do not appear on the Property tax bill that apply to or could affect the Property
E. Proposed construction, reconfiguration, or closure of nearby Government facilities or amenities such as schools, parks, roadways and traffic signals
F. Existing or proposed Government requirements affecting the Property (i) that tall grass, brush or other vegetation be cleared; (ii) that restrict tree (or other landscaping) planting, removal or cutting or (iii) that flammable materials be removed
G. Any protected habitat for plants, trees, animals or insects that apply to or could affect the Property.
H. Whether the Property is historically designated or falls within an existing or proposed Historic District
I. Any water surcharges or penalties being imposed by a public or private water supplier, agency or utility; or restrictions or prohibitions on wells or other ground water supplies
J. Any differences between the name of the city in the postal/ mailing address and the city which has jurisdiction over the property

Explanation: WE WOULD HAVE TO NOTE HERE... 17A) ZONING OF OPEN SPACE ADJACENT TO THE PERFORMER CHANGED TO ACCOMMODATE THE LAKE-SIDE CREMATORY.

18. OTHER:

ARE YOU (SELLER) AWARE OF...

- A. Any occupant of the Property smoking or vaping any substance on or in the Property, whether past or present
B. Any use of the Property for, or any alterations, modifications, improvements, remodeling or material change to the Property due to, cannabis cultivation or growth
C. Any past or present known material facts or other significant items affecting the value or desirability of the Property not otherwise disclosed to Buyer

Explanation: LAKE-SIDE CREMATORY IN USE MON-SUNDAY.

19. (IF CHECKED) ADDITIONAL COMMENTS: The attached addendum contains an explanation or additional comments in response to specific questions answered "yes" above. Refer to line and question number in explanation.

Seller represents that Seller has provided the answers and, if any, explanations and comments on this form and any attached addenda and that such information is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller acknowledges (i) Seller's obligation to disclose information requested by this form is independent from any duty of disclosure that a real estate licensee may have in this transaction; and (ii) nothing that any such real estate licensee does or says to Seller relieves Seller from his/her own duty of disclosure.

Seller Date
Seller Date

By signing below, Buyer acknowledges that Buyer has read, understands and has received a copy of this Seller Property Questionnaire form.

Buyer Date
Buyer Date

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Terry L. Sorensen
[REDACTED] Forrest Street
Folsom, CA 95630

April 15, 2022

City Council
City of Folsom
50 Natoma Street
Folsom, CA 95630

RE: Lakeside memorial Lawn
Crematorium Conditional Use Permit
(PN-19-182)
Hearing Date: April 26, 2022

Dear Councilpersons:

Applicant's request for the issuance of a C.U.P. allowing the operation of a crematorium on the grounds of Lakeside Memorial Lawn, an historic cemetery located in the Historic District, should be denied in light of the fact that such an issuance would be violative of the provisions and intent of Folsom's General Plan, Historic Preservation Master Plan, and Design and Development Guidelines. The relevant provisions of these documents are summarized, below.

General Plan 2035

"At the heart of the General Plan are 'Guiding Principles' that express the key values and aspirations of Folsom's future and act as guideposts for the goals, policies, and implementation measures contained within the General Plan." (Folsom General Plan 2035 [hereinafter, G.P.] I-15)

The following Guiding Principles appear to be relevant and controlling in regard to the Lakeside C.U.P. issue herein under consideration:

1. Guiding Principle #17: Embrace the City's rich historic...heritage, preserving, restoring, maintaining, and enhancing heritage sites throughout the city;
2. Guiding Principle #18: Recognize and celebrate the cultural diversity and Folsom residents; and
3. Guiding Principle #19: Facilitate active and meaningful community participation...and actively seeking citizen input in the decision-making process, ...guided by the public interest and... in maintaining and improving quality of life in Folsom. (G.P. I-18).

To ensure that City staff and decision-makers systematically implement the policies and proposals of the General Plan, State law since the early 1970s has increasingly insisted that the actions and decisions of a local governmental entity concerning private projects it approves are consistent with the adopted general plan of that entity. Included in the list of those public entity actions which must be consistent with that entity's general plan are approval of development projects. G.P., IM-3,4).

Historic Preservation Master Plan

The Cultural Resources section of the General Plan (commencing at G.P., NCR-10) provides as follows: "The policies in this section strive to preserve and protect Folsom's historic character as well as Folsom's archaeological resources. Folsom has many cultural resources, most notably Historic Folsom...."

Following this introductory comment, the General Plan goes on to state (at NCR-11) under the heading Goal NCR 5.1 as follows: "Encourage the preservation, restoration, and maintenance of cultural resources, including buildings and site, to enrich our sense of place and our appreciation of the city's history." To assist in achieving this goal, the General Plan goes on to require that the City:

1. Whenever feasible, require historic buildings and sites to be preserved (NCR 5.1.1);
2. Maintain an inventory of prehistoric and historic resources (NCR 5.1.2);
3. Nominate additional buildings and sites to the City of Folsom Cultural Resources Inventory of locally significant cultural resources (NCR 5.1.3);
4. Ensure compliance with City, State, and Federal historic preservation laws, regulations, and codes to protect and assist in the preservation of historic and archaeological resources as listed in the City of Folsom Historic Preservation Master Plan (NCR5.1.4);
5. Strive to obtain Federal, State, and private funding incentives for maintaining and rehabilitating historic buildings and sites (NCR 5.1.5); and
6. Maintain and implement design and development standards for the Historic District (NCR 5.1.6).

The City of Folsom has adopted many master plans, strategies, and programs focusing City attention on various types... of development or geographic areas so as to provide... direction for City decision-makers... on how the General Plan will be implemented. Among such plans, strategies, and programs is the Historic Preservation Master Plan. (G.P., IM-5).

The Historic Preservation Master Plan (H.P.M.P.), though dated November 5, 1998, was adopted by the City on November 24, 1998. The Introduction on page 3 of the Plan indicates that on March 25, 1997, the City Council authorized an ad hoc committee to develop a comprehensive historic preservation master plan. That committee began meeting on November 19, 1997, and eventually created the Historic Preservation Master Plan together with a Preliminary Inventory of Cultural Resources (Appendix D thereto) to be presented to the City Council for approval and adoption.

As is relevant to the issues presently under consideration, the Preliminary Cultural Resources Inventory lists the following cultural resources:

- Item No. 27: Odd Fellows and Mason's Cemeteries, est. circa 1856 Remainder of Lakeside Cemetery, est. circa 1850s;
- Item No. 28: Chung Wah Cemetery, NRHP property, est. circa 1850s;
- Item No. 29: Young Wo Cemetery, CHL, est. circa 18870s; and
- Item No. 40: Dredger Tailing Piles representative of different dredging episodes.

The H.P.M.P. (on page 2 of the Cultural Resources Inventory attached to the H.P.M.P.) states that the Cultural Resources Inventory is designed to serve as a guide to the City's significant historical and archaeological resources; for use by private groups and citizens to identify, evaluate, register, and to encourage public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; and to identify historical resources for City planning purposes.

Further guidance on the issue of preservation of cultural resources within the City is provided in the Historic District Design and Development Guidelines. Specifically, Goal 2 of those Guidelines defines the City's objective for the preservation of historic sites as follows: "To maintain, restore, and reconstruct sites which represent the history of the Folsom area." Specific policies are provided to assist in achieving this objective, as follows:

Policy 2.1: Locally significant structures and sites should be identified and documented to facilitate their preservation or restoration;

Policy 2.2: The City should encourage National Register nomination for historic sites, as well as other historical designations by State or local agencies; and

Policy 2.3: In prioritizing proposed projects, preferences should be given to authentic restoration of historical buildings or sites.

Concluding Comments

Clearly, the City, by way of its creation of the above-described policies, regulations, and guidelines, has evidenced an intent to protect and preserve its historic cultural resources for the benefit of present and future citizens of the City, the County of Sacramento, the State of California and yes, even the nation as a whole. This is particularly true of those resources existing in the Historic District which include, of course, not only the Lakeside Memorial Lawn Cemetery but the immediately adjacent Chung Wah Chinese Cemetery and Dredger Tailing Piles and the nearby Young Wo Chinese Cemetery, as well.

These historic/cultural treasures have all achieved local recognition as assets deserving preservation and protection and several have received County, State or National recognition as well, (Lakeside Memorial Lawn, Young Wo, and Chung Wah, respectively).

James A. Purcell, then Chair of the Sacramento County Cemetery Commission, opined in his letter to the City dated January 2, 2003, that "the area incorporating Lakeside Cemetery, Chung Wah Historic Cemetery, and the California State Dredging Tailings Park is possibly the only site in the State of California that combines these important aspects of our heritage in one small area." He added that "Degradation of the historic value of the Cemetery by the addition of a crematorium would serve to lessen its cultural importance to the City of Folsom in Sacramento County."

A similar letter from Dr. Bob La Perrier, Vice Chair of the County Cemetery Commission, voiced nearly identical sentiments but added that the Lakeside Cemetery, Chung Wah Cemetery, and the Dredger Tailings preserve "is probably the only site in the State that combines these aspects of our heritage in one small area." (Emphasis added.) He added that it would be, "extremely unfortunate if additional negative factors, such as the installation of a crematorium, further impacted these historic cemeteries (i.e., the grouping of historic cemeteries presently comprising Lakeside)...the final resting place of so many of our pioneers and early settlers...." (Parenthetical added.)

Perhaps the best recitation of the arguments in opposition to the crematorium C.U.P. in question is set forth in the Historic District Commission Staff Report created by City staff back in 2003. On page 4 of that Report, City staff sets forth the following Findings in support of its recommendation for denial:

"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 THE 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 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.”

In summary, both the law and the facts support a denial of the request for the C.U.P. sought herein. The City staff agreed with that resolution of this matter in its 2003 ideation, and the Historic District Commission agreed with that determination in its decision of denial on February 16, 2022. It is respectfully submitted that the Council should follow the lead of both City staff (back in 2003) and, more recently, the Historic District Commission on the issue.

Respectfully submitted,

/s/

Terry L. Sorensen

email: City Councilpersons and City of Folsom Staff

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Terry L. Sorensen
[REDACTED] Forrest Street
Folsom, CA 95630

April 12, 2022

City Council
City of Folsom
50 Natoma Street
Folsom, CA 95630

RE: Lakeside memorial Lawn
Crematorium Conditional Use Permit
(PN-19-182)
Hearing Date: April 26, 2022

Dear Councilpersons:

This memorandum is submitted in opposition to the request for the issuance of a C.U.P. allowing the construction and operation of a crematorium on the premises of Lakeside Memorial Lawn, a historic cemetery located in Folsom's Historic District.

This request should be denied in that the Historic District Commission, in conjunction with its denial of this request back on February 16, 2022, based that denial, in part, on evidence presented establishing that the proposed crematorium would significantly degrade the historical significance of the Cemetery and the immediate adjacent Chung Wah Cemetery and Dredger Tailing Piles, all of which have been listed in the City's Historic Preservation Master Plan as cultural resources requiring special protection/consideration. Specifically, the finding enunciated by the Historic District Commission in support of its denial reads:

“The use applied for is detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood, 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.”

Accordingly, the situation presented by the subject C.U.P. request falls directly within the prohibition set forth in Folsom Municipal Code, Section 17.52.690(D) which reads as follows:

“Whether legally in place or not, a structure or feature which was not original may be deemed nonconforming if its existence..., in the opinion of the historic district commission, significantly degrades a locally significant structure or site.”

That is exactly the determination the Historic District Commission has made in the situation presented by the C.U.P. request in question, and that determination should be final and binding.

Respectfully submitted,

/s/
Terry L. Sorensen
TS/dg

email: City Councilpersons and City of Folsom Staff

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ykc@folsom.ca.us; mkozlowski@folsom.ca.us; kmullett@folsom.ca.us; jkinkade@folsom.ca.us;
sbanks@folsom.ca.us; sjohnson@folsom.ca.us; pjohnson@folsom.ca.us

Mary Johnson

[REDACTED] Young Wo Circle Folsom CA
[REDACTED]
[REDACTED]

Dear Folsom City Counsel Members,

I am writing this letter to voice my concerns about the proposed construction of a crematorium behind my house, I am very much opposed to this construction. Per the study commissioned by the Cemetery owners I live in the area most affected by the potential emissions. My concerns are the devaluation of my property, the impact on air quality from toxins produced by burning bodies, a severe increase in fire hazards from propane tanks in a high fire risk area, impact on the surrounding wildlife and environment, and degradation of Cultural and Historic sites. Lastly the ability to enjoy my property and beautiful backyard without knowing I'm being exposed to cancer causing emissions such as Mercury and Hexavalent Chromium.

I was much encouraged when the Historic District voted 6 to 1 to stop the crematorium. These are the people who know our neighborhood and recognize the historic, cultural and natural resources present in this area. I do hope as City Counsel members you took the time to watch the hearing and consider the concerns presented at this meeting. I have not seen an issue galvanize our community in a unified opposition as the crematorium has done. The Historic District is the "Crown Jewel" of Folsom whose beautiful attributes - Lake Natoma, the State Park, the Bike trails and Sutter Street are featured prominently in all the brochures promoting Folsom. Do you think a crematorium that can be seen from Folsom Blvd should part of our "Distinctive by Nature Slogan"?

In my previous letters I did not address the Historic and Cultural aspects of our neighborhood but was exceedingly dismayed that Mr Semenyuk seemed to downplay the Historic significance of our area. One of his last comments during the Historic District was questioning if the cemetery even had a historic designation. I am concerned that he is the caretaker of this very historic place and He does not even recognize its significance. During the meeting much was made of the important Chinese artifacts and cultural sites located on the property. It's location adjacent to a State Park and its zoning as open space. There was much information presented about how the crematorium would be a major cultural affront to the Chinese ancestors buried there. But there was no mention of the significant number of Jewish graves present in the cemetery. From my research, cremation was traditionally prohibited by the Jewish faith, and only recently cremation has been accepted by a small minority within Reform Judaism. I doubt that the families of the Jews buried in the cemetery would be accepting of a crematorium so close to where their loved ones were buried according to Jewish Laws.

I am a retired RN who has worked in Oncology and Hospice. 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 release toxic substances. Not to mention the toxic pharmaceuticals (chemotherapy, radioactive pellets and multiple drugs) that remain in human tissues. My concerns about the cremation process is that all of the above will vaporize and release toxins into the air in our neighborhood.

Toxic air contaminants are the greatest threat to the health of the neighborhood. Per the helix report they are a "diverse group of air pollutants that may cause or contribute to an increase in

deaths or serious illness. TACs can cause long term serious health effects such as cancer, birth defects, neurological damage, lung and respiratory issues. TACs can be carcinogenic or non carcinogenic". FOR CARCINOGENIC TACS THERE IS NO LEVEL OF EXPOSURE THAT IS CONSIDERED SAFE.

That is a direct quote from the Helix report. Yet they go on to state that there there will be two TACs that are of concern for health risks, Mercury and Hexavalent Chromium. These two substances are the "primary drivers of the health risks from crematory emissions". Mercury is considered a Non cancer chronic and acute health risk TACs. But mercury is known to be a potent neurotoxin and can cause developmental delays including decreased IQ in children. It can also cause kidney damage. A report from the NIH website state that "Crematoria represent a significant source of mercury emissions to the environment". The danger with mercury is long term indirect exposure to the environment and the food chain. This is because mercury can accumulate in our tissues over time. We live in a neighborhood where we eat fruits and vegetables from our yards and people and wildlife (including endangered Bald Eagles) catch and consume fish from lake Natoma. The Lake Natoma/ American River is a drinking water source for well over a million people.

Hexavalent Chromium is a known Cancer causing toxic air contaminant. Prolonged exposure has been known to cause lung cancer. Per their air quality report they know that this TAC will be released into our neighborhood even though per their report there are no safe levels.

In the Helix report they stated that our area is particularly prone to air stagnation due to the bluffs and hills that act as a barrier to airflow and can trap pollutants causing them to become more concentrated. In addition our neighborhood lies within the "Shultz Eddy". This eddy effect causes the wind pattern and pollutants to circle back southward further concentrating them. Please take this into consideration, not only will the crematorium produce Toxic Air Contaminants but the geographical location prevents the dispersement of these toxins.

Fire safety is my next area of concern. Our neighborhood is surrounded on three sides by woodlands and brush, a urban wild land interface. I was on the Folsom Fire safe council in 2012 because I was so concerned about the dry brush and vegetation build up behind my home. Because of our efforts, the area between our homes and cemetery was cleared. But unfortunately this brush clearing has not happened in 2 years. Not only that but the grounds keepers routinely toss trimmings and drag downed trees into that area. It has created a extreme fire hazard that I will be reporting to the fire department. I am worried that the people who routinely create a worse fire situation by piling brush will be the same workers in charge of maintaining the safety of the crematorium.

My last concern is the devaluation of my property. I am retired and a widow and I will need to sell my house in the future to downsize and access the equity for future expenses. There is a very real impact on the desire-ability and value of my home to potential sellers knowing that there are cremations occurring yards a few hundred yards away. Who wants to sit by the pool and eat outside knowing they a breathing residue of human bodies being burned?

Because of all the the above concerns please vote against building a crematorium in our neighborhood,

Thank you so much for your time,

Mary A Johnson



Photo of area behind my house at edge of Cemetery

From: Elaine Andersen
To: Josh Kinkade
Subject: FW: Vote No on Lakeside Memorial Crematorium Appeal on 4/26
Date: Thursday, April 21, 2022 7:34:24 AM

From: Mariko Peshon McGarry [REDACTED]
Sent: Wednesday, April 20, 2022 7:40 PM
To: 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>; Sari Dierking <sdierking@folsom.ca.us>
Subject: Vote No on Lakeside Memorial Crematorium Appeal on 4/26

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 Members of the Council, City Manager Anderson, and Assistant City Attorney Dierklin,

I write this letter with great concern about the Caring Services Lakeside Memorial Crematorium appeal to be heard by this body on April 26, 2022. My concerns are rooted in the historical, racial, and cultural implications this appeal has on so many of us that already experience underrepresentation in this community.

In attending the Historic District Commission meeting on February 16, 2022 where the Commission voted to protect the historical significance and well-being of our unique community, I witnessed Caring Services Group's Igor Semenyuk comment on not wanting or asking to be recognized by regional, state, and national entities as a historical site. I have since read his written comment in his initial appeal document, later elaborated upon beyond the official timeline, about residents being "biased." As you are likely now aware, the proposed industrial crematorium is to be located in close proximity to several publicly recognized historical sites. Mr. Semenyuk's statements have sent a clear message to the Asian American, and Chinese American community specifically, as well as the larger community that our cultural heritage, our property values, and our health is meaningless in the face of an opportunity for profit.

Caring Services Group has been clear from the first virtual community meeting in 2021 that this effort is driven by the fact that cemeteries are a "dying business." What is missing in this business venture is the critical sensitivity and cultural competency that would reduce the consistent prejudice and minimization of racial history being enacted to support a business plan. Mr. Semenyuk can pretend the plaque provided by the Sacramento County Cemetery Advisory Commission to display Lakeside's historical designation does not exist, but I cannot pretend the shape of my eyes are not of Asian descent. I cannot choose to have different DNA simply because a local business chooses to not recognize unique elements essential to honoring our community's heritage. The fact that the historical designations of Lakeside Memorial Cemetery, the Chinese burial site adjacent to Lakeside Memorial Cemetery, and the

Chan Wah Historic Cemetery are completely disregarded by Caring Services Group's proposed industrial crematorium disrespects and devalues the cultural practices that honor these historic sites.

I deeply value the six Historic District Commissioner's firm stand on protecting the "historical character of the existing cemetery and historical use of the area," and recognition of the detrimental [impact the application has on] the health, safety, or general welfare of persons residing or working in the neighborhood." I respect the Commission's recognition of the historical evidence, documentation, and previous Planning Commission recommendations that the City has had access to for decades. As a pregnant Asian American woman who is raising a toddler in the Historic District, I felt we were seen. I felt that our concerns and fears about our history and future were heard. I felt represented.

Caring Services Group's appeal makes me feel discarded. It suggests that the sacrifices of our ancestors and founding community members are perceived to be irrelevant, as they do not garner a desirable profit margin for a private business. Overlooking the significance of the past in this way dehumanizes the present.

In a time of social and racial reckoning, the City of Folsom cannot afford to side with the face of cultural and historical disregard. Our City has much work to do to continue to recognize, repair, diversify, and create equitable opportunities for our residents to live in a community that values their unique cultural backgrounds. A decision to support Caring Services Group's appeal would serve as a loud, public step in the wrong direction toward cultural, and potentially racial, systemic discrimination. We cannot undo harm to history and to residents once executed and publicly supported. We cannot unknow the experience of being underrepresented by public figures once votes are finalized. The community will remember this.

Attending to a community's well-being as elected representatives involves more than ensuring natural and tangible resources are available and safe. As a governing body, there is a moral obligation to ensure that our marginalized communities are represented in the decisions that seek to protect where and who we came from, and what impacts our current quality of life in order to meet the future with a focus on diversity and equity.

As a tax-payer, I urge you to think beyond profit and local business relations on April 26th so that I may wake up my child on April 27th and tell them that being an Asian American in the City of Folsom matters. That they have a place in this community that is deeply respected and honored by the elected officials making decisions that impact their life course trajectory. I would like to give birth to another child later this year without fear of what heavy metals I may have ingested on days when several bodies have been cremated while sitting in our front yard. I want this child to come home to a community without fear that their racial identity will be minimized by a business decision in the Historic District.

Vote no on the Lakeside Memorial Crematorium appeal. Protect History. Honor cultural significance. Support your Historic District Commission. Represent *all* members of the community and their desire to belong.

Sincerely,
Dr. Mariko McGarry

Due to limitation of resources and time, we unfortunately cannot supply further comments on the concerns regarding the construction of a crematorium at Lakeside Memorial Park (Cemetery). You are welcome to use material we have submitted in the past, both recent and from several decades ago.

However, we would appreciate the following items be considered by Miller Funeral Home/Lakeside Memorial Park as a strong recommendation and a demonstration of responsibility for owning and maintaining a historic cemetery (cemeteries), well over 1½ centuries old.

1) Acceptance of the Historical Nature of Lakeside Cemetery (Memorial Park) and further documentation of its detailed history going back to the mid 1800's, both on its website and as a large interpretive sign on the Cemetery property, in addition to the placement of the aluminum signage we delivered years ago designating it as a Sacramento County Historic Cemetery.

2) Acceptance of the major significant of the Historic Chinese Cemetery in proximity to Lakeside.

3) If this has not been done, public access to an updated plot map of Lakeside, both historic and current.

4) Consideration of the construction of a retaining wall at the sloping area at the far back corner area both for stabilization and safety concerns.

Thank you for your assistance and support.

Dr. Bob LaPerriere
Chair, Sacramento County Cemetery Advisory Commission

 (voice)

(text)

URL: <http://www.coroner.saccounty.net/sccac/Pages/default.aspx>

From: [REDACTED]
To: dlaoffice@sacra.org; Jeannie Lee; Eileen Sobock; Caltrans.Director@dot.ca.gov
Cc: Sarah Aquino; Lydia Konopka; Josh Kinkade; The HFRA; assessor@sacounty.net; County of El Dorado Clerk of the Board; Rick Hillman; john.baum@waterboards.ca.gov; Patrick Pulupa; Drew Lessard; errest.conant@usbr.gov; wade.crowfoot@resources.ca.gov; karla.nemeth@dwr.ca.gov
Subject: Notice of incomplete legal compliance: PN 21-115, GP, Zone, Map changes in dark.
Date: Friday, April 22, 2022 3:14:49 PM
Attachments: [1650659536014blob.jpg](#)
[1650659606848blob.jpg](#)
[1650659755970blob.jpg](#)
[1650661047079blob.jpg](#)
[1650661136651blob.jpg](#)
[1650661351704blob.jpg](#)

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TO: Folsom City Council Via Clerk, for distribution;
and for referral and Expert Reports from City Engineer, Licensed City Legal staff, and for city licensed civil engineers
Impacted Region jurisdictions; State enforcers; impacted US agencies
From: LJ Laurent
April 22 2022

Re: PN 21-115; County Parcel Number NOT shown; Changes Not shown; MAP NOT Shown;
Proof of Compliance - none apparent; Surveyor/Engineer Cert of Compliance and Nature of change -- NOT shown

Folsom Comm. Dev. obviously does not make use of "city engineer" Krahn, who is subordinate to Ms. Johns, a non-licensed city employee. Who is conducting the Publics' Business at cityhall? Make that who is Mis-conducting and not being Open about our business?

Comm Dev. person signed off on Public Notice which is just about 100% Deficient in Legal Compliance.

Although it is mind-numbing, below is a conglommeration of just a FEW of State Laws which city staff have violated, ignored, omitted, or been ordered to disregard -- or whatever else you have as explanation.

This include Total Disregard of using our CA Licensed Civil Engineer in residence as the Definitive expert to draw, examine, inspect, certify, and Determine Which State & federal & county PROCESSES must be observed, with certified papers filed, in order to be legally compliants.

The below citations will be totally Clear to an experienced, trained, and hopefully state-licensed Expert.

Too bad if it's complicated. The city & or its officials, or agents, or employees, or "beneficiaries" deliberately and without Public Hearings altered FMC. Look at the Commercial Table. It is a mess of incomprehensible check marks and lengthy columns/tables. It can be Proved the city NEVER brought such nonsense to Public Scrutiny. We had a few council who served over 115 years total together. One still sits, but has relinquished CA state engineer license last year.

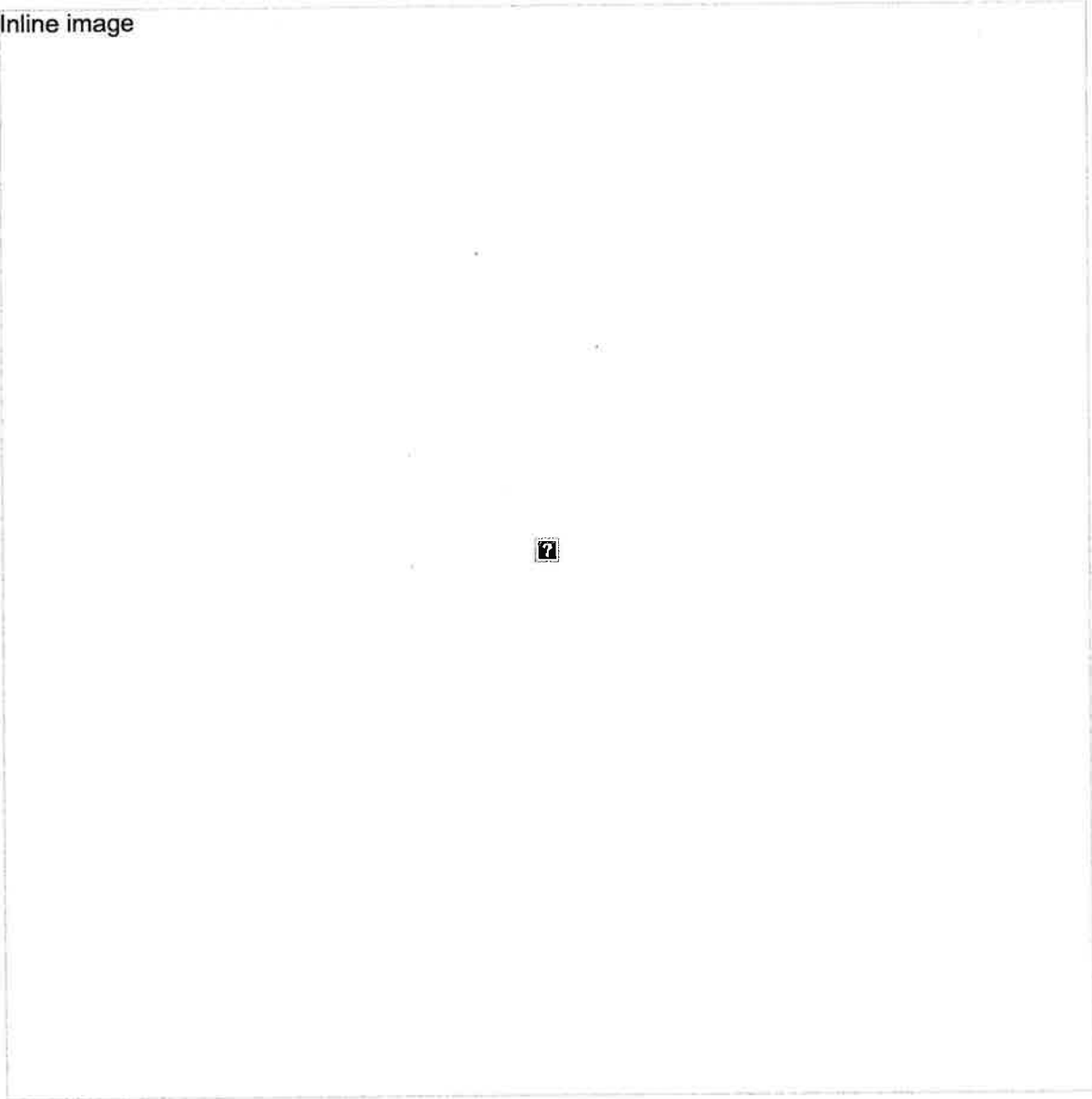
This is a pathetic mess, which appears designed to confuse, deceive, avoid Due Process, and achieve Land Usages which are NOT sufficiently SUPPORTED by Infrastructure, Water Supply, and Public Comments, as well as Regional agency comments.

Complaint:

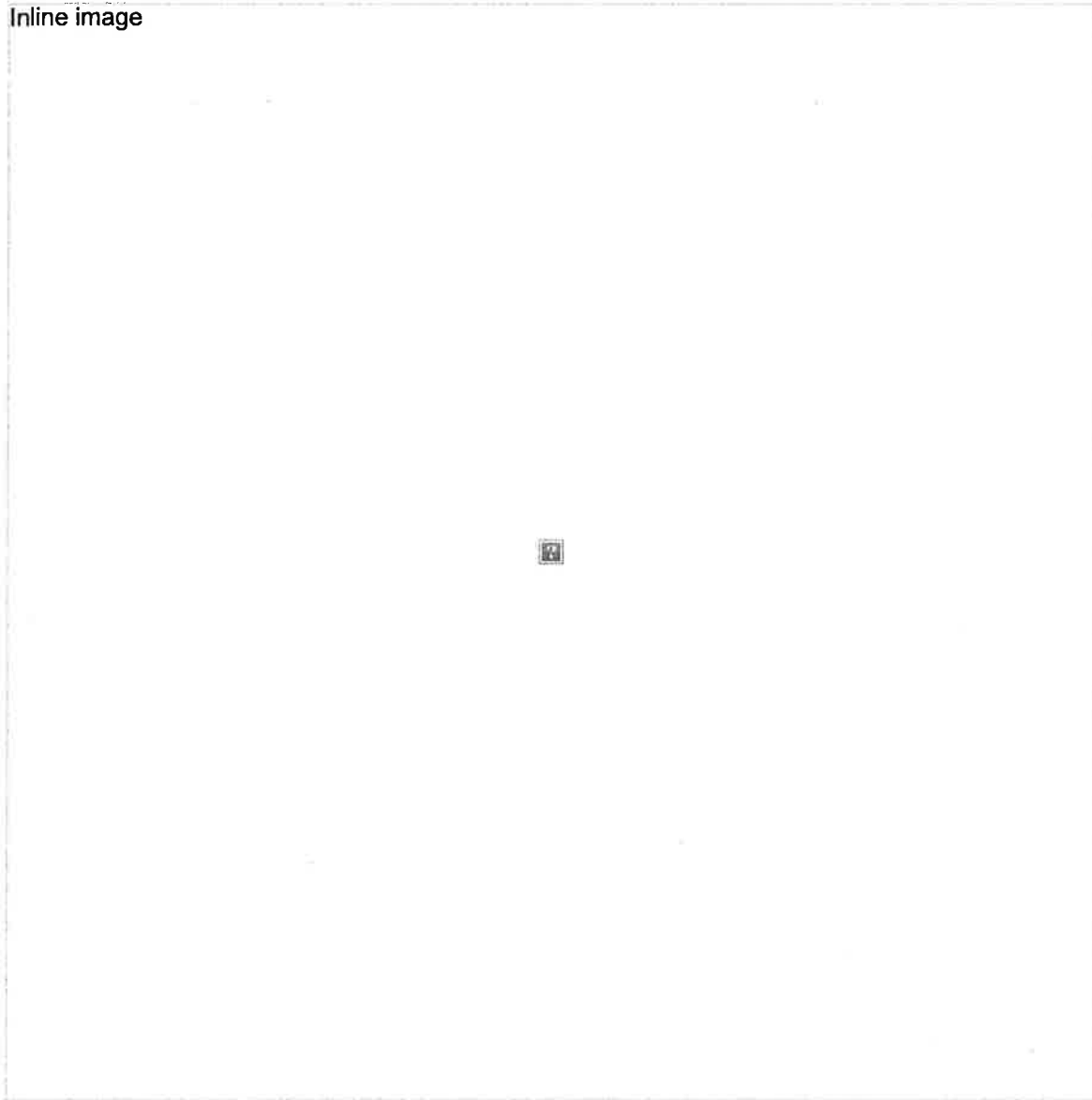
It is respectfully requested of Sacramento County District Attorney, County Assessor, and County

Recorder that they direct their fullest attention to the deficiencies noted below -- in no special order, since there are SO MANY.

Inline image



Inline image



First PROBLEM: This is **NOT CONSISTENT with 2018 GENERAL PLAN**, which shows "Regional Commercial" for the entire Parcel.

As REGIONAL, and at Hwy 50, HOW can this NOT be Subject to CEQA ??? Folsom is not legally defined as a "Region", but a "city."

Plan IS NOT consistent with Folsom GP Map 2018, and it is "Regional Commercial." abutting Hwy 50.... "regional" is NOT SAME as "city".

As for Planned Dev. Zone -- **without showing the PD Map and Engineer Assessment of IMPACTS on REGION**, how can you do a rezone which VIOLATES General Plan without advertising and giving Notices and doing the Entire Legal Process under CEQA and other laws?

Folsom RCC on Map/Gen Plan

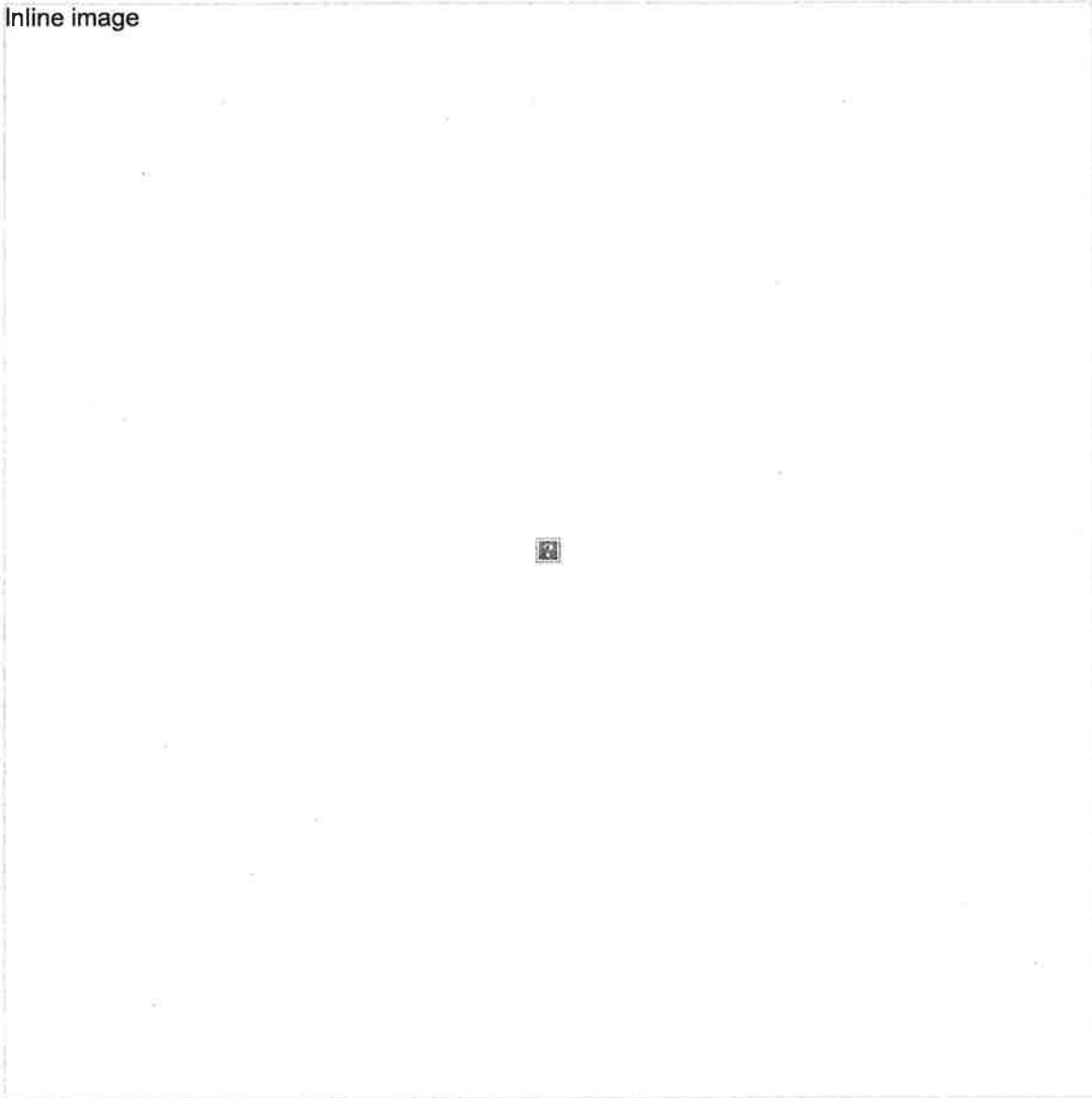
Inline image



Note: there is NO Definition of RCC, just a jumble of inscrutable "stuff" which was obviously NEVER brought to Public Hearing NOR Public Scrutiny, Nor Sealed/signed with a Lic. Civil Engineers license.

Who is responsible for all this, aside from city council who appear to "go along with stuff?"

Inline image



HUGE HUGE PROBLEM: According to FMC 17.22 et seq, the **TABLE does NOT AGREE with TEXT**. Note in FMC, as photographed below, that in C3 Commercial, very heavy usage zone, the Footnote #7 states the **STANDARDS DO NOT APPLY**.

A. Commercial Use Table. The purpose of the commercial use table is to designate the uses permitted within the buildable area and within the yard areas in each of the following zones.....

3. C-3, general commercial zone as further regulated in Section 17.22.050 of this chapter. The purpose of the C-3 zone is to designate areas appropriate for heavy commercial activities. While all types of commercial activities are permitted, the C-3 zone is intended for the highest-intensity commercial activities, which include **heavy auto and truck traffic. The C-3 zone should be located on major arteries and thoroughfares.**

Perhaps FMC needs to include what an Engineer would know is required by higher Laws: that

STUDIES are Mandatory to ensure the "major arteries and thoroughfares" are not at Level F, or gridlock.

This location is on E. Bidwell, right at US Hwy 50 area. What are the Implications of adding this new "PD, Planned Development" without even knowing the Subdivision Map itself, the uses, the IMPACTS on Region and neighboring jurisdictions??? What about Water Supply? A hotel uses far more water than a "big box retailer" who brings in tons of tax dollars.

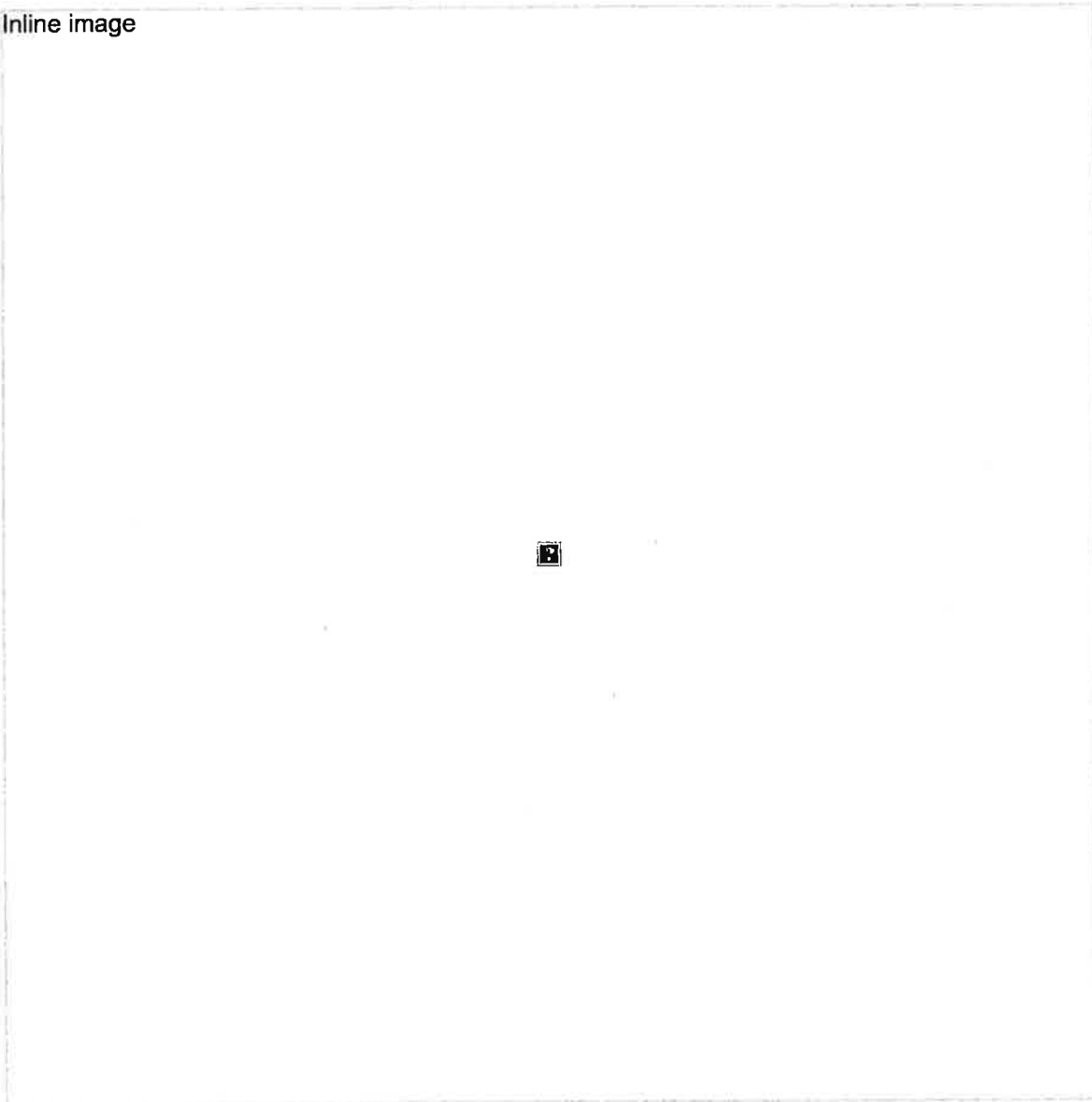
Folsom Municipal Code

Link to another dumb "table" which obscures analysis and understanding. No licensed Engineer would provide this as sufficient for legal enactment.

Check link: the table says one thing but Note 7 contradicts the table.

"not applicable" in fine print footnote.

Inline image



Commercial Use Table (17.22.030E)

	Zone
--	------

	Use, service or facility	C-1	C-2	C-3	BP
--	--------------------------	-----	-----	-----	----

119	Hotel	N			1
-----	-------	---	--	--	---

Would city engineer mind explaining what this Table really means, and exactly WHY is General Plan Inconsistency with Proposed Use NOT Subject to CEQA, with Notices, and Regional Impacts circulated for comments?
 After all, according to CA GC, a licensed Civil Engineer MUST, he/she "shall" do the proposed Subdivision Map or Supervise & approve its production in Compliant Form.

QUOTE: B. Permitted Uses Within the Buildable Area of Commercial Lots. A " " indicates that the described use is permitted in the zone represented by the described symbol appearing at the top of the column. An "N" indicates that the described use is not permitted in the zone represented by the symbol appearing at the top of the column. A number indicates that the described use is permitted in that zone upon continuing compliance of the special condition referenced by the corresponding number in Section 17.22.040 of this chapter. **The special condition requirements govern the described use.**

What "special condition requirements"??????
 Where are they hidden?

APN #: there is now response when you enter the APN in search. But, Folsom Comm Dev omitted the APN for this proposed "subdivision."

Might city approve putting a 5 story hotel on just one acre? This city might.

Is Water Supply certified adequate for such General Plan alterations without CEQA, and for Map Approvals without the Required Licensed Engineers' seal/signature?

Inline image

Who regulates subdivisions in California? The California Government Code – Subdivision Map Act (GC Section 66410 et seq.) regulates the subdivision of real property. The Revenue and Taxation Code (RTC Section 11511) also allows a County Assessor/ Tax Collector to subdivide a parcel and sell the “sufficient” part through a tax foreclosure auction.

19.76.010 - Purpose.

SHARPRINTEXTWITHINADIRECTOR OF SECTIONS

This Chapter establishes requirements consistent with the Act for certificates of compliance, lot line adjustments, parcel mergers, and reversions to acreage.

19.76.020 - Certificates of compliance.

ARTICLE 3. Parcel Maps [66444 - 66450] (Article 3 added by Stats. 1974, Ch. 1536.)

QUOTE --

The parcel map shall be prepared by, or under the direction of, a registered civil engineer or licensed land surveyor, shall show the location of streets and property lines bounding the property, and shall conform to all of the following provisions:

There are LOTS of "provisions", which are not same as City FMC and Standards "provisions." In other words, CA STATE LAW CONTROLS EVERY MOVE YOU MAKE, city staffers. Take Note City Council.

Perhaps you need to File this first with Sacramento County Recorder and RE ASSESSOR Office, ALONG with the Licensed Civil Engineers Seal/Signature, all CEQA compliance & Notices to regional jurisdictions. This PN is a travesty, NOT a compliant Notice of

- 1. General Plan alteration ignored -- but required.**
- 2. No Lic. Engineers seal/signature of oversight, enforcement, planning, and mandatory Notices.**
- 3. City is changing Zone District without using Mandatory public notice and Mandatory Processes.**
- 4. City has no Proof of water supply, Infrastructure, Impacts on Regional Services such as Fire control, evacuation routes, and**
- 5. NO comments from remainder of region and all higher or separate agencies serving Region, or Providing Utilities for this new use and Subdivision --**
- 6. of which we know NOTHING at all.**

Questions/comments welcomed. However, there is no way on earth I could explain how city gets away with this. There's water disaster afoot, 63 dead humans on city property, and the most secretive, jumbled set of "ordinances" enacted so secretly and without vetting, that one doubts anyone could explain it.

How does state administration and state governor tolerate this?

From: [Elaine Andersen](#)
To: [Josh Kinkade](#)
Subject: FW: Vote No to Save Folsom
Date: Monday, April 25, 2022 7:44:53 AM

From: [REDACTED]
Sent: Sunday, April 24, 2022 6:01 PM
To: 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>; jkincaid@folsom.ca.us; Elaine Andersen <eandersen@folsom.ca.us>
Subject: Vote No to Save Folsom

You don't often get email from [REDACTED] [Learn why this is important](#)

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I urge you to vote NO on the proposed Lakeside Memorial Lawn crematorium. My reasons include heritage, the air we breathe, long term health problems, and fire danger.

The proposed site is zoned Open Space. Our city of Folsom is Distinctive by Nature. Let's work together to keep it that way.

I urge you vote to preserve this heritage, to preserve what sets our town apart from just another suburb of Sacramento. For ourselves, and for those who come after us. The following points are briefly noted; you most certainly will have the background information to which I refer in the Historic District Commission notes, or in other concerned citizens' letters.

The area immediately adjacent to the proposed crematorium is of historical note to our community. The Chinese community has been instrumental in the development of our town, and we as a community need to continue to acknowledge those contributions, and grow that appreciation. Our neighborhood is adjacent to ancient Chinese burial grounds. It is imperative that we respect our ancestors and our city's previous commitments.

The environmental reports presented earlier measured air quality near Sacramento Executive Airport, where almost every night the Delta breeze refreshes the air quality, and near Sacramento International Airport. By design that airport is on flat land in relatively wide -open spaces, and birds are actively discouraged.

The City of Folsom, and especially our neighborhood, rarely if ever gets the Delta breeze. The air in our neighborhood, adjacent to the cemetery, gets trapped between the foothills, our town and the bluffs across Lake Natoma from us.

In the summertime, we historically get forest fires in Northern California. It is predicted we will get more fires and more frequently. Fire smoke gets trapped, and the AQI is such that we are encouraged to stay in our homes. We have had neighbors move because of the summer trapped smoke, and their inability to be active outside. They moved so their kids could grow up where they can play outdoors.

Please consider that the proposed crematorium smoke and smell will contribute to this unhealthy atmosphere. And yes, there will be smoke, and there will be the smell of human flesh burning. This is the report of real people who have lived near crematoriums, not sales brochures. And there will be Toxic Air Contaminants (TACs) such as mercury vapor and hexavalent chromium, for which there is no level of exposure that is considered safe. According to the National Institute for Health "crematoria represent a significant source of mercury emissions to the environment." Mercury builds up in human tissue and causes developmental delays. There is a child care center five blocks from the entrance to our neighborhood. There are many young children playing in our neighborhood. We must protect them. Prolonged exposure to hexavalent chromium can cause lung cancer. Our community traps stagnant air; we must not risk contaminating the jewel of our Distinctive by Nature city by approving a crematorium. Once the crematorium would start burning bodies, the resulting air quality issues could and would make our air quality untenable. Please do not take that chance. Let's work together to keep Folsom Distinctive by Nature.

Perhaps you have seen the You Tube video demonstrating what happens when a propane tank malfunctions and blows up.(Search "propane tank explosion caught on camera.") If you have not seen it, I encourage you to do so and to consider your responsibility to vote NO to make sure that does not happen in Folsom.

We do not need a fire in our community, where there is one way in, and one way out. Yes, I heard the fire chief state they would open up the Leidesdorf access. I am not certain how fast that could happen and how quickly it could be communicated. I would like to avoid finding out by worst case scenario. Many if not most of us in this community have the bulk of our retirement savings in our homes. I would love to survive any fire, or course, but I am not willing to risk a fire that would destroy my life's possessions and memories.

In April the trees are all green, plants are budded out, and a walk or a bike ride on the American River bike trail has us believing that it will always be so. Please before you vote consider the tinderbox this whole area becomes when the seasons change and the ravaging effects of our multi-year drought make themselves known again. We must keep our City of Folsom safe and Distinctive by Nature.

With all these potential risks, what could be worth voting any way but NO? Respectively I urge you to support the City of Folsom Historic District Commission and their 6-1 vote against the proposed crematorium. I urge you to vote NO to the proposed crematorium and keep our city Distinctive by Nature.

Thank you for your service and for your time.

Jov Hays

██████ Young Wo Circle, Folsom, CA 95630

████████████████████

Deborah Grassl
Young Wo Circle
Folsom, CA 95630

April 22, 2022

City Council
City of Folsom
50 Natoma Street
Folsom, CA 95630

RE: 2022 Lakeside Memorial Lawn
Crematorium's Appeal and this Appeal's
relationship to the withdrawn 2003 Lakeside
Cemetery Crematorium Project

Dear Council Members:

The Lakeside Memorial Lawn Crematorium Appeal should be denied based on the same Finding made by the Historic District Commission on February 16, 2022: "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." (page 4). This same Finding was used as the basis for the Staff Report recommendation of denial in reference to the Lakeside Cemetery Crematorium Project (composed of the crematorium and a "Tuff Shed" construction) that was scheduled for hearing before the Commission back in 2003 before it was withdrawn.

The Appeal before the Council is, also, directly related to the 2020 approval by the Historic District Commission (HDC) of PN-20-160 Lakeside Memorial Lawn Storage Shed and Determination that the Project is Exempt from CEQA, which involved a storage shed that was cherry-picked as an individual project from the 2003 Lakeside Cemetery Crematorium Project, a project which clearly was not CEQA-exempt. As such, this 2020 Storage Shed* successfully flew under the environmental radar by way of a ministerial building use permit application which allowed the 40'X40' Storage Shed to be constructed without proper CEQA vetting.

CEQA GUIDELINES Section 15300.2 EXCEPTIONS

(f) Historical resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Staff was aware that the Lakeside Cemetery, already on the Sacramento County Historic Cemetery Commission's list of important pioneer cemeteries, needed protection in the estimation of the Sacramento County Cemetery Commissioners, to preserve the Cemetery's integrity should an application for listing on the National Register of Historic Places ever be applied for (Lakeside Cemetery Crematorium Project 01/15/2003 Staff Report, Attachment 4).

In addition, the City failed to apply certain provisions of the Folsom Municipal Code, as follows:

Folsom Municipal Code 17.52.690 Nonconforming structures.

D. Whether legally in place or not, a structure or feature which was not original may be deemed nonconforming if its existence prevents listing on the National Register of Historic Places of an otherwise eligible structure or site or, in the opinion of the historic district commission, significantly degrades a locally significant structure or site. (Ord. 890 § 2 (part), 1998)

Staff was aware, per the same HDC Staff Report, of the historical research on the Lakeside Cemetery's origins, and the pioneers buried there, which was submitted to the HDC by Sue Silver along with a record compiled by Eagle Scout Peter Kroff of the grave markers on head stones dating from 1850 to 1995. Both monographs should accompany any application to the National Register of Historic Places.

Folsom Municipal Code 17.52.480 Accessory Structures.

... an accessory structure is any freestanding roofed structure located on a parcel on which another larger structure (main structure) has been constructed...An accessory structure shall not be larger than the main structure in square footage or height. Design review is not required for accessory structures smaller than 60 square feet or which are below required fence height. (Ord. 890 § 2 (part), 1998)

Staff was aware, per the same HDC Staff Report, that the main structure on the Cemetery parcel was/is 975 sq ft. The proposed Storage Shed was/is 1,600 sq ft, (40'X40') and was **larger** than the main structure on the parcel and couldn't qualify as an Accessory Structure.

In conclusion, since the Applicant's clear purpose for constructing a new Storage Shed was to clear the way for the use of the "main" 975 sq ft structure for a future crematorium, the illegally-permitted 1,600 sq ft Storage Shed (40'X40') and the proposed crematorium in the Appeal are inexorably linked. The latter cannot go forward without the former. And, based on the foregoing analysis, the Storage Shed constructed on the grounds of the historic Lakeside Memorial Cemetery was not properly permitted by the City in 2020 and never should have been constructed.

To allow the Crematorium to go forward would be to reward the illegality of the whole underlying scheme. In equity and in good faith, such an outcome should not be allowed, and the logical remedy would be to deny the Crematorium Appeal. Otherwise, the applicant will be allowed to benefit from a 1,600 sq ft Storage Shed that has robbed the community of the integrity of some of its oldest historical resources based on an illegal underpinning. The City Council should not condone such an outcome.

Sincerely,

/s/

Deborah Grassl

cc: kerri@atlanticcorrosionengineers.com; rrodriguez@folsom.ca.us; saquino@folsom.ca.us; ykc@folsom.ca.us; mkozlowski@folsom.ca.us; kmullett@folsom.ca.us; jkinkade@folsom.ca.us; sbanks@folsom.ca.us; sjohnson@folsom.ca.us; pjohns@folsom.ca.us

***NOTE:** email attachment:

From: Deborah Grassl <arm@artpass.net>

Sent: Thursday, November 18, 2021 10:42 AM

To: Josh Kinkade <jkinkade@folsom.ca.us>

Subject: New Shed build at Lakeside Lawn Cemetery and Public Records Request

Hi Josh,

I took five photos of a new slab foundation, approximately 10'X30', being finished next to the adjacent, existing shed at the proposed Lakeside Cemetery Crematorium project site. The photos were made on June 30, 2021. Shortly thereafter a metal Tuff Shed-style building was fully erected.

This newly built shed can be seen from Folsom Blvd, alongside and with the old Crematorium's Tuff Shed. At night there is a very strong light coming from the new shed that breaks up the shadows over the Cemetery and attracts drivers' eyes to the sheds. The sheds clearly stick up above the California State Dredger Tailings Preserve, and now block the riparian forest view shed, a part of the Chung Wah Chinese Cemetery's National Register of Historic Places description of site characteristics. In addition, the sightlines of the rare Lakeside Lawn's grouping of 8 contiguous pioneer cemeteries alongside the Chung Wah Cemetery and Dredger Tailings Preserve are now separated by the newly built shed. This unique grouping is described in the **Historical Significance** site description of the City's 01.15.03 Staff Report on page 2, paragraph 5.

It is noted, too, that the newly built shed corresponds to a new shed build description included in the 01/15/03 HDC Staff Report regarding the Request for Approval of a Conditional Use Permit to allow for the operation of [a] crematorium, page 2, **PROJECT DESCRIPTION**, paragraph 2. This CUP application was subsequently Withdrawn on 01/15/03 and the new shed was not built at that time.

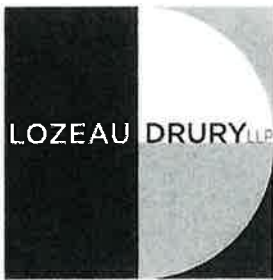
However, when Igor Semenyuk was asked about this new building construction on the Zoom meeting LNS/Preserve residents had with owner, Igor told us not to pay any attention to this new construction. He stated that it had nothing to do with the current Lakeside Lawn Cemetery's Crematorium Conditional Use Permit application awaiting an HDC hearing date.

I did note in the current Lakeside Lawn Memorial Cemetery Crematorium IS/MND & CUP descriptions that a 10'X30' new shed build is NOT included.

Was a permit application to build this 10'X30' Tuff-style shed ever received and approved by the City? If so, I would like to put in a Public Records Request for a copy along with the environmental evaluation.

Thank you for your time researching this request.

Deborah Grassl



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April 25, 2022

Via E-mail

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Vice-Mayor Rosario Rodriguez
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Re: Comments in Opposition to 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 - April 26, 2022 City Council Meeting, Agenda Item No. 8

Dear Mayor Howell, Vice-Mayor Rodriguez, Councilmembers Aquino, Chalamcherla, and Kozlowski, Director Johns, Ms. Freemantle, and Mr. Kinkade,

These comments are submitted on behalf of Tim & Mariko McGarry, Dave & Kim Higgins, Sean & Niki Gates and Kyal & Bre Von Gunten (hereinafter "Residents"), all of whom reside in the Folsom Historic District in close proximity to the proposed Lakeside Memorial Lawn Crematorium project. The Residents request that the Council deny Mr. Semenyuk's appeal. The record supports the Historic Commission's application of its discretion to find that the proposed crematorium, if allowed, would impact the historic character of the historic Lakeside Memorial Lawn as well as the unique historic assemblage it shares with the Chung Wah Cemetery, a site included on the National Register of Historic Places. As a result, the Council should uphold the Commission's finding that the proposed crematorium would be detrimental or injurious to property and improvements in the neighborhood and the general welfare of the City.

The Council also should uphold the Commission's denial because the project's proposed expansion of the accessory maintenance shed and its accessory use as a crematorium violates Municipal Code §§ 17.52.680 and 17.52.690 and the Folsom Historic District Design Guidelines. The City's Code and Design Guidelines prohibit any increases in scope of nonconforming structures or uses within the Historic District. The proposed crematorium would increase a non-

conforming use as well as the nonconforming maintenance building by adding an exhaust stack that, according to the drawings attached to the MND would extend at least 19 feet above the existing roof line of the maintenance shed.

In addition, the Council should uphold the Commission's decision because the Initial Study and Mitigated Negative Declaration ("IS/MND") prepared for the crematorium project does not comply with the California Environmental Quality Act ("CEQA"), Pub. Res. Code §21000, *et seq.* First, the IS/MND's description of the project is unstable and inconsistent by evaluating a 19.5 feet high exhaust stack in the toxic pollutant dispersion analysis while at the same time depicting a 29.5 feet exhaust stack in the drawings of the project. Second, the record contains substantial evidence of a fair argument that the crematorium project may have a significant impact on historic resources requiring the preparation of an environmental impact report ("EIR") before the project may be considered for approval.

The following comments elaborate on these deficiencies. The Council should defer to the thorough evaluation and findings prepared by the Commission and should further uphold the denial of the crematorium by finding that the project would be inconsistent with the Municipal Code and Design Guidelines and the IS/MND is deficient pursuant to CEQA.

A. The Crematorium Project Would Violate the Municipal Code and Folsom Historic District Design Guidelines.

The City's Municipal Code governing the Historic District prohibits the proposed nonconforming crematorium use and the proposed expansion of the maintenance building structure. The City's Zoning Code establishes a comprehensive program not only to preserve the historic character of the Historic District but also to enhance it. Thus, core purposes of the zoning for the historic district include "[t]o preserve and enhance the historic, small-town atmosphere of the historic district as it developed between the years 1850 and 1950; ... [t]o ensure that new ... commercial development is consistent with the historical character of the historic district as it developed between the years 1850 and 1950; ... and "[t]o preserve and enhance open space areas." (Folsom Muni. Code § 17.52.010(B)(1), (5) & (7).)

The existing maintenance shed in which the crematorium is proposed to be located is an "accessory structure" as defined by the Guidelines, §4.06. The shed was constructed sometime between 1993 and August 1998. (Agenda Packet, p. 323.) The shed predates the City's historic district zoning ordinance which was enacted in October 1998. Thus, the shed was constructed at the time without consideration of the criteria established in the Code and the October 1998 Design Guidelines. Indeed, the pictures of the shed confirm that it was not designed to comply with any historic design criteria or guidelines. Rather than reflect any historic character of the District between 1850 and 1950, the shed is a metal shed constructed in the late 1990s.

As a result, the shed appears to be a Nonconforming Structure pursuant to the Guidelines. "A structure or part thereof is determined to be legally nonconforming if it was legally in place on the effectiveness date of Ordinance No. 890 but by reason of style, construction or placement it does not meet the standards or intent of the Primary Area or Subarea cause a structure or part thereof to be deemed nonconforming." (Guidelines, §4.16.02.) The Code and the Guidelines make the continuation of a nonconforming structure, like the shed, contingent on several conditions,

including that “[t]he nonconformity is not increased....” (Code §17.52.690(B)(2); Guidelines § 4.16.02.)

The crematorium project proposes to expand the nonconforming, late-1990’s shed structure to include a prominent exhaust stack. As a result, the project proposes to expand the nonconformity of the existing shed. The addition of the vent stack is significantly more prominent than suggested in the renderings provided by the applicant. The residents are informed and believe that the rear of the maintenance shed, where the proposed crematorium would be positioned, is 10 feet in height. The drawings of Hartwick Combustion Technologies’ Apex 250 crematory clearly depict an exhaust stack extending 354.11 inches, *i.e.*, 29.5 feet, from ground level. (Agenda Packet, p. 255.) As a result, the exhaust stack will extend about 19.5 feet above the roof of the existing shed. The rendering attached to the IS/MND appears to suggest a stack extending a few feet above the rear roof of the shed. (*Id.*, pp. 261. 262.) In either event, the addition of the exhaust stack, whether extending 19.5 feet or a few feet above the shed, is an expansion of the nonconforming structure and hence prohibited by the Code and Guidelines.

The staff report prepared for the Historic Commission suggests that “[t]he height of the stack is determined during the SCAQMD permitting process in order to meet their air quality standards.” (Agenda Packet, p. 220.) However, the City Council staff report now notes that the “[Air District] 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.” (*Id.*, p. 194.) In preparing its air pollution modeling, “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.” (*Id.*) However, the only stack height reflected in the materials attached to the IS/MND is that provided by Hartwick showing a 29.5 feet stack.

Whatever the actual height of the stack may be, it is a prohibited expansion of a nonconforming structure. The Guidelines recognize that mechanical equipment, such as a crematorium exhaust stack, are generally incompatible “with the design time frames of much of the Historic District and [have] inherent aesthetic drawbacks....” (Guidelines, §4.03.) For this reason alone, the Council should uphold the Commission and deny the permit.

The Historic District Zoning Code also provides for nonconforming uses if the use was “legally in place as of the effective date of the ordinance codified in this chapter[,]” *i.e.* October 1998. (Code §17.52.680.) As a result, no new nonconforming use can be approved by the City. The open space areas of the historic district permit a “cemeteries” use. (Code §17.52.550(A)(4). Cemetery is defined as “a burial ground.” The New Oxford American Dictionary, p. 275 (Oxford University Press (2d ed. 2005). On the other hand, a “crematorium” or “crematory” is “a place where a dead person’s body is cremated.” (*Id.*, p. 398.) The only accessory uses contemplated by the Historic District open space zoning are “[r]esidential uses accessory to a public use.” (*Id.*, §17.52.550(A)(7).) Whether a crematory would qualify as an accessory use to a cemetery in general, as discussed by staff in the Historic District Commission staff report, does not address the specific language of the City’s zoning code which specifies only one type of permitted accessory use for this subarea of the historic district. (Agenda Packet, p. 209.) Indeed, there is no general authority at all for accessory uses in the zoning code for the Historic District, with the exception of accessory uses associated with accessory structures for residences. (*See* Code §17.52.540.) The “[r]esidential uses accessory to a public use” is consistent with the limited accessory use permitted

in the open space subarea. The Council cannot, however, extend that authorization to other new non-residential accessory uses, such as a crematory. For this reason, the Council should uphold the Commission's denial of the permit.

B. The IS/MND is Insufficient and Cannot be Relied Upon to Reverse the Commission's Decision and Approve the Project.

The IS/MND is unlawful pursuant to CEQA because the project description is unstable and because substantial evidence shows the project may have a significant impact on historic resources requiring the preparation of an EIR. Because the IS/MND is inadequate, the Council cannot overturn the Commission's denial and approve the Project without first preparing an EIR.

1. The IS/MND's description of the project is unstable and incomplete.

As discussed above, the City's zoning code of the Historic District highlights the importance of not expanding structures that are not consistent with the historic period the District is intended to preserve and enhance. Despite the importance of such proposed changes, the IS/MND fails to adequately describe the extent of the exhaust stack that must be installed for the project. The one hard piece of evidence attached to the IS/MND depicts the stack with an accompanying measured height of 354.11 inches, *i.e.*, 29.5 feet. (Agenda Packet, p. 255.) The IS/MND's air modeling assumes a height of 19.5 feet based on specifications provided by the applicant. (*Id.*, pp. 194, 305, 395, 430.) But no other written height specifications besides the manufacturer's drawing depicting a measured height of 29.5 feet are in the record. The importance of the stack height is highlighted by the comments by the Historic District Commissioner's uncertainty over the height of the stack. (*Id.*, p. 194.) The manufacturer's drawing indicates that the stack would extend 19.5 above the shed roof. (*Id.*, p. 255.) The IS/MND indicates that the stack would extend 10 feet above the roof. (*Id.*, p. 296.) However, as noted above, the rendering provided by the applicant shows a stack of no more than 2 to 3 feet. (*Id.*, p. 261.)

A negative declaration must accurately describe the proposed project. (*Christward Ministry v. Superior Court* (1986) 184 Cal.App.3d 180; CEQA Guidelines §15071(a).) The initial study must "provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment." (CEQA Guidelines § 15063(c)(5).) "An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient [CEQA document]." (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193.) "[A] project description that gives conflicting signals to decision makers and the public about the nature and scope of the project is fundamentally inadequate and misleading." (*Washoe Meadows Community v. Department of Parks & Rec.* (2017) 17 Cal.App.5th 277, 287, quoting *Citizens for a Sustainable Treasure Island v. City and Cty. of San Francisco* (2014) 227 Cal.App.4th 1036, 1052.) "A curtailed or distorted project description may stultify the objectives of the reporting process." (*Cty. of Inyo*, 71 Cal.App.3d at 192.) "Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal ..., and weigh other alternatives in the balance." (*Id.*)

Where a lead agency relies on an insufficient project description, "the problem ... is not confined to 'the informative quality of the [environmental document]'s environmental forecasts.'" (*Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 17, citing

Washoe Meadows, 17 Cal.App.5th at 288.) “A curtailed, enigmatic or unstable project description draws a red herring across the path of public input.” (*Cty. of Inyo*, 71 Cal.App.3d at 198.) “The omission of relevant information is deemed prejudicial regardless of whether a different outcome would have resulted if the public agency had complied with those provisions.” (*Stopthemillennium*, 39 Cal.App.5th at 17 [citations omitted].)

The IS/MND’s failure to provide a stable description of the exhaust stack for the proposed crematorium is fatal to the IS/MND. Because one cannot discern the actual height of the proposed stack, the project’s aesthetic impacts were not properly evaluated. Likewise, the extent of the project’s impacts on historic resources is not disclosed given the uncertainty of the stack height and impedes the IS/MND’s evaluation of the project’s consistency with the zoning code restrictions. Lastly, the air modeling is flawed, relying on a stack height that is 10 feet shorter than depicted and unsupported by any substantial evidence in the record. Accordingly, the IS/MND cannot be relied upon for any approval of the Project.

2. Substantial evidence in the record demonstrates a fair argument that the project may have significant impacts on cultural resources.

The IS/MND also is fatally flawed because substantial evidence in the record establishes a fair argument that the project may have a significant impact on historic resources. As a result, an EIR rather than a MND must be prepared for the project prior to any approval.

In 2003, the City’s staff prepared a report concluding that a crematorium in the same location would have significant impacts on historic resources. The 2003 staff recommendation concluded that adding a crematory use does not maintain the historic use of the site. (Agenda Packet, p. 777.) The report also found that adding a crematorium would discourage the inclusion of the Lakeside Cemetery on the State and National Historic Registers. (*Id.*) The report further cited evidence that a crematory use is not a consistent use with a historic cemetery. (*Id.*) As a result of the staff’s report and the recommendation to deny the permit for the proposed crematory, the applicant withdrew the project. Nevertheless, the staff’s report remains substantial evidence. (*See, e.g. Young v. City of Coronado* (2017) 10 Cal.App.5th 408, 433 (staff report included substantial evidence to support City’s ultimate decision to designate a property as a historic resource).)

As the California Supreme Court held, “[i]f no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR.” (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319-320 [“*CBE v. SCAQMD*”], citing, *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 504–505.) “The ‘foremost principle’ in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” (*Communities for a Better Environment v. Calif. Resources Agency* (2002) 103 Cal.App.4th 98, 109 [“*CBE v. CRA*”].)

The EIR is the very heart of CEQA. (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927.) The EIR is an “environmental ‘alarm bell’ whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the

ecological points of no return.” (*Bakersfield Citizens*, 124 Cal.App.4th at 1220.) The EIR also functions as a “document of accountability,” intended to “demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.” (*Laurel Heights Improvements Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392.) The EIR process “protects not only the environment but also informed self-government.” (*Pocket Protectors*, 124 Cal.App.4th at 927.)

An EIR is required if “there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.” (Pub. Resources Code, § 21080(d); see also *Pocket Protectors*, 124 Cal.App.4th at 927.) In limited circumstances, an agency may avoid preparing an EIR by issuing a negative declaration, a written statement briefly indicating that a project will have no significant impact thus requiring no EIR (14 Cal. Code Regs., § 15371 [“CEQA Guidelines”]), only if there is not even a “fair argument” that the project will have a significant environmental effect. (Pub. Resources Code, §§ 21100, 21064.) Since “[t]he adoption of a negative declaration . . . has a terminal effect on the environmental review process,” by allowing the agency “to dispense with the duty [to prepare an EIR],” negative declarations are allowed only in cases where “the proposed project will not affect the environment at all.” (*Citizens of Lake Murray v. San Diego* (1989) 129 Cal.App.3d 436, 440.)

Where an initial study shows that the project may have a significant effect on the environment, a mitigated negative declaration may be appropriate. However, a mitigated negative declaration is proper *only* if the project revisions would avoid or mitigate the potentially significant effects identified in the initial study “to a point where clearly no significant effect on the environment would occur, and . . . 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.” (Public Resources Code §§ 21064.5 and 21080(c)(2); *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 331.) In that context, “may” means a *reasonable possibility* of a significant effect on the environment. (Pub. Resources Code, §§ 21082.2(a), 21100, 21151(a); *Pocket Protectors*, 124 Cal.App.4th at 927; *League for Protection of Oakland's etc. Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 904–905.)

Under the “fair argument” standard, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency’s decision. (CEQA Guidelines, § 15064(f)(1); *Pocket Protectors*, 124 Cal.App.4th at 931; *Stanislaus Audubon Society v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-15; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602.) The “fair argument” standard creates a “low threshold” favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. (*Pocket Protectors*, *supra*, 124 Cal.App.4th at 928.)

The “fair argument” standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

This ‘fair argument’ standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better

argument concerning the likelihood or extent of a potential environmental impact. The lead agency's decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.

(Kostka & Zishcke, *Practice Under CEQA*, §6.29, pp. 273-274.) The Courts have explained that "it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead agency's determination. Review is de novo, with a **preference for resolving doubts in favor of environmental review.**" (*Pocket Protectors*, 124 Cal.App.4th at 928 [emphasis in original].)

Because the prior staff report concluded that essentially the same crematorium project would significantly affect the surrounding historic resources, that report is substantial evidence of a fair argument that the current crematorium project may have a significant adverse effect on the same historic resources. In *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, the court rejected a county's argument that a revised initial study prepared by the county which contradicted the findings of the first initial study had not "relegated the first initial study to oblivion." (*Id.* at 154.) The court stated, "We analogize such an untenable position to the unringing of a bell. The first initial study is part of the record. The fact that a revised initial study was later prepared does not make the first initial study any less a record entry nor does it diminish its significance...." (*Id.* at 154) The City cannot conclude that a project may have significant impacts and then, when such admission is no longer convenient, simply change its conclusion to better suit its needs. Here, the analysis from the 2003 staff report, itself substantial evidence, creates a "fair argument" that the crematory project may have significant impacts on the surrounding historic resources, despite other evidence to the contrary. (*See, Id.; Gentry v. Murietta* (1995) 36 Cal.app.4th 1359 (petitioner may rely on statements made in initial study to establish fair argument, even in the face of contradictory evidence).)

The unsupported assertion that cremation furnace technology has significantly evolved since 2003 is not supported by the record. The type of equipment and size described for the 2003 project is essentially the same as that proposed for the current project. (Compare Agenda Packet, pp. 783-84 and 255-257.) There is no evidence in the record pointing to any differences in the performance of the two brands of equipment. (*Id.*) As a result, the assertion does not provide any evidence to distinguish the 2003 staff report's conclusions from the current project.

The City Council Staff Report further confirms that there is a fair argument that the project may have significant impacts on historic resources. Staff identifies the letters "sent by 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." (Agenda Packet, p. 198.) Likewise, the fact that the Historic Commission itself, the City's own expert agency on evaluating historic impacts in the Historic District, determined that the project would have significant impacts on the adjacent historic resources is itself substantial evidence of a fair argument that the project may have such impacts, requiring an EIR. (*See Stanislaus Audubon Society*, 33 Cal.App.4th at 154.)

C. The Commission's Findings are Supportedd by the Record.

The above reasons that the City Council cannot overturn the Commission's denial are in addition to reasons articulated by the Commission in its findings and which are supported by substantial evidence in the record. In addition to the evidence provided by the Sacramento County Historic Cemetery Commission and the City's prior staff analysis, additional substantial evidence from expert organizations has been submitted. The Chinese Historical Society of America has reviewed the proposed project and submitted comments describing evidence of impacts to persons' experience of the cultural significance of the adjacent cemeteries. (Agenda Packet, pp. 554-556.) Likewise, the Heritage Preservation League of Folsom provided comments describing shortcomings in the IS/MND and potential impacts to the surrounding historic resources. (*Id.*, pp. 611-612.)

For all of these reasons, the Residents respectfully request that the City Council deny the appeal and uphold the Historic Commission's denial of the conditional use permit for the proposed crematorium. Thank you for your consideration of these comments.

Sincerely,



Michael R. Lozeau

Lozeau Drury LLP

on behalf of Tim & Mariko McGarry, Dave & Kim Higgins,
Sean & Niki Gates and Kyal & Bre Von Gunten