

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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October 19, 2009

In Reply Refer To: COE090818A

Kathleen A. Dadey, Ph.D
Chief, California Delta Branch
Department of the Army
U.S. Army Engineer District
Sacramento Corps of Engineers
1325 J Street
Sacramento, California 95814-2922



Re: Section 404 of the Clean Water Act Authorization for the Folsom South of U.S. Highway 50 Specific Plan Project, Sacramento County, California (Regulatory Division SPK-2007-02159).

Dear Dr. Dadey:

Thank you for submitting to our office, your letter and supporting documentation regarding the undertaking noted above. The U.S. Army Engineer District, Sacramento Corps of Engineers, is seeking my concurrence on the effects that the subject project will have on historic properties, pursuant to 36 CFR Part 800 (as amended 8-05-04) regulations implementing Section 106 of the National Historic Preservation Act (NHPA). The proposed undertaking, the Folsom South of U.S. Highway 50 Specific Plan Project, will affect waters under the jurisdiction of the United States and requires authorization by the COE pursuant to Section 404 of the Clean Water Act. The COE has identified this action as an undertaking pursuant to review under Section 106 regulations.

Folsom South of U.S. Highway 50 Specific Plan Project will involve the development of approximately 3,510 acres for both residential and commercial uses. Of this total acreage, approximately 1,487.2 will be for residential development and 511.1 will be for commercial development. The project will also include a police station, fire station, five elementary schools, a joint middle school/high school, a water treatment plant, transportation and utility infrastructure, and approximately 1,053 acres of open space.

In addition to your letter of August 13, 2009, and attachments (maps) you have submitted the following documents as evidence of your efforts to identify and evaluate historic properties in the project APE.

- *Cultural Resources Studies for the Folsom Plan Area Specific Plan, ECORP Project No. 2005-429* (ECORP Consulting, Inc.: January 23, 2009).

● *Cultural Resources Identification Efforts of Off-site Infrastructure in support of the Folsom Plan Area Specific Plan Project, Sacramento County, California* (ECORP Consulting, Inc.: November 10, 2008).

At this time you are requesting my comments on the appropriateness of your determination of an Area of Potential Effects (APE) for this undertaking pursuant to 36 CFR Parts 800.4(a)(1) and 800.16(d). Additionally, as your identification and evaluation efforts to date are incomplete, you are also proposing that, due to the size and complexity of this undertaking, the COE treat this undertaking by the use of phased historic property identification and evaluation and the execution of a programmatic agreement.

After reviewing your letter and supporting documentation, I concur that the determination of the APE for this undertaking is appropriate pursuant to 36 CFR Parts 800.4(a)(1) and 800.16(d). I further concur that the COE's proposal to address their Section 106 compliance for this undertaking through the employment of a programmatic agreement and a phased approach to historic property identification and evaluation is appropriate pursuant to 36 CFR Parts 800.4(b)(2) and 800.14(b). I understand that your next step in this consultation will be the submittal of a draft programmatic agreement that will govern future Section 106 compliance for this undertaking. Thank you for seeking my comments and for considering historic properties in planning your project. If you require further information, please contact William Soule, Associate State Archeologist at phone 916-654-4614 or email wsoule@parks.ca.gov.

Sincerely,

Susan K Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer