

Appendix B
Comments Received on the Initial Study and Notice of Preparation

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



December 26, 2007

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DEC 28 2007

ENVIRONMENTAL COORDINATION SERVICES

Maywan Krach
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 220
Auburn, CA 95603

RE: SCH# 2007122051 Dry Creek/West Placer Community Plan; Placer County.

Dear Mr. Krach:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present. **Completed prior to 12/26/07**
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. **USGS 7.5-minute quadrangle name, township, range, and section required.**
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached.**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

A handwritten signature in black ink that reads "Katy Sanchez".

Katy Sanchez
Program Analyst

Native American Contacts
Placer County
December 26, 2007

Rose Enos
15310 Bancroft Road Maidu
Auburn , CA 95603 Washoe
(530) 878-2378

United Auburn Indian Community of the Auburn Rancheria
Jessica Tavares, Chairperson
10720 Indian Hill Road Maidu
Auburn , CA 95603 Miwok
530-883-2390
530-883-2380 - Fax

Todd Valley Miwok-Maidu Cultural Foundation
Christopher Suehead, Cultural Representative
PO Box 1490 Miwok
Foresthill , CA 95631 Maidu
tvmmcf@foothill.net
(530) 367-3893 - Voice / Fax

United Auburn Indian Community of the Auburn
Tribal Preservation Committe
10720 Indian Hill Road Maidu
Auburn , CA 95603 Miwok
530-883-2390
530-883-2380 - Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2007122051 Dry Creek/West Placer Community Plan; PlacerCounty.

From: [Noe Fierros](#)
To: [Maywan Krach](#); [Phillip Vassion](#); [Phil Frantz](#);
cc: BStillman@sanjuan.edu; Webb@osbtown.com;
Subject: Dry Creek Community Plan Trans. Element Update
Date: Friday, January 11, 2008 1:04:40 PM

Maywan,

First I would like to say it was a pleasure meeting you this last Tuesday prior to the scoping meeting. I hope we have more opportunities to work together in the future. It was also a pleasure seeing others with whom I worked so closely for twelve years.

Ok, on to the issues. I believe this effort, before it gets too far along should be presented to the Dry Creek MAC. I spoke with Mr. Rick Dondro on this issue years ago as a planning commissioner. At the time (2003) I spoke with Mr Dondro I was informed that we, the community, had already reached the threshold point for closing off PFE road as is called for in the Community Plan. In view of the fact that the county took no action I feel the county at least owes the community a credible explanation as to why nothing was done. Presenting this issue to the MAC before action is taken is a step in the right direction.

I believe your pupose and objectives are contradictory in that improving the roads, widening in some cases, does not preserve the rural character of the community. I am also concerned about a potential waste of money (either taxpayer or developer money) in trying to achieve these goals. Prior to the Sunvalley Oaks project going in (bordered by Walerga, Baseline, Crowder and Vineyard roads) there existed a fairly large lateral shift in Crowder road. I spoke with Mr. Wes Zicker about its removal. I was told that it would be altered only slightly. Well, it has been altered to the point where now people speed up and down that road. Will the lateral shift be put back into this road to "calm" the traffic. If this is done, wouldn't that be a huge waste of someone's money to have removed it then replace it for the purpose of calming traffic flow?

As with Crowder road, removal of the barrier at Baseline and Cook-Riolo road will change that road into a major thoroughfare. Again, in view of the fact that the county dropped the ball I believe every homeowner who lives on Cook-Riolo be notified as to your intent on changing forever their quiet, rural road.

If there are circulation problems at the Dry Creek School on PFE and Cook-Riolo roads. I would recommend an even more focus look be taken at that intersection rather than what is currently being proposed.

Maywan, the changes that are being proposed will alter the community in a

negative fashion, bringing in more traffic. While the MAC is trying to reduce speeds on the roadways the county is trying to push more cars with faster speeds ignoring the main desire of the community to remain rural. What would be least expensive, making all of the proposed changes or stop signs?

I thank you in advance for taking my comments into consideration. I look forward to seeing a presentation at our MAC soon.

Respectfully,
Noe Fierros



MEMORANDUM

TO: Maywan Krach

FROM: Yushuo Chang

DATE: January 15, 2008

SUBJECT: Dry Creek/West Placer Community Plan – Transportation Element (PEIR T20070805)

The Placer County Air Pollution District (District) has reviewed the Notice of Preparation for above referenced project and has the following comments:

- The District does not agree the conclusion in the project's initial study that the impacts of the exposure of sensitive receptors to substantial pollutant concentrations would be less than significant. The District will suggest modifying it as "less than significant with mitigation incorporation". The use of diesel-fueled construction vehicles and equipment for the proposed project will result in short-term significant diesel particulate matter (DPM) emissions to the nearby schools and residential area. According to the epidemiological study, the DPM generating from the diesel engines could cause both acute and chronic health impacts to the public, especially to the sensitive receptors such as children and senior citizens. Therefore, the District would require a full discussion regarding this potential impact in the project's EIR and then associates the impact with the mitigation measures proposed to offset the project's construction impacts. The District believes the proposed construction mitigation measures will serve well to offset this potential impact to be less than significant.
- The District will require a CALINE 4 modeling analysis for CO concentration if any roadway segment will operate at LOS E or worse conditions after the project implementation. Both scenarios whether the PFE road is open or close in the future should be included in this modeling analysis. In addition, the project initial study identifies there are significant traffic increases due to the project implementation. The increased traffic will result in incremental DPM emissions in the area. The project's EIR should discuss and evaluate the potential DPM impacts to school children due to the project implementation.
- The District would recommend the following mitigation measures to offset the project's related

construction emissions:

1. The applicant shall submit to the Placer County Air Pollution Control District (District) and receive approval of a Construction Emission & Dust Control Plan prior to groundbreaking.
2. Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations.
3. The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.
4. The project shall provide a document for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. The District should be contacted for average fleet emission data. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. Contractors can access the Sacramento Metropolitan Air Quality Management District's (SMAQMD) web site to determine if their off-road fleet meets the requirements listed in this measure. http://www.airquality.org/ceqa/Construction_Mitigation_Calculator.xls
5. Suspend all grading operations when fugitive dusts exceed District Rule 228 Fugitive Dust limitations. The primary contractor shall routinely evaluate compliance to Rule 228 Fugitive Dust. Fugitive dust can not exceed 40% opacity and not go beyond property boundary at any time.
6. Clean earth moving construction equipment with water frequently to avoid any silt being carried over to adjacent public areas.
7. An operational water truck shall be on site to apply water and control dust as needed to prevent dust impacts offsite.
8. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less.
9. Minimize unnecessary idling time to 5 minutes for all on-road and off-road diesel-power equipment.
10. Use low sulfur fuel for on-site stationary equipment.
11. Use low emission on-site stationary equipment.
12. Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators.
13. Any portable engine greater than 50 horsepower will need either the registration from the State Air Resource Board's Portable Engine Registration Program or the registration with the District Portable Equipment Registration Program (Rule 501).
14. The project owner(s) shall include language in construction contracts that require the equipment operators to shut down all heavy duty diesel equipment on declared Spare the Air days.

15. Employ best management techniques in all construction activity, such as: extending the construction/grading period outside the ozone season of May through October; reducing the number of pieces used simultaneously; increasing the distance between emission sources; reducing or changing the hours of construction; and scheduling activity during off-peak hours.



MIWOK
MAIDU

United Auburn Indian Community
of the Auburn Rancheria

Jessica Tavares
Chairperson

Kim Dubach
Vice Chair

David Keyser
Secretary

Dolly Suehead
Treasurer

Gene Whitehouse
Council Member

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JAN 25 2008

January 17, 2008

ENVIRONMENTAL COORDINATION SERVICES

County of Placer
Community Development Resources Agency
Maywan Krach, Community Development Technician
3091 County Center Drive, Suite 190
Auburn, CA 95603

Subject: Dry Creek/West Placer Community Plan – Transportation Element Update NOP (PEIR T20070805)

Dear Mr. Krach:

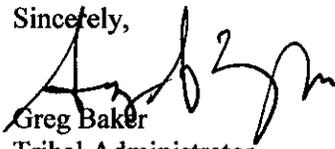
Thank you for requesting information regarding the above referenced project. The United Auburn Indian Community (UAIC) is comprised of Miwok and Maidu people whose traditional homelands include Placer and Nevada counties, as well as some surrounding areas. The UAIC is concerned about development within ancestral territory that has the potential to impact sites and landscapes that may be of cultural or religious significance. We appreciate the opportunity to comment on the proposed project.

Based on the information provided, the UAIC understands that no prehistoric cultural resources have been observed within the project area. The three prehistoric sites that were identified are located outside the project area's zone of ground disturbance and will not be impacted by the projects activities. However, the UAIC is concerned that the presence of these sites presents the possibility for an inadvertent discovery that could potentially have a significant effect on cultural resources and human remains.

If an inadvertent discovery occurs during development of the proposed project, the UAIC would like to be contacted in addition to a qualified archaeologist to provide input regarding the appropriate course of action.

We would like to thank you in advance for taking these matters into consideration, and for involving the UAIC in the planning process as early as possible. Please contact Shelley McGinnis, Analytical Environmental Services, at (916) 447-3479 should you have any questions.

Sincerely,



Greg Baker
Tribal Administrator

CC: Shelly McGinnis, AES