COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING

HEARING DATE: May 27, 2010
ITEM NO.: 2
TIME: 10:15 AM

TO: Planning Commission

FROM: Development Review Committee

DATE: May 18, 2010

SUBJECT: **MINOR USE PERMIT (PMPA 20070467)**
CELEBRATION COMMUNITY FELLOWSHIP CHURCH

COMMUNITY PLAN AREA: Auburn Bowman Community Plan

GENERAL PLAN DESIGNATION: Rural Residential (2.3 – 4.6 acre minimum)

ZONING: F-4.6 (Farm, minimum 4.6 acre lot size)

ASSESSOR'S PARCEL NUMBER: 077-050-055

STAFF PLANNER: Gerry Haas, Associate Planner

LOCATION: The project site is adjacent to the northbound Interstate 80 on-ramp at the Dry Creek Road overcrossing in the North Auburn area.

APPLICANT: Kevin Sullivan on behalf of Celebration Community Fellowship

PROPOSAL: The applicant is requesting approval of a Minor Use Permit (MUP) to allow for the construction and operation of a ±19,000 square-foot church on an undeveloped parcel.

CEQA COMPLIANCE:
A Modified Mitigated Negative Declaration (PMPA20070467) has been prepared and finalized pursuant to CEQA for this project. The Modified Mitigated Negative Declaration is attached and must be found adequate to satisfy the requirements of CEQA by the decision-making body. A recommended finding for this purpose is attached.

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Internet Address: http://www.placer.ca.gov/planning / email: planning@placer.ca.gov

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:
Public notices were mailed to property owners of record within 300 feet of the project site. Community Development Resource Agency staff and the Departments of Public Works, Environmental Health and the Air Pollution Control District were transmitted copies of the project plans and application for review and comment. All County comments have been addressed and conditions have been incorporated into the staff report.

BACKGROUND:
On June 21, 2007, the applicant submitted an Environmental Questionnaire for the project to Environmental Coordination Services. Upon completion of a period of comment and review, County staff prepared both the Initial Study for the project and a Mitigated Negative Declaration (Attachment I), dated July 22, 2008. The document's evaluation of potential impacts to cultural resources was based on the results of a Phase I and Phase II archaeological study of the project site.

The project was originally scheduled to be heard by the Zoning Administrator on September 4, 2008. One week before the hearing, Grayson Coney, Cultural Director of the Tsi'-Akim Maidu Tribe, submitted a letter to the Planning Department (Attachment E) stating his concerns regarding the cultural resources on the site and requesting a continuance of the hearing date to allow for additional analysis of this issue. On September 2, 2008, staff forwarded Mr. Coney's letter to local tribes and to the Native American Heritage Commission (NAHC) for their response as to whether the new information would alter any previous comment submitted for the project.

Staff received correspondence from Dave Singleton of the NAHC on September 3 2008 (Attachment F) that identified the project site as a "known Maidu burial site, village and ceremonial site", expressing concerns about the potential for destruction and damage to grave sites. The NAHC requested that a Phase II archaeological survey be conducted for the project prior to any decision to approve a Minor Use Permit for the project. Upon being informed that a Phase II Study had previously been prepared for the project, Dave Singleton, Program Analyst for the NAHC, requested a copy be sent for their review and comment. A copy was sent to them soon afterward.

On September 4, 2008, the Zoning Administrator continued the public hearing until such time as the cultural resource issues could be adequately addressed and resolved.

In a follow-up correspondence dated December 3, 2008, Mr. Singleton of the NAHC stated that, although their records search for cultural resources failed to indicate the presence of Native American cultural resources, the absence of specific site information does not guarantee the absence of cultural resources in any project area. In addition, the NAHC was evaluating new archaeological/Native American resource documentation (Mr. Coney's September 4 letter), and that the Commission would make a determination of the validity of this documentation by December 20, 2008.

The NAHC also recommended new consultation with an expanded list of Native American contacts, including Mr. Coney as a representative of the Tsi'-Akim Maidu tribe, as well as five additional individuals or tribes.

On December 16, 2008, Mr. Coney submitted a second letter (Attachment G) to the Planning Department and to the NAHC that listed eleven issues that the Tsi'-Akim Maidu tribe believed should be addressed prior to a new hearing for the Minor Use Permit. One of those issues was the need for "an on-site visit to the Hownosum Soka Village [Maidu name for the project site] to be attended by all affected parties".

Staff conducted a site visit with the applicant, property owner, their archaeologist, representatives from the NAHC and US Army Corps of Engineers and several Native American tribal representatives on January 21, 2009 for the purpose of determining the adequacy of the initial Phase II Archaeological Survey that was prepared for the project. In addition, the visit provided the opportunity to address the issues raised in Mr. Coney's December 16, 2008 letter.

Following the site visit, the County received a letter (Attachment H) from the NAHC, noting that the site visit had raised some concerns, regarding the adequacy of the previously prepared archaeological survey and recommending that new Phase I and II archaeological surveys of the site be conducted.

The applicant agreed to fund a new archaeological survey and contracted a registered professional archaeologist, Cindy Arrington, MS, RPA, of GeoEngineers, to conduct a cultural resource investigation that included a resource literature search, a pedestrian survey, 23 auger units and four test excavation units. In addition to the research and fieldwork that are documented in her report, Ms. Arrington also prepared a detailed Treatment Plan, which establishes a monitoring program for the project site throughout all phases of construction, protocol for the treatment of additional cultural resources, consistency of the Plan with state and federal policies and guidelines dealing with cultural resources and training and monitoring of construction workforce.

The results of Ms. Arrington's report are confidential, but generally, indicate not only a greater number of resources on the site, but also resources of greater significance than those identified in the initial Phase II survey of the site. Although this confirms Mr. Coney's assertion that the site is culturally significant, Ms. Arrington's professional determination was that the site lacks integrity and is not eligible for inclusion into the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR).

In recognition of the variation in the conclusions of the initial and subsequent site evaluations and the sensitivity of the resources on the site, staff requested that the property owner commission an independent third-party peer review of the Arrington report. Per staff's request, the NAHC provided a list of archaeologists. Shelly Tiley, PhD with Pacific Legacy was contracted to provide a peer review of the Arrington Phase II report and to provide an analysis and recommendation to the County.

In her review of the previous work, dated October 30, 2009, Ms. Tiley recommended additional field work to address questions raised in the review and determined, contrary to the Arrington report, that the site is eligible for inclusion into the NRHP. Specifically, Ms. Tiley believes that the lack of site integrity alone is insufficient to determine the cultural

significance of the site, particularly when local Native Americans, (including a most likely descendent) consider the site to be culturally significant.

The property owner again contracted with Ms. Arrington to conduct additional fieldwork, consistent with the recommendations of the Tiley peer review. The revised Phase II Report, dated January 8, 2010, concluded that, although the site lacks integrity, it is considered potentially eligible for inclusion into the NRHP.

On April 13, 2010 staff prepared a Modified Mitigated Negative Declaration (MND) (Attachment C) for the project which contains a discussion of the cultural resources known to exist on the site and the Treatment Plan (Attachment J) that would be adopted as a mitigation measure for potential discoveries. The public comment period for the Modified MND ended on May 12, 2010. A single correspondence was received in that period, a letter from Don Ryberg, Tsi'-Akim Maidu Tribal Chair (Attachment K). In Mr. Ryberg's letter it is suggested that the site is more culturally significant than Ms. Arrington has determined it to be. The letter recommends that no construction occur, and that the cultural easement be expanded to include the entire 3.5-acre site.

NORTH AUBURN MUNICIPAL ADVISORY COUNCIL:
This project was presented to the North Auburn Municipal Advisory Council as an Action Item on May 11, 2010. After considering information provided by Grayson Coney (Tsi'-Akim Maidu Cultural Director), Kevin Sullivan (Applicant) and Cedric Lee (Pastor and property owner), the MAC took action on a 5-0 vote to recommend approval of the project as proposed.

SITE CHARACTERISTICS:
The project site consists of a 3.5-acre undeveloped parcel, located immediately east of the northbound Interstate 80 on-ramp at the Dry Creek Road overcrossing in the North Auburn area. Neils Road extends eastward away from Interstate 80 at this location, continues about 200 feet, then angles 90 degrees to the north, forming the south and east borders of the site. The site is bordered along the northwest property lines by the Interstate 80 on-ramp. Nearby properties consist of a mix of rural residential and undeveloped parcels.

The site contains about two acres of foothill woodland community, consisting primarily of valley oak with scattered interior live oak, black walnut, ponderosa pine and foothill pine. Several cultivated olive and pear trees are present in the southwest portion of the site. Annual grassland makes up a little less than half of the vegetation on site.

The topography gently slopes from the north and the south toward a small wetland swale that runs from east to west nearly across the middle of the project site. This feature flows through a 24-inch culvert under Neils Road, across the project site and back into a culvert beneath Interstate 80 to the west.

EXISTING LAND USE AND ZONING:

Location	Zoning	General Plan / Community Plan	Existing Conditions & Improvements
Site	Farm, 4.6 Acre Minimum Lot Size	Rural Residential	Undeveloped
North	Farm, 4.6 Acre Minimum Lot Size	Rural Residential	Undeveloped
South	Farm, 4.6 Acre Minimum Lot Size	Rural Residential	Undeveloped
East	Farm, 4.6 Acre Minimum Lot Size	Rural Residential	Single Family Residence
West	Open Space	Open Space	Interstate 80

PROJECT DESCRIPTION:

The Celebration Community Fellowship consists of an ±19,000 square-foot, single-story church and fellowship hall with associated outdoor activity space and a 111-space parking lot. Located centrally in the southern portion of the site, the church facility includes a foyer, a 396-seat congregation hall, offices, kitchen, classrooms, storage and restrooms. A sound wall is proposed along the southwest boundary of the outdoor activity area, where the project abuts the northbound Interstate 80 on-ramp. Further to the northeast, also along the on-ramp frontage, a keystone retaining wall would be constructed to assist in leveling the parking lot.

The parking and activity areas are located to the north, south and east of the church. Two encroachments, approximately 340 feet apart, will be constructed at Neils Road to provide access to the site. Site landscaping will incorporate many of the existing mature oak trees that are found along the property lines as well as new plantings in the areas adjacent to the building.

DISCUSSION OF ISSUES:

Community Plan/Zoning consistency:

The Auburn/Bowman Community Plan land use designation for the project site is Rural Residential and the site zoning is Farm with a minimum lot size of 4.6 acres. Although the parcel is smaller than the zone district minimum, it is considered legal non-conforming due to its creation in 1981, prior to adoption of the current zoning. The proposed use (house of worship) and intensity of use are consistent with both Community Plan policies and Zoning Ordinance standards.

Neighborhood Compatibility:

The project site is bordered by single-family rural residential development and large, undeveloped lots. While churches are not residences, they are commonly located in rural areas as a meeting place for local residents. They do not create the excessive weekday

traffic normally associated with commercial projects. In addition to Sunday services, the proposed church will draw neighbors in by providing a facility in which they can hold public meetings, weddings and events. Therefore, the project will become an integral part of this community and will not result in an incompatible use within the neighborhood.

Aesthetics:

The Community Design Element of the Auburn/Bowman Community Plan (A/BCP) contains goals, policies and implementation measures which provide for future growth and development while preserving the essential rural character of the area (A/BCP Community Development Element (C)(1)). The Element discusses the importance of preserving, enhancing and protecting the scenic resources visible from scenic routes (such as Interstate 80) in the Auburn area.

Because the North Auburn area becomes increasingly rural as one leaves the northern boundaries of the A/BCP, the appearance of a new ±19,000 square-foot structure alongside Interstate 80 could be inconsistent with the A/BCP policies regarding protection of the rural and scenic resources. In such a visible location, a proposed structure should be screened by both existing native vegetation and new landscaping.

The applicant responded to staff concerns and comments on the original design by revising the site plan to preserve many of the existing oaks along the northwest and southwest property lines. In addition, the applicant proposes to plant valley oaks to fill in spaces between the existing trees at those locations, as well as a variety of tree, shrub and grass plantings along other property lines. These revisions have resulted in a project (both structures and the sound walls) that will effectively (though not completely) be screened from Interstate 80. In order to ensure that the required screening is installed, two Conditions are recommended that will: 1) require initial planting of trees and other landscaping and; 2) require that the newly installed landscaping is maintained in good health for a minimum of five years.

Biological Resources:

The development of the project will result in the conversion approximately 2.14 acres of valley oak woodland from a functioning oak habitat to clusters of oaks that, while aesthetically pleasing, serve a significantly reduced biological function. Oak woodlands such as those found on the site, as well as individual trees within those woodlands, are protected by a variety of State and local ordinances and policies, including the Placer County Tree Preservation Ordinance and the CEQA Oak Woodlands Conservation Law (Senate Bill 1334). Mitigation for impacts to the woodland habitat on the Celebration Church site consist of payment of fees for off-site oak woodland conservation on a two-to-one acreage basis and on-site replacement and maintenance of native oak trees.

As part of the field assessment, the property was also evaluated for the potential presence of wetland vegetation and Waters of the United States. The site contains a wetland swale that was excavated to drain water across the site. The swale emerges from a culvert midway across the Neils Road frontage and exits the site through another culvert at the Interstate 80 frontage. The wetland swale constitutes a total of 0.02 acres of Waters of the United States as identified in a Wetland Delineation provided by North Fork

Associates. The Placer County General Plan (Goal 6-B) includes a "no net loss" policy for wetland and riparian areas.

Because the wetland swale transects the property, bridges to provide access over it between the church and the parking areas would not be practical. The project proposes a single culvert to underground the entire length of the swale from the point it emerges to the property limits at the northwest property line thereby impacting the wetlands on-site. The applicant will coordinate with the Army Corps of Engineers to develop appropriate mitigation for the loss of the wetlands.

Cultural Resources:

ANALYSIS:

The revised Cultural Resources Technical Report found that the site reflects three primary time periods of human land use. A prehistoric component associated with the Late Kings Beach Complex (A.D. 1200-historic contact), an ethnohistoric/contact period associated with Nisenan occupation and a third land use during the Gold Rush era likely associated with the documented pioneer settlements and transportation networks of the area during the mid to late 19th century.

The Report states that culturally, the site is in poor condition, as evidence of disturbance is abundant. The site has been affected by the adjacent construction of old Highway 40 and later by Interstate 80, in addition to the construction and subsequent demolition of residences in the late 1860's. The Report also states that artifacts have been collected over the years by looters, and that bioturbation at the site (flooding episodes, erosion and rodent disturbance) was identified in each of the four Test Units. These actions have disturbed the primary context of the cultural resources near the surface.

The Report goes on to state that the result of the subsurface excavation of the site demonstrates that there is no intact midden and the site is of limited utility in regard to furthering our understanding of prehistoric or historic lifestyles. The Report concludes that the site is not likely to represent a prehistoric village or occupation area as there is evidence to suggests that if a prehistoric village or occupation area existed, it lies further to the west under what is now I-80. The resources on the project site most likely represent a secondary deposit from the construction of Highway 40 and I-80.

CONCLUSION:

The revised Phase II Cultural Resources Report concluded that, although the site lacks integrity, it is possible that objects and/or features of a sacred ceremonial nature might be present. In addition, because the site is important to local Native Americans, it could be eligible for inclusion into the National Register of Historic Places under Criterion A (important to local Native Americans).

The Report recommends avoidance of a highly sensitive prehistoric area on the northwestern edge of the project site. A 70-foot radius exclusion area, identified on the revised site plan (Attachment B) as an Environmentally Sensitive Area (ESA) will be established and ground disturbing activities will be prohibited within that area.

A Monitoring and Treatment Plan (Attachment J) have been prepared for the project. The Plan presents the approach that Celebration Community Fellowship will use to ensure the protection of the cultural resources and to address emergency discoveries of cultural and archaeological resources during construction activities outside the ESA for the proposed development. This plan provides for the identification, protection and treatment of cultural resources discovered by archaeological monitors, Native American monitors, or construction workforce during project activities either inside or outside designated project boundaries.

Placer County will require all of these measures, in addition to standard County measures, to reduce potential impacts to cultural resources to a less than significant level.

REGULATORY COMPLIANCE:
NEPA/CEQA Compliance:
Due to the presence of jurisdictional waters of the United States on the project site, U.S. Army Corps of Engineers (USACE), as the lead federal agency, will need to comply with NEPA regulations during any permit process that may be required. This process will include determination of site eligibility in the National Register of Historic Places (NRHP). Mitigation Measure MM-IV-4 (Biological Resource section), requires that the property owner furnish evidence that the USACE have been notified by a certified letter, and that a determination is made regarding the requirement for a permit. If permits are required, they shall be obtained and copies submitted to DRC prior to any clearing, grading, or excavation work. Because the USACE will review any necessary federal permit applications under a separate NEPA process, this document does not specifically address NEPA compliance. However, the determination of site eligibility for recordation into the NRHP as a function of CEQA compliance has been analyzed and mitigation measures have been included to ensure that impacts are less than significant. The applicant will be required to satisfy all federal requirements under a separate NEPA process.

Local Compliance:
The Report concluded that significant cultural resources exist within the northwestern area of the Area of Potential Effects (APE). Consistent with the Auburn Bowman Community Plan Policies E(3)(a) and E(3)(e), the project has identified these resources and proposes avoidance through the establishment of an Environmentally Sensitive Area (ESA), within which no ground disturbing activities shall be permitted. The boundaries of the ESA will establish a radius of 70 feet extending out from the area known to contain the significant cultural resources. The ESA will be required as a mitigation measure. In addition, the ESA will be required to be recorded as a public easement with rights of access across the property.

RECOMMENDATION:
The Development Review Committee recommends the Planning Commission approve the Minor Use Permit for the ±19,000 square-foot church subject to the attached Findings and Conditions of Approval.

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FINDINGS:

CEQA:

The Planning Commission has considered the proposed Modified Mitigated Negative Declaration (PMPA20070467), the proposed mitigation measures, the staff report and all comments thereto and hereby adopts the Modified Mitigated Negative Declaration for the project based upon the following findings:

1. A Mitigated Negative Declaration has been prepared for this project in compliance with CEQA. Mitigation measures include, but are not limited to, roadway improvements, grading plans, improvement plans, payment of traffic fees, implementation of Best Management Practices, US Army Corps of Engineers review and mitigation for loss of wetlands, purchase of tree preservation conservation easements, cultural resources protection measures and stormwater requirements. With the incorporation of all mitigation measures, the project is not expected to cause any significant, negative impacts.

2. There is no substantial evidence in the record as a whole that the project as revised and mitigated may have a significant effect on the environment.

3. The Mitigated Negative Declaration as adopted for the project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.

4. The mitigation plan prepared for the project is approved and adopted.

5. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

MINOR USE PERMIT:

1. The proposed use is consistent with the objectives, policies, general land uses and programs as specified in the Placer County General Plan, the Auburn Bowman Community Plan and the Placer County Rural Design Guidelines.

2. The proposed Minor Use Permit is consistent with the Placer County Zoning Ordinance (Farm - Section 17.10.010).

3. The proposed use will be consistent with the character of the immediate area, which is rural residential, and will not be contrary to its orderly development.

4. The development and use of the site as proposed will not be detrimental to the health, safety, and general welfare of people residing in the neighborhood, and will not be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the County.

Respectfully submitted,

Gerry Haas

Gerry Haas
Associate Planner

GH:KH

ATTACHMENTS:

Attachment A – Recommended Conditions of Approval
Attachment B – Site Plan and Vicinity Map
Attachment C – Modified Mitigated Negative Declaration
Attachment D – Mitigation Monitoring Program
Attachment E – First Letter from Grayson Coney (challenging MND)
Attachment F – Letter from Dave Singleton, NAHC
Attachment G – Second letter from Grayson Coney (list of 11 issues)
Attachment H – NAHC letter requesting additional fieldwork
Attachment I – Original Mitigated Negative Declaration
Attachment J – Monitoring and Treatment Plan
Attachment K – Correspondence received during public review of Modified MND from Don Ryberg

cc: Michael J Johnson – Agency Director
Paul Thompson – Deputy Planning Director
Michael Wells – Supervising Planner
Sharon Boswell – Engineering and Surveying Department
Janelle Heinzler – Engineering and Surveying Department
Leslie Lindbo – Environmental Health Services
Andy Fisher – Parks Department
Angel Rinker – Air Pollution Control District
Brad Albertazzi – Placer County Fire
Karin Schwab – County Counsel's Office
Kevin Sullivan – LPA, Inc. (applicant)
Cedric Lee – Property Owner
Katy Sanchez – Native American Heritage Commission
Dave Singleton – Native American Heritage Commission
Don Ryberg – Tsi'-Akim Maidu Tribal Chair
Grayson Coney – Tsi'-Akim Maidu Cultural Director
Erin Hess – US Army Corps of Engineers
Subject/chrono files

RECOMMENDED CONDITIONS OF APPROVAL – MINOR USE PERMIT - "CELEBRATION COMMUNITY FELLOWSHIP CHURCH" (PMPA 20070467)

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This Minor Use Permit (PMPA20070467) is approved to allow for the construction and operation of a ±19,000 square-foot church with associated parking and landscaping consistent with the site plan on file with this application.

2. This use permit does not approve any day-care, nursery school, or full-time grammar, middle or high school use except that normally associated and incidental to regular church service use (e.g. Sunday school, bible school, daycare facilities for children while parents attend services, etc.).

3. A Minor Use Permit shall be considered exercised when a Building Permit has been issued, and construction of a building foundation has been started (see Section 17.58.160 of the Placer County Code Zoning Ordinance). **(PD)**

IMPROVEMENTS/IMPROVEMENT PLANS

4. The project is subject to review and approval by the Placer County Development Review Committee (DRC). Such a review shall be conducted during review of the Improvement Plans for the project and shall include, but not be limited to: Architectural colors, materials, and textures; landscaping; irrigation; signs; exterior lighting; pedestrian and vehicular circulation; fences and walls; noise attenuation barriers; tree impacts, tree removal, tree replacement areas, entry features, etc. **(PD)**

5. Landscape Plan: The Improvement Plans shall provide details of the location and specifications of all proposed landscaping and irrigation – for the review and approval of the DRC. Said landscaping shall be installed prior to the County's acceptance of the projects improvements. **(MMIP) (PD/DFS)**

6. Where the DRC has approved parking lot lights, the following standards shall apply: All lighting shall be designed to be consistent with the "Dark Sky Society" standards for protecting the night sky from excessive light pollution. Other resources providing technical support

include publications of the Illuminating Engineering Society of North America (IESNA) and the IESNA Lighting Handbook, Reference & Application, Ninth Edition and Recommended Practices (RP). The intent of these standards is to design a lighting system, where determined necessary, that maintains public safety and security in the project area while curtailing the degradation of the nighttime visual environment through limiting evening light radiation and/or light spill. In addition, metal halide lighting is prohibited unless authorized by the Planning Director. All parking lot lighting shall be reviewed and approved by the DRC for design, location, photometrics, etc. **(PD)**

7. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. (NOTE: Prior to plan approval, all applicable recording and reproduction costs shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD prior to acceptance by the County of site improvements. **(MM 6.1) (ESD)**

8. All proposed grading, drainage improvements, vegetation, tree impacts and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Section 15.48, Placer County Code) and the Placer County Flood Control District's Stormwater Management Manual. The applicant shall pay plan check fees and inspection fees. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and any required temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation.

All facilities and/or easements dedicated or offered for dedication to Placer County or to other public agencies which encroach on the project site or within any area to be disturbed by the project construction shall be accurately located on the Improvement Plans. The intent of this

requirement is to allow review by concerned agencies of any work that may affect their facilities.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD. Submit to the ESD a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body.

Any work affecting facilities maintained by, or easements dedicated or offered for dedication, to Placer County or other public agency may require the submittal and review of appropriate improvement plans by ESD or the other agency. **(MM 6.2) (ESD)**

9. Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area. **(ESD)**

10. Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features

and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" (BMP) measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. **(MM 8.1) (ESD)**

11. Storm water run-off shall be reduced to pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of the Engineering and Surveying Department (ESD). The ESD may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees prescribed by County Ordinance. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(MM 8.2) (ESD)**

12. Water quality Best Management Practices (BMPs) shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department (ESD).

Construction (temporary) BMPs for the project include, but are not limited to: Fiber Rolls (SE-5), Straw Bale Barrier (SE-9), Straw Wattles, Storm Drain Inlet Protection (SE-10), Hydroseeding (EC-4), Silt Fence (SE-1), Stabilized Construction Entrance (TC-1), and revegetation techniques.

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the ESD. BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: infiltration/treatment vault. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon

request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and catch basin cleaning program shall be provided to the ESD upon request. Failure to do so will be grounds for discretionary permit revocation.) Prior to Improvement Plan, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. **(MM 6.3) (ESD)**

13. Projects with ground disturbance exceeding one-acre that are subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System (NPDES) program shall obtain such permit from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction. **(MM 6.4) (ESD)**

14. Provide the Engineering and Surveying Department with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. **(ESD)**

15. Prior to Improvement Plan approval, the applicant shall submit an engineer's estimate detailing costs for facilities to be constructed with the project which are intended to be County-owned or maintained. County policy requires the applicant prepare their cost estimate(s) in a format that is consistent with the Governmental Accounting Standards Board, 34th Standard (GASB 34). The engineer preparing the estimate shall use unit prices approved by the Engineering and Surveying Department for line items within the estimate. The estimate shall be in a format approved by the County and shall be consistent with the guidelines of GASB 34. **(ESD)**

16. This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004). **(MM 8.3) (ESD)**

17. The project is subject to review and approval by the Placer County Development Review Committee (DRC). Such a review shall be conducted prior to the approval of the Improvement Plans for the project and shall include, but not be limited to: noise attenuation barriers. **(EHS)**

18. Prior to Improvement Plan approval, any on-site sewage disposal area within 50' of any planned construction shall be shown on the Improvement Plans. **(EHS)**

GRADING

19. Prior to Grading Permit or Improvement Plan approval and before any grading or clearing occurs on the project site, within 50' of any on-site sewage disposal area, the on-site sewage disposal area of any affected lot shall be fenced off with fluorescent construction fencing and clearly marked with a sign that states "KEEP OFF! Reserved for Sewage Disposal Only". **(ESD/EHS)**

ROADS/TRAILS

20. Construct public road entrances/driveways onto Neils Road to a Plate R-17, LDM standard. The design speed of Neils Road shall be 35 mph, unless an alternate design speed is approved by the DPW. The improvements shall begin at the outside edge of any future lane(s) as directed by the DPW and the Engineering and Surveying Department (ESD). An Encroachment Permit shall be obtained by the applicant or authorized agent from DPW. The Plate R-17 structural section within the main roadway right-of-way shall be designed for a Traffic Index of 7.5, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD. **(ESD)**

Note: Joint pole and pullboxes at the southerly access will need to be adjusted to proposed finish grade (as shown on the project site plan) in order to provide the minimum required sight distance required by the Placer County Standard Plate R-17.

21. Construct one-half of a 32' road section where the project fronts Neils Road, as measured from the existing centerline thereof or as directed by the Engineering and Surveying Department (ESD) and the Department of Public Works (DPW). Additional widening and/or reconstruction may be required to improve existing structural deficiencies, accommodate auxiliary lanes, intersection geometrics, signalization, bikelanes, or for conformance to existing improvements. The roadway structural section shall be designed for a Traffic Index of 7.5, but said section shall not be less than 3" AC/8" Class 2 AB unless otherwise approved by the ESD and DPW. **(ESD)**

22. All on-site parking and circulation areas shall be improved with a minimum asphaltic concrete or Portland cement surface capable of supporting anticipated vehicle loadings. It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. **(ESD)**

23. A recordable Encroachment Permit shall be obtained from DPW prior to Improvement Plan approvals for any landscaping within public road rights-of-way. **(ESD)**

24. Obtain an Encroachment Permit from Caltrans for any work proposed within the State Highway right-of-way. A copy of said Permit shall be provided to the Engineering and Surveying Department prior to the approval of the Improvement Plans. (ESD)

PUBLIC SERVICES

25. Prior to the approval of the Improvement Plans, submit to EHS a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service. The owner or occupant of the Celebration Community Fellowship church shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. **(EHS)**

GENERAL DEDICATIONS/EASEMENTS

26. Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the Engineering and Surveying Department (ESD) and DRC:

a) Dedicate to Placer County one-half of a 60'-wide highway easement (Ref. Chapter 12, Article 12.08, Placer County Code) where the project fronts Neils Road, as measured from the centerline of the existing roadway, plan line, or other alignment as approved by the Transportation Division of DPW. **(ESD)**

b) Drainage easements as appropriate. **(ESD)**

c) An Irrevocable Offer of Dedication for easements as required for access to, and protection and maintenance of, storm drainage retention/detention facilities, as well as post-construction water quality enhancement facilities (BMPs). Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication. **(ESD)**

VEGETATION & OTHER SENSITIVE NATURAL AREAS

27. This project is subject to review and approval by the State Dept. of Fish & Game, National Marine Fisheries Services (NMFS), and/or the U. S. Army Corps of Engineers. It is the applicant's responsibility to obtain such approvals, if necessary, prior to any grading, clearing, or excavation. **(PD/ESD)**

28. Prior to approval of Improvement Plans, the applicant shall furnish to the DRC, evidence that the U. S. Army Corps of Engineers have been notified by certified letter regarding the existence of wetlands on the property. If permits are required, they shall be obtained and copies submitted to DRC prior to any clearing, grading, or excavation work. **(MM) (PD)**

29. The applicant shall provide to the DRC evidence of an agency-approved form of mitigation for any fill of Federal Waters of the United States. Mitigation for wetland impacts may be provided through purchase of wetland credits at an agency-approved offsite mitigation bank or other agency-approved in lieu fund, including payment into the Placer County Wetland Trust Fund. Impacts to Waters of the United States totaling 0.02 acres will be mitigated at a 2:1 ratio or as approved by the US Army Corps of Engineers to attain a "no net loss" of wetland function. **(MM) (PD)**

30. No watering or irrigation of any kind shall be allowed within the drip-line of native oak trees within the project boundaries. **(MM) (PD)**

31. Temporary Construction Fencing: The applicant shall install a 4' tall, brightly colored (usually yellow or orange), synthetic mesh material fence (or an equivalent approved by the DRC) at the following locations prior to any construction equipment being moved on-site or any construction activities taking place:

a) At the limits of construction, outside the drip-line of all trees 6" dbh (diameter at breast height), or 10" dbh aggregate for multi-trunk trees, within 50' of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the Tentative Map;

b) Around any and all "special protection" areas as discussed in the project's environmental review documents.

No development of this site, including grading, will be allowed until this condition is satisfied. Any encroachment within these areas, including drip-lines of trees to be saved, must first be approved by the DRC. Temporary fencing shall not be altered during construction without written approval of the DRC. No grading, clearing, storage of equipment or machinery, etc., may occur until a representative of the DRC has inspected and approved all temporary construction fencing. This includes both on-site and off-site improvements. Efforts should be made to save trees where feasible. This may include the use of retaining walls, planter islands, pavers, or other techniques commonly associated with tree preservation.

Said fencing and a note reflecting this Condition shall be shown on the Improvement Plans. **(MM) (PD/ESD)**

32. Prior to approval of the Improvement Plans, the applicant shall submit to the Placer

County Tree Preservation Fund payment in the amount of $55,060.00 for impacts to oak woodlands. If changes in the project are required during the Improvement Plan process, this figure may be altered provided that it is consistent with County policy. This payment must be received prior to any construction related activities on-site. **(MM) (PD)**

33. Native oaks shall be planted and maintained along the northwest property lines between the project site and the Interstate 80 on-ramp. These trees shall be minimum 15-gallon size and shall be planted in all locations where the existing and remaining oaks do not form a continuous screen of the project site from Interstate 80. **(MM) (PD)**

34. The applicant shall plant and maintain a minimum of 25 valley oak trees (or other native oak approved by the Planning Department) along the project frontage at the northbound Interstate 80 on-ramp. These trees shall be maintained in good health and remain viable for a minimum of five years. An oak tree monitoring program report, prepared by a licensed landscaping architect, shall be submitted annually to the Planning Department for a five-year period. Said report will define areas in which oak trees have been planted with a description of their status, including survival rate. Any corrective actions required are the responsibility of the property owner. **(MM) (PD)**

A letter of credit or cash deposit in the amount of 125% of the accepted proposal shall be deposited with the Placer County Planning Department to assure performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC. Violation of any components of the approved MMIP may result in enforcement activity per Placer County Environmental Review Ordinance Article 18.28.080, of the Placer County Code. An agreement between the applicant and the County shall be prepared which meets DRC approval that allows the County use of the deposit to assure performance of the MMIP in the event the property owner fails to perform. **(MM) (PD)**

35. Prior to any grading or tree removal activities, during the raptor nesting season (March 1 - September 1), a focused survey for raptor nests shall be conducted by a qualified biologist. A report summarizing the survey shall be provided to Placer County and the California Department of Fish & Game (CDFG) within 30 days of the completed survey. If an active raptor nest is identified, appropriate mitigation measures shall be developed and implemented in consultation with CDFG. If construction is proposed to take place between March 1st and September 1st, no construction activity or tree removal shall occur within 500 feet of an active nest (or greater distance, as determined by the CDFG). Construction activities may only resume after a follow up survey has been conducted and a report prepared by a qualified raptor biologist indicating that the nest is no longer active, and that no new nests have been identified. A follow up survey shall be conducted 2 months following the initial survey, if the initial survey occurs between March 1st and July 1st. Additional follow up surveys may be

required by the DRC, based on the recommendations in the raptor study and/or as recommended by the CDFG. Temporary construction fencing and signage as described herein shall be installed at a minimum 500 foot radius around trees containing active nests.

If all project construction occurs between September 1st and March 1st no raptor surveys will be required. Trees previously approved for removal by Placer County, which contain stick nests, may only be removed between September 1st and March 1st. A note which includes the wording of this condition of approval shall be placed on the Improvement Plans. Said plans shall also show all protective fencing for those trees identified for protection within the raptor report. **(MM) (PD)**

CULTURAL RESOURCES

36. Prior to any construction activities on the site, the owner shall submit an application to the State Historic Office of Preservation for nomination of the site into the National Register of Historic Places. Determination of eligibility or lack thereof must be received prior to approval of the Improvement Plans from Placer County. **(MM) (PD)**

37. A 70-foot radius exclusion area, known as an Environmentally Sensitive Area (ESA) shall be established around the sensitive area in the northwestern portion of the site as indicated on the site plan. No ground disturbing activities shall occur within the ESA. **(MM) (PD)**

38. Prior to approval of the Improvement Plans, the ESA shall be recorded as an exclusive public easement for the protection and enjoyment of the sensitive cultural resource with right of ingress and egress over the grantor's property. **(MM) (PD)**

39. Prior to approval of the Improvement Plans, the property owner shall record a Deed Restriction which acknowledges the cultural resource within the ESA and restricts the use of the ESA in perpetuity. **(MM) (PD)**

40. The Monitoring and Treatment Plan created by GeoEngineers shall be adopted for the project and adhered to throughout all phases of construction. The Plan requires worker cultural awareness training, discovery procedures and the presence of an archeological monitor, a Native American monitor and a Cultural Resource Specialist (CRS) during all ground-disturbing activities, as well as other phases of the project. The Plan shall be relied upon throughout the development of the site. **(MM) (PD)**

41. If major archaeological or historical resources are discovered, which require temporary halting or redirecting of grading or construction activity, the archaeologist shall report such findings to the project developer, and to the Planning Department. These actions, as well as final

mitigation and disposition of the resources shall be subject to approval by the California Register of Historic Resources (CRHR) or the Native American Heritage Commission (NAHC). The archaeologist shall submit a follow-up report to the CRHR and the Planning Department which shall include the period of inspection, an analysis of the resources found, and present repository of the resources. **(MM) (PD)**

42. A registered professional archaeologist shall provide Sensitivity Training required for the project to the general contractor and all sub-contractors on the job site at the time of the pre-construction meeting and the construction kick-off meeting. Immediately following the Sensitivity Training, the general contractor shall submit to the Planning Department notification that the Training has been completed. This will be required prior to building permit process. **(MM) (PD)**

43. All known sensitive sites and features shall be flagged or fenced to the satisfaction of the Registered Professional Archaeologist to prevent disturbance during construction activities. Evidence of this requirement shall be provided to Planning Department staff prior to any on-site grading. **(MM) (PD)**

44. Concurrent with submittal of Improvement Plans, the applicant shall provide written evidence to the Planning Department that a qualified archaeologist has been retained by the applicant to observe grading and construction activities. The archaeologist shall establish procedures for cultural resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of discovered cultural resources. If major archaeological or historical resources are discovered, which require temporary halting or redirecting of grading or construction activity, the archaeologist shall report such findings to the project developer, and to the Planning Department. These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the California Register of Historic Resources (CRHR) or the Native American Heritage Commission. The archaeologist shall submit a follow-up report to the CRHR and the Planning Department which shall include the period of inspection, an analysis of the resources found, and present repository of the resources. **(MM) (PD)**

45. If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and the Registered Professional Archaeologist shall evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s). If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project. Following a

review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site. **(MM) (PD)**

46. Throughout construction of the project, and until a Certificate of Occupancy is issued for the church, the Registered Professional Archaeologist shall provide evidence that the Treatment Plan is being implemented and adhered to. Such evidence shall consist of a written description of how the Plan is being implemented (for example: presence of a Native American Monitor, treatment of finds, etc.) as well as updates on the progress of the project. These updates shall be submitted every six months to the Planning Department. **(MM) (PD)**

FEES

47. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required are $2,060.25 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination is not operative, vested or final and shall not be accepted by the County Clerk. **NOTE: The above fee shall be submitted to the Planning Department within 5 days of final project approval. (MM) (PD)**

48. This project will be subject to the payment of traffic impact fees that are in effect in this area (Auburn/Bowman), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

a) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code

The current total combined estimated fee is $41,032.31 for the 19,000 square feet church facility. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. **(MM15.1) (ESD)**

ENVIRONMENTAL HEALTH

49. Prior to Improvement Plan approval, there shall be adequate assurances that a public water well, designed and operated in conformance with the California Safe Drinking Water Act, the California Waterworks Standards, and related codes and regulations, can serve the project. Domestic water quality and quantity shall be subject to approval by EHS. Back flow prevention devices shall be provided on water service lines as required by EHS. **(EHS)**

50. Prior to Building Permit issuance, the domestic water supplying entity shall be in compliance with the requirements of Placer County Code, Section 16.08.040(e). **(EHS)**

51. Prior to Building Permit issuance, this project shall obtain a Transient or Non-transient (whichever is applicable) Non-community Water System Permit. **(EHS)**

52. Indicate on the Improvement Plans and Final Map or Development Notebook the location of the approved minimum usable sewage disposal area. Notation shall be made on the documents that the shown sewage disposal area shall not be graded, compacted, or, in any way, altered or encumbered. **(EHS)**

53. Prior to Improvement Plan approval, the project owner or authorized managing entity shall insure that all construction vehicles or equipment, fixed or mobile, operated within close proximity of a residential dwelling shall be equipped with properly operating and maintained mufflers at all times during project construction. It is the owner's responsibility to obtain the services of a qualified acoustical professional to verify proper equipment mufflers if concerns relating to the issue arise. A note to this effect shall be added to the Improvement Plans where applicable. **(EHS)**

54. Construction noise emanating from any construction activities for which a Grading or Building Permit is required is prohibited on Sundays and Federal Holidays, and shall only occur:

a) Monday through Friday, 6:00 am to 8:00 pm (during daylight savings)
b) Monday through Friday, 7:00 am to 8:00 pm (during standard time)
c) Saturdays, 8:00 am to 6:00 pm

In addition, temporary signs 4' x 4' shall be located throughout the project, as determined by the DRC, at key intersections depicting the above construction hour limitations. Said signs shall include a toll free public information phone number where surrounding residents can report violations and the developer/builder will respond and resolve noise violations. This condition shall be included on the Improvement Plans and shown in the development notebook.

Please Note: Essentially, quiet activities, which do not involve heavy equipment or machinery, may occur at other times. Work occurring within an enclosed building, such as a house under construction with the roof and siding completed, may occur at other times as well.

The Planning Director is authorized to waive the time frames based on special circumstances, such as adverse weather conditions. **(EHS/ESD/PD)**

55. Prior to Final Occupancy approval, construct a noise barrier to the satisfaction of the DRC between the project and Interstate 80. This noise barrier, including cross section views of relationship to building pad elevations, shall be shown on the Improvement Plans. The project shall conform to the Noise Element of the Auburn Bowman Community Plan and the environmental document. **(EHS)**

56. The project will be able to meet the 70-dB requirement of the Auburn Bowman Community Plan by installing a 6-foot soundwall as detailed according to the BAC ENA of June 12, 2008. The soundwall shall incorporate absorptive material as indicated in the ENA to mitigate reflected sound energy and associated noise exposure to the closest neighbors. This action will reduce noise from future church concerts and other amplified events to meet the Placer County General Plan 45-dB hourly Leq performance criterion at the closest neighboring residences on Neils Road.

The interior noise exposure as detailed in the discussion (from the Mitigated Negative Declaration) could be as high as 44-dB hourly Leq from future I-80 traffic conditions. This level exceeds the established interior noise exposure standard for Church uses as described in the Auburn Bowman Community Plan. In order for this project to meet the 40-dB hourly Leq interior noise standard, the project proponent shall follow the July 19, 2005 ENA by BAC which will reduce this impact to less than significant.

a) Design and orient the project building so that noise-insensitive rooms (e.g., restrooms, hallways, storage rooms, Lobby) are positioned between noise-sensitive rooms (e.g., Church Sanctuary, meeting rooms, offices, classrooms) and I-80.

b) Minimize the surface area of windows and doors (acoustically-weak elements) on project building facades with line-of-sight to I-80.

c) Doors and/or windows within building facades with line-of-sight to I-80 will provide for a laboratory STC (sound transmission classification) rating of 35 or greater. Assuming fixed window glazing, STC 35 performance may be obtained with a ¼" laminated glazing assembly. **(EHS)(MM XI-1,2)**

57. The discharge of fuels, oils, or other petroleum products, chemicals, detergents, cleaners, or similar chemicals to the surface of the ground or to drainage ways on or adjacent to the site is prohibited. **(EHS)**

58. Placer County Code Chapter 8, Article 8.24 provides that Industrial and other non-domestic wastes shall not be disposed of in the on-site sewage disposal system at any time. **(EHS)**

59. If at any time during excavation, grading, or during the course of constructing the proposed project, evidence of soil or groundwater contamination with hazardous materials is encountered, the applicant shall immediately stop the project and contact the EHS Hazardous

Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of EHS and the Central Valley Regional Water Quality Control Board. A note to this effect shall be placed on the Improvement Plans. **(EHS)**

60. Prior to Building Permit issuance, the applicant/owner shall contact EHS, pay required fees, and obtain an approved Site Evaluation Report and Construction Permit, and as approved, install on-site sewage disposal system(s) for the Celebration Community Fellowship Church. Connect the church facilities to the new system(s). **(EHS)**

61. Prior to Improvement Plan approval place a Note on the Improvement Plans to indicate that the approved on-site sewage disposal system area and the 100% replacement area must remain unaltered and available, free of vehicular traffic, parking, structures of any type, or soil modification. **(EHS)**

62. If the project kitchen ever functions or operates in a manner that would qualify it as a food facility as defined in the California Retail Food Code, then the owner shall pay required fees, obtain a plan check and permit to operate a food facility in conformance with the requirements of said law. **(EHS)**

63. If Best Management Practices are required by the Engineering and Surveying for control of urban runoff pollutants, then any hazardous materials collected during the life of the project shall be disposed of in accordance with all applicable hazardous materials laws and regulations. **(EHS)**

64. During construction, temporary storage and use of hazardous substances shall comply with Fire and EHS regulations and requirements, and spill prevention practices shall be used. **(EHS)**

65. Mosquitoes are known to thrive in areas where the ponding of water has occurred. Mosquitoes can carry dangerous vectors which can harm human health. Drip irrigation and/or low volume bubblers and low volume spray irrigation is required for landscaped areas where shrubbery and trees are located to prevent the ponding of water and a habitat for mosquitoes. The lawn areas as well as all planting areas of the property graded to prevent the ponding of water and to allow for effective irrigation methods. **(EHS)**

AIR POLLUTION

66. a) Prior to approval of Grading or Improvement Plans, (whichever occurs first), on project sites greater than one acre, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. If APCD does not respond within twenty (20) days of the plan being accepted as complete, the plan shall be considered approved. The applicant shall

provide written evidence, provided by APCD, to the local jurisdiction (city or county) that the plan has been submitted to APCD. It is the responsibility of the applicant to deliver the approved plan to the local jurisdiction. The applicant shall not break ground prior to receiving APCD approval, of the Construction Emission / Dust Control Plan, and delivering that approval to the local jurisdiction issuing the permit.

b) Include the following standard note on the Grading Plan or Improvement Plans: 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 of greater) that will be used in aggregate of 40 or more hours for the construction project. If any new equipment is added after submission of the inventory, the prime contractor shall contact the APCD prior to the new equipment being utilized. At least three business days 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, name, and phone number of the property owner, project manager, and on-site foreman.

c) Prior to approval of Grading or Improvement Plans, whichever occurs first, the applicant shall provide a written calculation to the Placer County APCD 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 as required by CARB. . Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. The following link shall be used to calculate compliance with this condition and shall be submitted to the Placer County APCD as described above: http://www.airquality.org/ceqa/ (click on the current "Roadway Construction Emissions Model").**(APCD)**

67. a) In order to control dust, operational watering trucks shall be on site during construction hours. In addition, dry, mechanical sweeping is prohibited. Watering of a construction site shall be carried out in compliance with all pertinent APCD rules (or as required by ordinance within each local jurisdiction). **(APCD)**

b) Include the following standard note on the Improvement/Grading Plan: The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. *(Based on APCD Rule 228 / section 401.1, 401.4)* **(APCD)**

c) Include the following standard note on the Improvement/Grading Plan: The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt,

dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. *(Based on APCD Rule 228 / section 401.5)* **(APCD)**

68. Include the following standard note on the Improvement/Grading Plan: During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less. *(Based on APCD Rule 228 / section 401.5)* **(APCD)**

69. Include the following standard note on the Improvement/Grading Plan: The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties. *(Based on APCD Rule 228)* **(APCD)**

70. Include the following standard note on the Improvement/Grading Plan: In order to minimize wind driven dust during construction, the prime contactor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction). *(Based on APCD Rule 228 / section 402)* **(APCD)**

71. Include the following standard note on the Improvement/Grading Plan: The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed Placer County APCD Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours. *(Based on APCD Rule 228)* **(APCD)**

72. Include the following standard note on the Improvement/Grading Plan: Construction equipment exhaust emissions shall not exceed Placer County APCD Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours. *(Based on APCD Rule 202)* **(APCD)**

73. Include the following standard note on the Improvement/Grading Plan: A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road

maintenance, unless such manufacture or use complies with the provisions of Rule 217. *(Based on APCD Rule 217).* **(APCD)**

74. Include the following standard note on the Improvement/Grading Plan: During construction the contractor shall utilize existing power sources (e.g., power poles) or clean fuel (i.e. gasoline, biodiesel, natural gas) generators rather than temporary diesel power generators. **(APCD)**

75. Include the following standard note on the Improvement/Grading Plan: During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment. **(APCD)**

76. Include the following standard note on the Improvement/Grading Plan: During construction, no open burning of removed vegetation shall be allowed unless permitted by the PCAPCD. All removed vegetative material shall be either chipped on site or taken to an appropriate recycling site, or if a site is not available, a licensed disposal site. *(Based on APCD Rule 310)* **(APCD)**

77. Include the following standard note on the Improvement/Grading Plan: If required by the Engineering Division and/or the Department of Public Works, the contractor shall hold a pre-construction meeting prior to any grading activities (or as required by ordinance within each local jurisdiction). The contractor shall invite the Placer County APCD to the pre-construction meeting in order to discuss the construction emission/dust control plan with employees and/or contractors. **(APCD)**

78. Include the following standard note on the Improvement/Grading Plan: Processes that discharge 2 pounds per day or more of air contaminants, as defined by Health and Safety Code Section 39013, to the atmosphere may require a permit. **Permits may be required for both construction and operation.** Developers/contractors should contact the District prior to construction and obtain any necessary permits prior to the issuance of a Building Permit. *(Based on the California Health & Safety Code section 39013:* http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=39001-40000&file=39010-39060) **(APCD)**

79. Include the following standard note on all building plans approved in association with this project: Stationary sources or processes (i.e. certain types of engines, boilers, heaters, etc.) associated with this project shall be required to obtain an Authority to Construct (ATC) permit from the Placer County Air Pollution Control District prior to the construction of these sources. In general, the following types of sources shall be required to obtain a permit: 1). Any engine greater than 50 brake horsepower, 2). Any boiler that produces heat in excess of 1,000,000 Btu per hour, or 3) Any equipment or process which discharge 2 pounds per day or

more of pollutants. Note that equipment associated with residential structures containing no more than 1 to 4 residential units are exempt from this requirement. Developers / contactors should contact the District prior to construction for additional information. *(Based on APCD Rule 501 and the California Health & Safety Code, Section 39013).* **(APCD)**

80. Include the following standard note on all building plans approved in association with this project: To limit the quantity of volatile organic compounds in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the District, all projects must comply with APCD Rule 218. Please see our website for additional information: *(Based on APCD Rule 218)* **(APCD)**

81. Include the following standard note on all building plans approved in association with this project: In order to limit the emission of nitrogen oxides (NOx) from natural gas-fired water heaters, all projects that utilize gas fired water heaters must comply with Rule 246. *(Based on APCD Rule 246).* **(APCD)**

82. As required by the Placer County APCD, Landscape Plans submitted for Design Review shall include native drought-resistant species (plants, trees and bushes) in order to reduce the demand for irrigation and gas powered landscape maintenance equipment. In addition, a maximum of 25% lawn area is allowed on site. As a part of the project design, the applicant shall include irrigation systems which efficiently utilize water (*e.g.*, prohibit systems that apply water to non- vegetated surfaces and systems which create runoff). In addition, the applicant shall install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls, rain "shut off" valves, or other devices as reviewed and approved by the Design Site Review Committee. **(APCD)**

MISCELLANEOUS CONDITIONS

83. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as the Celebration Community Fellowship Church. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public

Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. **(CC) (MM) (PD)**

84. Concurrent with submittal of Improvement Plans, a detailed lighting and photometric plan shall be submitted to the DRC for review and approval, which include the following:

a) The site lighting plan small demonstrate compliance with the Auburn Bowman Community Plan and the Placer County Design Guidelines. The night lighting design shall be designed to minimize impacts to adjoining and nearby land uses. No lighting is permitted on top of structures.

b) Site lighting fixtures in parking lots shall be provided by the use of high pressure sodium (HPS) mounted on poles not to exceed 14 feet in height. The metal pole color shall be such that the pole will blend into the landscape (i.e., black, bronze, or dark bronze). All site lighting in parking lots shall be full cut-off design so that the light source is fully screened to minimize the impacts discussed above. Wall pack or other non cut-off lighting shall not be used.

c) Building lighting shall be shielded and downward directed such that the bulb or ballast is not visible. Lighting fixture design shall complement the building colors and materials and shall be used to light entries, soffits, covered walkways and pedestrian areas such as plazas. Roof and wall pack lighting shall not be used. Lighting intensity shall be of a level that only highlights the adjacent building area and ground area and shall not impose glare on any pedestrian or vehicular traffic.

d) Landscape lighting may be used to visually accentuate and highlight ornamental shrubs and trees adjacent to buildings and in open spaces. Lighting intensity shall be of a level that only highlights shrubs and trees and shall not impose glare on any pedestrian or vehicular traffic. **(MM) (PD)**

85. Any entrance structure proposed by the applicant shall be reviewed and approved by the DRC, shown on the project Improvement Plans, and shall be located such that there is no interference with driver sight distance as determined by the Engineering and Surveying Department, and shall not be located within the right-of-way. **(ESD)**

86. During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. **(ESD)**

87. Parking spaces, ramps, and access ways shall meet CBC accessibility standards. **(ESD)**

MITIGATION MONITORING

88. A Mitigation Monitoring Implementation Program (MMIP) for the replacement of native oaks and other trees, prepared by an ISA certified arborist, Registered Forester, or Landscape Architect, shall be submitted to the Planning Department, prior to the submittal of the project's Improvement Plans for review and approval by the DRC. Said plan shall provide for a minimum of 25 native oak trees to be planted by the project developer within areas determined appropriate by the DRC. The Plan shall include a site plan that indicates the trees' location, installation and irrigation requirements and other standards to ensure the successful planting and continued growth of these trees.

Installation of all trees and irrigation systems must be completed prior to the County's acceptance of the project's improvements. Access rights for monitoring and maintenance, if necessary, shall be provided by the property owner.

An annual monitoring report for a minimum period of five (5) years from the date of installation, prepared by the above-cited professional, shall be submitted to the DRC for review and approval. Any corrective action shall be the responsibility of the property owner.

Prior to the approval of the Improvement Plans, a Letter of Credit, Certificate of Deposit, or cash deposit in the amount of 100% of the accepted proposal shall be deposited with the Placer County Planning Department to assure on-going performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC prior to the approval of Improvement Plans. For the purposes of administrative and program review by Placer County, an additional 25% of the estimated cost of the Monitoring Program shall be paid to the County, in cash, at the time that the 100% deposit is made. With the exception of the 25% administrative fee, 100% of the estimated costs of implementing the monitoring program shall be returned to the applicant once the applicant has demonstrated that all five (5) years of monitoring have been completed to the satisfaction of the DRC. Refunds will only be available at the end of the entire review period.

It is the applicant's responsibility to ensure compliance with the MMIP. Violation of any components of the approved MMIP may result in enforcement activities per Placer County Environmental Review Ordinance, Article 18.28.080 (formerly Section 31.870). If a monitoring report is not submitted for any one year, or combination of years, as outlined in these conditions, the county has the option of utilizing these funds and hiring a consultant to implement the MMIP. Failure to submit annual monitoring reports could also result in forfeiture of a portion of, or all of, the deposit. An agreement between the applicant and County shall be prepared which meets DRC approval that allows the County use of this deposit to assure performance of the MMIP in the event the homeowners' association reneges **(MMIP) (PD)**

EXERCISE OF PERMIT

89. The applicant shall have 24 months to exercise this Minor Use Permit. Unless exercised, this approval shall expire on June 7, 2012. **(MM) (PD)**

Mitigation Monitoring Program
Mitigated Negative Declaration (PMPA 20070467) for the Celebration Community Fellowship Church

Section 21081.6 of the Public Resources Code requires all public agencies to establish monitoring or reporting procedures for mitigation measures adopted as a condition of project approval in order to mitigate or avoid significant effects on the environment. Monitoring of such mitigation measures may extend through project permitting, construction, and project operations, as necessary.

Said monitoring shall be accomplished by the county's standard mitigation monitoring program and/or a project specific mitigation reporting program as defined in Placer County Code Chapter 18.28, Mitigation Monitoring and Reporting Program.

Standard Mitigation Monitoring Program (pre project implementation):
The following mitigation monitoring program (and following project specific reporting plan, when required) shall be utilized by Placer County to implement Public Resources Code Section 21081.6. Mitigation measures adopted for discretionary projects must be included as conditions of approval for that project. Compliance with conditions of approval is monitored by the county through a variety of permit processes as described below. The issuance of any of these permits or county actions which must be preceded by a verification that certain conditions of approval/mitigation measures have been met, shall serve as the required monitoring of those condition of approval/mitigation measures. These actions include design review approval, improvement plan approval, improvement construction inspection, encroachment permit, recordation of a final map, acceptance of subdivision improvements as complete, building permit approval, and/or certification of occupancy.

The following mitigation measures, identified in the Mitigated Negative Declaration, have been adopted as conditions of approval on the project's discretionary permit and will be monitored according to the above Standard Mitigation Monitoring Program verification process:

Condition #'s 5,7,8,10,11,12,13,16,28-48,56,83,84 and 88.

Project Specific Reporting Plan (post project implementation):
The reporting plan component is intended to provide for on-going monitoring after project construction to ensure mitigation measures remain effective for a designated period of time. Said reporting plans shall contain all components identified in Chapter 18.28.050 of the County code, Environmental Review Ordinance- "Contents of project specific reporting plan."

The following reporting plan has been adopted for this project and is included as conditions of approval on the discretionary permit:

MM-IV-3: The applicant shall plant and maintain a minimum of 25 valley oak trees (or other native oak approved by the Planning Department) along the project frontage at the northbound Interstate 80 on-ramp. These trees shall be maintained in good health and remain viable for a minimum of five years. An oak tree monitoring program report, prepared by a licensed landscaping architect, shall be submitted annually to the Planning Department for a five-year period. Said report will define areas in which oak trees have been planted with a description of their status, including survival rate. Any corrective actions required are the responsibility of the property owner.

A letter of credit or cash deposit in the amount of 125% of the accepted proposal shall be deposited with the Placer County Planning Department to assure performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the DRC. Violation of any components of the approved MMIP may result in enforcement activity per Placer County Environmental Review Ordinance Article 18.28.080, formerly Section 31.870, of the Placer County Code. An agreement between the applicant and the County shall be prepared which meets DRC approval that allows the County use of the deposit to assure performance of the MMIP in the event the property owner fails to perform.

Tsi-Akim Maidu Tribe

760 South Auburn Street, Grass Valley, California 95945
Phone (530)-274-7497
Don Ryberg - Chairman

RECEIVED
AUG 2 9 2008
CDRA

8-25-08
Placer County Planning Department
Gerry Haas, Assistant Planner
3091 County Center Drive
Auburn Ca. 95603

SUBJECT: Minor use permit, Celebration Community Church (PMPAT20070467) and the public hearing slated for September 4, 2008 at 2:45 PM

Dear Gerry:

I'm writing to introduce myself and the Native American organization that I represent and to formally request that the Tsi-Akim Maidu and there concerns be addressed at the hearing slated for September 4 2008 at 2:45 PM.

The Tribe requests that no minor use permit be allowed at this time. The foundation for this request is that the parcels contain cultural resources that include but are not limited to, a Native American Cemetery, Village site, Ceremonial site, Pit House sites, Trade route location, and a major Basalt tool fabrication site related to a prehistoric stone quarry located near by.

The name for this village is Hownosum soka, and the name for the burial ground is Hownosum U stu. I would like to note that the name (U stu) is only used to describe Burial Grounds that were considered ancient. This village lies in the direct path of an ancient trade route that runs East and West.

California state law includes a variety of provisions that promote the protection and preservation of Native American cultural places. A number of these provisions address intentional desecration or destruction of cultural places and define certain of such acts as misdemeanors or felonies punishable by both fines and imprisonment. These include the Native Resource Protection Act (PRC 5097.995-5097-996), Public Resource Code 5097.99, Penal Code 622.5, and Health and Safety Code 7050.5, 7052. Other provisions require consideration of potential impacts of planned projects on cultural resources, which may include Native American cultural places. The California Environmental Quality Act (CEQA) requires project lead agencies consider impacts, and potential mitigation of impacts, to unique archaeological and historical resources. California Executive Order W-26-92 affirms that all state agencies shall recognize and, to the extent possible, and preserve and maintain the significant heritage resources of the state.

The importance of the site should be respected by placer county and therefor

preserved and protected. How many times will the county allow the desecration of an Indian Burial Ground? The Tribe I represent is willing to proceed with a Federal complaint if this project is allowed to proceed.

We are, of course, a recognized tribe listed by the California Native American Heritage Commission. We look forward to working with you and your staff in a positive manner to implement the requirements of the state and the federal government for the benefit of all citizens.

Sincerely, Grayson L Coney

Tsi-Akim Maidu

By: Grayson Coney, Cultural Director
Enc.
DR/cjd

Befor Approval of this use permit I would Like to request a continuanc of The Hearing To Allow more time to Review public record and New information

8-29-08

P.S. I am unable to make This Hearing and am hear by requesting a contuinanc of This hearing

8-29-08

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

RECEIVED
SEP 05 2008
PLANNING DEPT.

September 3, 2008

Mr. Michael J. Johnson, AICP, Planning Director
COUNTY OF PLACER
3091 County Center Drive
Auburn, CA 95603

Sent by FAX to: 530-745-3080
Number of pages: 2

Re: Tribal Concerns for Minor Use Permit for Celebration Community Fellowship (PMPAT20070467); Public Hearing of September 4, 2008; Placer County, California

Dear Mr. Johnson:

The California Native American Heritage Commission (NAHC), created by the California Legislature in 1976 (AB 4239) is the state's 'trustee agency' (c.f. Public Resources Code 21070;170 Cal App. 3d 604; *Environmental Protection Information Center v. Johnson* (1985) for the protection and preservation of Native American cultural resources, sacred sites on public land and Native American burial sites. The authority for the Native American Heritage Commission is pursuant to Public Resources Code §5097.1-9, as amended. In fulfilling its legislative mandate,

The **Tsi-Akim Maidu Tribe** of Nevada County is culturally affiliated to the proposed site for the proposed Celebration Community Church construction site for its facility. This 'known' Maidu burial site, village and ceremonial site is considered a sanctified Native American burial site. The concern of the NAHC is that the proposed construction would result in possible destruction and damage to the grave sites and to Native American-Maidu artifacts in possible violation of Public Resources Code §§5097.993 and .994 and Health and Safety Code §7052 that would make such destruction a criminal offense.

Please know that the Native American Heritage Commission considers this site an important Placer County Native American cultural resource. Public Resources Code §5097.94 (h) authorizes the NAHC to utilize the advice of all federal, state, local and regional agencies in its work, and PRC §5097.95 requires "each state and local agency ...to cooperate with commission (e.g. NAHC) in carrying out its duties...." The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. We not in "Discussion _Items V-1,2: of the CEQA Mitigated Negative Declaration that you plan to condition the permit so that an "Qualified Archaeologist Monitor and...a Treatment Plan for

know and unanticipated archaeological discoveries." Where substantial cultural resources are identified, the Native American Heritage Commission 's first preference would be **avoidance,** defined in §15370 of the CEQA Guidelines.

It is the recommendation of the Native American Heritage Commission that the County of Placer authorize a Phase II, Archaeological Survey on this site prior to a decision on the Minor Use Permit. Such a survey will provide more details as to the Native American cultural resources at the site. Such a survey might also provide data affecting the cost of project development.

If, as a result of the Phase II Archaeological Survey items of archaeological and historic significance, pursuant to §15064.5 of the CEQA Guidelines are identified, the NAHC urges the County to consider appropriate action in consultation with local tribes.

If you have any questions concerning our analysis of the proposed project, please contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Cc: Larry Myers
NAHC Executive Secretary

Katy Sanchez
NAHC Program Analyst

m

Grayson Coney, Cultural Coordinator
TSI-AKIM MAIDU

Tsi-Akim Maidu
Grayson Coney Cultural Director
P.O. Box 1316
Colfax Ca. 95713
(530)383-7234

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DEC 1 8 2008
CDPA

December 16, 2008

Katy Sanchez
Native American Heritage Commission
915 Capital Mall, Room 364
Sacramento Ca. 95814

HOWNOSUM SOKA VILLAGE & HOWNOSUM USTU BURIAL GROUND

Dear Katy:

As requested, I have put together a list of points that need addressed regarding the **Celebration Community Fellowship Church** project in Placer County. Placer County Assessor's Parcel Number for the property is 077-050-021. At and within the northwest quarter of the northeast quarter of Section 25 and the southwest quarter of the southeast quarter of Section 24, Township 13 North, Range 8 East of the U.S.G.S. Auburn 7.5' Quadrangle.

- Review Cal Trans As-Built notes for the construction of I-80. State Hwy. Map 3, Page 201, Records Index 31771 Placer County, Relinquishment Map, Request # 024227-X, Dated 1-29-73. Also the 1960 era State Hwy. Map, Road 3- Pla-37-A. Identification of Cultural Sites were addressed in the As-Built notes.

- Consider new, and previous findings, and how they affect the **Phase II Archaeological Survey and Report.** Prepared by Raymond Benson and **DATED DECEMBER 2005.**

- Review Placer County Sheriff incident report No. 08-102, and citation report No. 50-06-4944. A complaint was filed with Deputy Matthew Borland about a man digging beads and bones from the Burial Ground. He was later found "Red Handed" on the site digging beads and bones, written a citation, and let go. Placer County District Attorney did not press charges because of his mental state.

- Properly identify the boundaries of the Traditional Cultural Site known as Hownosum Soka.

- Properly identify the Lithic Industry that occurred within the boundaries of Hownosum Soka. Such as; The stone quarry, Heat treatment processing area, and trade route orientation.

- Review Tsi-Akim Maidu ancestral ties to Hownosum Soka Village.

- Have an **ON-SITE** Visit to the Hownosum Soka village attended by affected parties.

- Request more information on the findings of the **Phase II Arc. Report.** Photos, unit depth, ambient conditions during survey, location of shovel scrapes, etc.

- Pursue recording Hownosum Soka as eligible for listing on the California Register of Historical Resources (CRHR) (P.R.C. 5024.1)

- Consider relinquishing burial ground into a local cemetery district.
- Review Norm Wilsons notes from his interview with Lizzie Enos. 10-7-61

Thank you for your help and intrest; Grayson L Coney

Grayson Coney
Cultural Director Tsi-Akim Maidu

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CDRA

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

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

RECEIVED
JAN 30 2009
PLANNING DEPT.

January 26, 2009

Mr. Gerry Haas
Placer County Planning Department
3091 County Center Drive
Auburn, CA 95603

RE: Site visit and findings for the proposed building site of the Celebration Community Fellowship Church (MPA20070467 Minor Use Permit) on the Tsi Akim Maidu Village site of Hownosum and the Hownosum Ustu burial ground in Placer County.

Dear Mr. Haas:

The Native American Heritage Commission (NAHC) findings of the site are as follows:

- There is a very high probability for this area to be a long term habitation site, with extensive but undetermined boundaries beyond this project.
- Presence of one or two test pits does not identify the site boundaries. There is a need to perform an adequate number of test pits with depth to be determined at the site, so a reasonable review and analysis of site boundaries can be determined.
- Phase I and Phase II surveys were not adequate to determine site importance or occupation. Please redo the Phase I and Phase II surveys especially before proceeding to a possible Phase III data recovery and curation.
- Consultation with the Native Americans was not adequate. In my observation, there appeared to be no knowledge that the prior property owners had consulted with the Native Americans and that once the prior owners were made aware of the village site, possible burials and the accompanying grave goods, no further development was made on the site.
- The continuation of the illegal "pot hunting" practices need to cease as they are are in direct violation of State law and need to be addressed as soon as possible.
- Absence of recorded documentation on county records to indicate the presence of cultural site or the need for more research in these areas.
- Burial sites are unknown and any future development will need to be reviewed and closely monitored.
- Tribe is interested in preserving the entire site by avoidance.

The NAHC recommendations for the site are in accordance with the California Environmental Quality Act (CEQA). CEQA states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archaeological 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 the impact to less than significant. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ An archaeological inventory survey is required, with 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 measurers 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 all the Native American tribes or individuals from the Native for consultation lists concerning the project site and to assist in the mitigation measures.

These contacts will provide a starting place in locating areas of potential adverse impact within the proposed project area. If they cannot supply information, they might recommend others with specific knowledge.

✓ Lack of surface evidence of archaeological resources does not preclude their subsurface existence. Lead agencies should include in their mitigation plan:

- Provisions for the identification and evaluation of accidentally discovered archaeological resources, per CEQA Guidelines 15064.5 (f).
- Provisions for monitoring all ground-disturbing activities in areas of identified archaeological sensitivity by an archaeologist meeting the professional qualifications as defined in the *Secretary of Interior's Standards and Guidelines* for archaeology and a culturally affiliated Native American monitor.
- Provisions for the curation of recovered artifacts, per CEQA Guidelines 15126.4 (5)(b)(3)(C), in consultation with culturally affiliated Native Americans.
- Provisions for the discovery of Native American human remains. Health and Safety Code 7050.5, CEQA Guidelines 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.

✓ Use of cadaver dogs to pinpoint or direct identification of possible Native American burials.

If you have any questions or concerns about this letter, please call me at (916) 653-4040.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst

cc: Larry Myers, Executive Secretary
Chairman Don Ryberg, Tsi-Akim Maidu Tribe
Erin Hess, US Army Corps of Engineers
Kevin M. Sullivan, LPA, Celebration Community Fellowship Church

COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

ENVIRONMENTAL COORDINATION SERVICES

Gina Langford, Coordinator

MITIGATED NEGATIVE DECLARATION

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

☐ The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this **Negative Declaration** has been prepared.

☒ Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A **Mitigated Negative Declaration** has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

PROJECT INFORMATION

Title: Celebration Community Fellowship	**Plus#** PMPA T20070467
Description: Project proposes the construction of an 18,000 square foot church on an undeveloped parcel.	
Location: Dry Creek Road and Neils Road, North Auburn, Placer County	
Project Owner: Celebration Community Fellowship, 16981 Placer Hills Road, Suite C8, Meadow Vista CA 95722 (530) 878-1365	
Project Applicant: LPA Inc, 1548 Eureka Road, Suite 100, Roseville CA 95661 (916) 772-4300	
County Contact Person: Gerry Haas	530-745-3084

PUBLIC NOTICE

The comment period for this document closes on **August 25, 2008**. A copy of the Negative Declaration is available for public review at the County's web site (http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/EnvDocs/NegDec.aspx), Community Development Resource Agency public counter, and at the Auburn Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Zoning Administrator. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3075 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.

Recorder's Certification

POSTED 07/22/2008
through
JIM McCAULEY, COUNTY CLERK
By
Deputy Clerk

COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

ENVIRONMENTAL COORDINATION SERVICES

Gina Langford, Coordinator

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County Contact Person: Gerry Haas	530-745-3084

PUBLIC NOTICE

The comment period for this document closes on _____. A copy of the Negative Declaration is available for public review at the County's web site (http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/EnvDocs/NegDec.aspx), Community Development Resource Agency public counter, and at the Auburn Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Zoning Administrator. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3075 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603.

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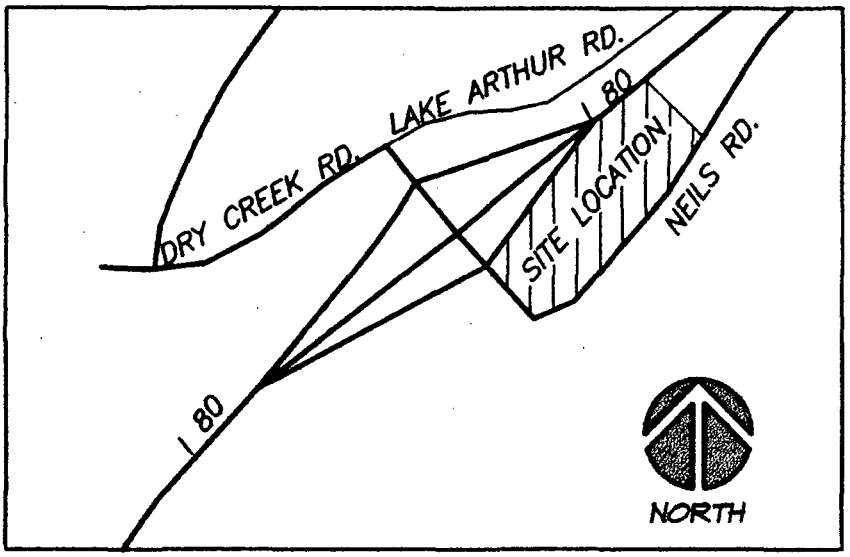
The owner/applicant hereby acknowledges that the above mitigation measures will be incorporated as part of the project.		Recorder's Certification
Celric Lee Name of Owner (print)		
Celric L. Lee Name of Owner (sign)	7/22/08 Date	
IRWIN SULLIVAN Name of Applicant (print)		
Name of Applicant (sign)	7/22/08 Date	

3091 County Center Drive, Suite 190 / Auburn, California 95603 / (530) 745-3075 / Fax (530) 745-3003 / email: cdraecs@placer.ca.gov



CELEBRATION COMMUNITY FELLOWSHIP

COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

ENVIRONMENTAL COORDINATION SERVICES

Gina Langford, Coordinator

3091 County Center Drive, Suite 190 • Auburn • California 95603 • 530-745-3132 • fax 530-745-3003 • www.placer.ca.gov

INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

A. BACKGROUND:

Project Title: **Celebration Community Fellowship**	Plus# PMPA T20070467
Entitlements: Minor Use Permit	
Site Area: 3.42 acres/Building Site 17,900 square feet	APN: 077-050-020, 021
Location: Project site is at the northeast corner of Neils Road and the northbound Interstate 80 on-ramp at the Dry Creek Road overcrossing, Placer County	

Project Description:
The applicant is requesting approval of a Minor Use Permit (MUP) that would allow for the construction of an ±18,000 square foot church on an undeveloped parcel. The Celebration Community Fellowship would consist of a single-story church and fellowship hall with associated outdoor activity space and parking lot. A sound wall is proposed along the southwest boundary of the outdoor activity area, where the project abuts the northbound Interstate 80 on-ramp. Further to the northeast, and also along the on-ramp frontage, a keystone retaining wall will be constructed to assist in leveling the parking lot. The proposed church would include a foyer, congregation hall, offices, classrooms, storage and restrooms.

A parking lot will be constructed to the west and south of the church. Two encroachments, approximately 340 feet apart, would be constructed at Neils Road to provide access to the site. Landscaping that will incorporate many of the existing mature oak trees will exist along all property lines as well as adjacent to the building.

Project Site:
The project site consists of two adjacent parcels that total approximately 3.5 acres. The undeveloped parcels exist along the northbound Interstate 80 on-ramp at the Dry Creek Road overcrossing in the North Auburn area. Neils Road extends eastward away from Interstate 80 at this location, continues about 200 feet, then angles 90 degrees to the north and forms the south and east borders of the site. The site is bordered along the northwest property lines by the Interstate 80 on-ramp. It is otherwise surrounded by residentially zoned properties that are largely undeveloped, although some are improved with single-family residences.

The site contains nearly two acres of foothill woodland community, primarily valley oak with scattered species

of interior live oak, black walnut, ponderosa pine and foothill pine. Several cultivated olive and pear trees are present in the southwest portion of the site. Annual grassland makes up a little less than half of the vegetation on site.

The topography gently slopes from the north and south toward a small wetland swale that runs nearly across the middle of the project site. This feature flows from the east through a 24-inch culvert under Neils Road, across the project site and back into another culvert beneath Interstate 80 to the west.

The Auburn Bowman Community Plan identifies this area as appropriately suited for rural residential development and the property is zoned Farm, with a minimum parcel size of 4.6 acres.

B. ENVIRONMENTAL SETTING:

Location	Zoning	General Plan/Community Plan	Existing Conditions and Improvements
Site	Farm, 4.6 Acre Minimum Lot Size	Rural Residential	Undeveloped
North	Same as project site	Same as project site	Same as project site
South	Same as project site	Same as project site	Same as project site
East	Same as project site	Same as project site	Single Family Residence
West	Open Space	Open Space	Interstate 80

C. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR
- ➔ Auburn Bowman Community Plan EIR

Section 15183 states that "projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site." Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 565 West Lake Blvd., Tahoe City, CA 96145.

D. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

a) A brief explanation is required for all answers including "No Impact" answers.

b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.

c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).

d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

e) All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].

f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:

- ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
- ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
- ➔ **Mitigation measures** – For effects that are checked as "Less Than Significant with Mitigation Measures," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.

I. AESTHETICS – Would the project:

[illegible]	[illegible]	[illegible]	[illegible]	No impact
1. Have a substantial adverse effect on a scenic vista? (PLN)				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)		X		
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)			X	

Discussion- Item I-1:
The site is not located within a scenic vista. Therefore, no impacts to scenic resources in the form of scenic vistas will occur as a result of the project.

Discussion- Item I-2:
The Community Design Element of the Auburn Bowman Community Plan contains goals, policies and implementation measures which will provide for future growth and development while preserving the essential rural character of the area (Auburn Bowman Community Plan Community Development Element (C)(1)). The Element discusses the importance of preserving, enhancing and protecting the scenic resources visible from scenic routes (such as Interstate 80) in the Auburn area.

Because the North Auburn area becomes increasingly rural as one leaves the northern boundaries of the Auburn Bowman Community Plan, the appearance of a new ±18,000 square foot structure alongside Interstate 80 could be inconsistent with the Auburn Bowman Community Plan policies regarding protection of the rural and scenic resources. In such a visible location, a proposed structure should be softened by both existing native vegetation as well as new landscaping. The Community Development Element states that landscaping should be used to reduce the visual impact of all structures (C(3)(a)(3)). Therefore, if landscaping can effectively screen the project from the adjacent Interstate 80, the project would be consistent with the Auburn Bowman Community Plan and the project impacts to scenic resources would be considered less than significant.

The applicant responded to staff comments on the original design by revising the site plan to preserve many of the existing oaks along the northwest and southwest property lines. In addition, the applicant proposes to plant valley oaks to fill in spaces between the existing trees at those locations, as well as a variety of tree, shrub and grass plantings along other property lines. These revisions have resulted in a project that will effectively, though not completely, be screened from Interstate 80. In order to ensure that the required screening is installed, the following mitigation measures will reduce the visual impact on scenic resources to a less than significant level.

Mitigation Measures- Item I-2:
MM I.1 Native oaks shall be planted and maintained along the northwest property lines between the project site and the Interstate 80 on-ramp, for as long as the Minor Use Permit is in effect. These trees shall be minimum 15 gallon size and shall be planted in all locations where the existing and remaining oaks do not form a continuous screen of the project site from Interstate 80.

Discussion- Item I-3:
The project would consist of a single building and a paved parking lot to be constructed on an undeveloped parcel. This development will alter the current visual character of the site, which is a scattered foothill woodland and grassland environment.

The project will be subject to review and approval of the Design/Site Review Committee to address the physical conversion of the site. The resulting Design Review Agreement will be signed prior to submittal of the Improvement Plans for the project. Design review will include, but not be limited to, a review of the building location,

materials, finishes and colors as well a review of on-site landscaping, exterior lighting, parking, circulation and signage.

Aesthetically, the loss of trees and natural landscape will be offset by installation of professional landscaping and landscape features. A number of existing native trees along the northwest and southwest property lines will be retained and incorporated into the landscape design. The resulting landscape palate will include existing and new trees, shrubs and grasses surrounding the building, within the parking lot and along all property lines.

The Design Review requirements will ensure that the above mentioned design features are adhered to and that visual and aesthetic impacts are less than significant. No mitigation measures are required.

Discussion- Item I-4:
Although the project will introduce new exterior lighting, the lighting will be shielded to prevent glare. Additionally, the lighting fixtures will be subject to Design/Site Review prior to approval. Materials will be chosen in earth tones and windows will be made of non-reflective glass. The project is not anticipated to have significant impacts with regard to lighting or glare and the Design/Site Review process will ensure that impacts remain less than significant. No mitigation measures are required.

II. AGRICULTURAL RESOURCE – Would the project:

[illegible]	[illegible]	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (PLN)				X
4. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland (including livestock grazing) to non-agricultural use? (PLN)				X

Discussion- Item:
The project site is not zoned agricultural, nor is it adjacent to agriculturally zoned property, and no agricultural uses are proposed.

III. AIR QUALITY – Would the project:

[illegible]	[illegible]	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (APCD)			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (APCD)			X	
3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (APCD)			X	

4. Expose sensitive receptors to substantial pollutant concentrations? (APCD)			X	
5. Create objectionable odors affecting a substantial number of people? (APCD)			X	

Discussion- Item III-1:
Based upon the project analysis, the project related emissions are minor. According to trip generation data from the Institute of Transportation Engineers, the average daily trips generated by a church are less than a commercial project. The daily trip rate per 1,000 square feet for a church range from 3.25 to 9.7 trips per day per 1,000 square feet on week ends and 0.74 to 1.72 trips per day per 1,000 square feet on weekdays. Larger churches that are similar in size to a community commercial center generate an average daily trip rate of 43 trips per day per 1,000 square feet. Therefore the project-related emissions for the proposed 18,000 square foot church are relatively minor.

According to the Urbemis model results, the potential NOx emissions from the proposed church are approximately 1.9 pounds per day. However, a commercial project of the same size would produce approximately 9 pounds per day of NOx emissions, significantly more than the proposed church project. Therefore, the project will not conflict with the Sacramento Valley Regional Air Quality Plan to attain the federal and state ambient air quality standards. No mitigation measures are required.

Discussion- Items III-2,3:
The proposed project is located in the Sacramento Valley Air Basin portion of Placer County. This area is designated as non-attainment for the federal and state ozone standard and non-attainment for the state particulate matter standard. According to the analysis, the project will below the District's threshold for construction and operation and thus would not result in significant impacts on air quality within the Placer County. No mitigation measures are required.

Discussion- Items III-4,5:
Based upon the project analysis, the project would not expose sensitive receptors to substantial pollutant concentrations due to the relative emissions resulting from the project. In addition, the project would not create objectionable odors affecting a substantial number of people. No mitigation measures are required.

IV. BIOLOGICAL RESOURCES – Would the project:

1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)		X		
2. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN)			X	
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)		X		
4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)		X		

5. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (PLN)		X		
6. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (PLN)			X	
7. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (PLN)			X	
8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X

Discussion- Item IV-1:
A field assessment for biological resources was conducted on December 10, 2007 by North Fork Associates. As part of the assessment, the entire site was walked and plants and animals observed on-site were recorded. Habitats on-site were evaluated for their potential to support special-status plant and wildlife species identified through a search of the Natural Diversity Database. In addition, natural communities and habitats were evaluated.

For purposes of the Biological Resource Assessment prepared for the project, special status species are those that fall into one or more of the following categories:

- listed as endangered or threatened under the federal Endangered Species Act (or formally proposed for listing)
- listed as endangered or threatened under the California Endangered Species Act (or proposed for listing)
- designated as rare, protected, or fully protected pursuant to California Fish and Game Code
- designated a Species of Concern by the California Department of Fish and Game
- defined as rare or endangered under the California Environmental Quality Act or
- Occurring on List 1, 2, 3 or 4 maintained by the California Native Plant Society

Special status species with the potential to occur on-site include the following:

Plants
Big-scale balsamroot (*Balsamorhiza macrolepis macrolepis*) is an herbaceous perennial member of the sunflower family. It has no state or federal status, but is on the California Native Plant Society List 1B as a species, which is rare, threatened, or endangered in California and elsewhere. Big-scale balsamroot blooms in late spring and grows in open woodlands and grasslands at widely scattered locations in northern California. This species was not observed in the project area but does have a possibility of occurrence.

Brandegee's clarkia (*Clarkia biloba ssp. brandegeeae*) is an erect annual member of the evening primrose family (Onagraceae). It has no state or federal status, but it is on the California Native Plant Society List 1B. It occurs in oak woodlands in the Sierra foothills from Butte County to El Dorado County. Its common name, farewell-to-spring, suggests its late blooming period, usually from May to July.

Although the site supports potential habitat for Brandegee's clarkia and big-scale balsamroot, neither species was observed in the field survey. No further surveys have been recommended by North Fork and Associates. Therefore, the project as proposed would result in a less than significant impact on special status species of plants.

Wildlife
Cooper's hawk (*Accipiter cooperii*) is a breeding resident throughout most woodland habitats of California. Breeding takes place in dense-canopied trees from foothill pine-oak woodlands up to ponderosa pine forest. Nesting sites are usually located near water. This species hunts in broken woodland and habitat edges, where they catch small birds in the air. They prefer nesting sites in riparian growths of deciduous trees, as in canyon bottoms and on river flood plains, although live oaks are often used. Breeding takes place from March through August, with peak activity occurring in May and June. Cooper's hawk nests are often constructed in deciduous trees in crotches approximately 20 to 50 feet above ground. The nest is a stick platform lined with bark. This species incubates eggs for about 35 days, and then fledge young between 30 to 34 days. Young birds often remain in the vicinity of the nest after they fledge while they are learning to hunt.

While Cooper's hawk has not been documented by the Natural Diversity Database (2006) as nesting on or adjacent to the project site, the species was observed on-site and it is known to occur in the vicinity of the project area.

White-tailed kite (*Elanus leucurus*) is an uncommon to locally fairly common resident. It is found in grassy foothill slopes interspersed with oaks (including interior live oak, agricultural areas, and marshy bottomlands). They generally forage in undisturbed open grasslands, farmlands, meadows, and emergent wetlands, in areas with a high prey base. Nest trees range from single isolated trees to trees within larger stands. Nests are constructed near the top of dense oak, willow or other tall trees from 20 to 100 feet above ground. Breeding takes place from February to October, with peak activity from May to August. Incubation lasts between 28 and 30 days, with young usually fledging by October. While white-tailed kite has not been documented by the Natural Diversity Database (2006) as nesting on or adjacent to the project site, it is known to occur in the general vicinity of the project area.

Although suitable nesting and/or foraging habitat exists on-site, the proximity of Interstate 80 and the associated noise and activity is likely to prevent use of the site by these raptors. As a result, white-tailed kite are expected to have an unlikely potential for occurring on the project site.

While both the Cooper's hawk and the white-tailed kite each have an unlikely potential for occurring on-site, project implementation could result in disturbance of breeding and nesting of individuals of these species if construction occurs at any time during the typical breeding season (approximately March 1 through August 31). Take of any active raptor nest is prohibited under Fish and Game Code Section 3503.5. Mitigation measures are included below to reduce the projects impacts to less than significant level.

Mitigation Measures- Item IV-1:
MM IV.1 To avoid take of active nests, it is recommended that trees be removed outside of the nesting season (May through September). If trees cannot be removed outside the nesting season, it is recommended that a qualified biologist conduct a nesting survey be completed no earlier than seven days and no more than 30 days prior to tree removal in the Study Area to search for active Cooper's hawk and white-tailed kite nests. Survey results should then be submitted to the Placer County Planning Department and the California Department of Fish and Game. If active raptor nests are found on or immediately adjacent to the site, consultation should be initiated with California Department of Fish and Game to determine appropriate avoidance measures. If no nesting is found to occur, necessary tree removal could then proceed.

Discussion- Item IV-2:
The proposed development will reduce or eliminate on-site wildlife habitat, but will not create a substantial decrease in local area habitat, eliminate a plant or animal community, cause a fish or wildlife population to drop below sustaining levels, nor restrict the range of endangered, rare, or threatened species. This is primarily because the project size is limited and the property itself is somewhat isolated, being surrounded on three sides by roadways and along its entire northwest frontage by a busy interstate freeway. The adjacent parcels to the east and south of the project site are undeveloped and provide habitat similar in nature to the project site. Therefore, the area can expect to continue providing nesting sites and food sources for wildlife. As a result, impacts associated with the proposed project are less than significant and no mitigation measures are required.

Discussion- Item IV-3:
The development of the Celebration Community Fellowship project will result in the conversion of approximately 2.14 acres of valley oak woodland from a functioning oak habitat to clusters of oaks that, while aesthetically pleasing, serve a significantly reduced biological function. Based upon the plans submitted, a number of the oaks on the project site will be impacted as a result of site development activities within the drip-line (the grading and trenching required for the installation of roadways and utilities, as well as the construction of the church). The conversion of the site's woodlands from a viable habitat to site landscaping is a potential significant impact.

Effective January 1, 2005, Senate Bill 1334 established Public Resources Code Section 21083.4, the state's first oak woodlands conservation standards for California Environmental Quality Act. This new law creates two requirements for counties: 1) counties must determine whether or not a project that results in the conversion of oak woodlands will have a significant effect; and 2) if there may be a significant effect, counties must employ one or more of the following mitigation measures:

- Conserving oaks through the use of conservation easements
- Planting and maintaining an appropriate number of trees either on-site or in restoration of a former oak woodlands (tree planting is limited to half the mitigation requirement)
- Contributing funds to the Oak Woodlands Conservation Fund for the purpose of purchasing conservation easements or
- Other mitigation measures developed by the County

The County has determined that implementation of the following measures; either singularly or in combination, will provide mitigation consistent with the requirements of California Environmental Quality Act Section 21083.4:

- Submit payment of fees for oak woodland conservation at a 2:1 ratio consistent with Chapter 12.16.080 (C) Placer County Tree Preservation Ordinance–Replacement Programs and Penalties. These fees shall be calculated based upon the current market value for similar oak woodland acreage preservation and an endowment to maintain the land in perpetuity
- Purchase off-site conservation easements at a location approved by Placer County to mitigate the loss of oak woodlands at a 2:1 ratio
- Provide for a combination of payment to the Tree Preservation Fund and creation of an off-site Oak Preservation Easement
- Plant and maintain an appropriate number of trees in restoration of an approved former oak woodland (tree planting is limited to half the mitigation requirement)
- Single trunk trees within the project impact area that are greater than 24 inches diameter at breast height shall be mitigated for at an inch for inch basis. Multi-stemmed trees with trunks less than 12 inches diameter at breast height shall not be included in this calculation

The County's Oak Woodland Policy recommends payment of $24,000 per acre of woodland impacted to be deposited into the Placer County Tree Preservation Fund. The Fund will be used for the purchase of conservation easements within the County where existing oak woodlands that form a contiguous habitat can be permanently set aside. This method of conservation is consistent with the provisions of Senate Bill 1334 and with requirements of California Environmental Quality Act Section 21083.4.

County policy also requires that any protected trees 24 inches or greater in diameter at breast height that could be impacted by project activity be mitigated above and beyond the standard acreage payment. Oaks of this size are considered Significant Trees due to the length of time required for them to reach their size. Mitigation for these trees is set at $100 per inch diameter at breast height. In total, there are only two trees on site that meet this standard. Combined, they include 62 inches diameters at breast height, so mitigation for the loss or impact to these trees would be $6,200. Therefore, the preliminary mitigation figure to offset the impacts to oaks and oak woodlands in conjunction with the proposed project would be $57,560.00.

The revised landscape plan includes a comment that the 52 valley oaks to be planted on-site may contribute toward mitigation for the loss of oak woodland resulting from the project construction. As mentioned above, an acre-per-acre replacement is suggested which will address the anticipated loss of habitat. A linear row of landscape trees will not replace or offset the loss of habitat and cannot be considered part of that mitigation. However, staff has determined that those valley oaks to be planted at the perimeter of the site can contribute toward mitigation for the loss of the two, large signature trees. In total, 25 trees can be considered to offset the signature trees. These are indicated to be 15 gallon size, which is normally one inch in diameter. Therefore, the total mitigation figure can be reduced by $2,500.00 in this manner. The resulting mitigation figure would be $55,060.00.

Mitigation Measures- Item IV-3:

MM IV.2 Prior to approval of the Improvement Plans, the applicant shall submit to the Placer County Tree Preservation Fund payment in the amount of $55,060.00 for impacts to oak woodlands. If changes in the project are required during the Improvement Plan process, this figure may be altered provided that it is consistent with County policy. This payment must be received prior to any construction on-site.

MM IV.3 The applicant shall plant and maintain a minimum of 25 valley oak trees (or other native oak approved by the Planning Department) along the project frontage at the northbound Interstate 80 on-ramp. These trees shall be maintained in good health and remain viable for a minimum of five years. An oak tree monitoring program report, prepared by a licensed landscaping architect, shall be submitted annually to the Planning Department for a five-year period. Said report will define areas in which oak trees have been planted with a description of their status, including survival rate. Any corrective actions required are the responsibility of the property owner.

A letter of credit or cash deposit in the amount of 125% of the accepted proposal shall be deposited with the Placer County Planning Department to assure performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the Design Review Committee. Violation of any components of the approved Mitigation Monitoring Implementation Program may result in enforcement activity per Placer County Environmental Review Ordinance Article 18.28.080, formerly Section 31.870, of the Placer County Code. An agreement between the applicant and the County shall be prepared which meets Design Review Committee approval that allows the County use of the deposit to assure performance of the Mitigation Monitoring Implementation Program in the event the property owner fails to perform.

Discussion- Items IV-4,5:
As part of the field assessment, the property was also evaluated for the potential presence of wetland vegetation and Waters of the United States. The site contains a wetland swale that was excavated to drain water across the site. It emerges from a culvert midway across the Neils Road frontage and exits the site through another culvert at the Interstate 80 frontage. The wetland swale constitutes a total of 0.02 acres of Waters of the United States as identified in a Wetland Delineation provided by North Fork Associates. The Placer County General Plan (Goal 6-B) includes a "no net loss" policy for wetland and riparian areas.

Because the wetland swale transects the property, a series of bridges to provide access over it between the church and the parking areas would not be practical. The project proposes a single culvert to underground the entire length of the swale from the point it emerges to the property limits at the northwest property line thereby impacting the wetlands on-site.

Mitigation for loss of regulated or non-regulated wetland shall be achieved by one of the following methods, in descending order of desirability: 1) avoidance; 2) minimization of impacts; or 3) compensation (including the use of a wetland banking program). If wetland banking is the proposed method of mitigation, the applicant is advised of the following:

Mitigation Measures- Items IV-4, 5:
MM IV.4 Prior to approval of Improvement Plans, the applicant shall furnish to the Design Review Committee, evidence that the U. S. Army Corps of Engineers have been notified by certified letter regarding the existence of wetlands on the property. If permits are required, they shall be obtained and copies submitted to Design Review Committee prior to any clearing, grading, or excavation work.

MM IV.5 The applicant shall provide to the DRC evidence of an agency-approved form of mitigation for any fill of Federal Waters of the United States. Mitigation for wetland impacts may be provided through purchase of wetland credits at an agency-approved offsite mitigation bank or other agency-approved in lieu fund, including payment into the Placer County Wetland Trust Fund. Impacts to Waters of the United States totaling 0.02 acres will be mitigated at a 2:1 ratio or as approved by the US Army Corps of Engineers to attain a "no net loss" of wetland function.

Discussion- Item IV-6:
Because the project site is isolated and fragmented, there are no known terrestrial migration corridors through or in the vicinity of the project site. The project site does not lend itself to a wildlife corridor because it is bordered by a six-lane interstate freeway that is lined with concrete walls. In addition, the project site is adjoined by passive residential development. Wildlife that might use the site is highly mobile and could easily adjust their movement to open land to the east of the project site. No long-term significant impacts are expected to local and/or regional wildlife movement corridors as a result of the proposed project. No mitigation measures are required.

Discussion- Item IV-7:
With the mitigation measures proposed in Discussion Item IV-3, the project will not conflict with the Placer County Tree Preservation Ordinance, nor will it conflict with any other county policies or ordinances regarding biological resources. No mitigation measures are required.

Discussion- Item IV-8:
The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

V. CULTURAL RESOURCES – Would the project:

[illegible]	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN)		X		
2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)		X		

3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN)				X
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)				X
5. Restrict existing religious or sacred uses within the potential impact area? (PLN)				X
6. Disturb any human remains, including these interred outside of formal cemeteries? (PLN)			X	

Discussion- Items V-1,2:
Although the site has not been designated an historical resource, it does satisfy one or more of the criterion used to judge the significance of a cultural resource according to the Phase II archaeological survey prepared by Raymond Benson a Registered Professional Archaeologist. The survey (December, 2005) also indicates that the historical and archaeological materials of the project site reflect three primary time periods of human occupation and/or land use of this location. Specific details of the findings are confidential and will be kept on file with the Placer County Community Development Resource Agency, Environmental Coordination Services.

In response to comments from County staff, local Native American Tribal leaders, the Native American Heritage Commission, the North Central Information Center (through a review of the State of California Office of Historical Preservation records), and following consultation with a registered archaeologist, the project has been revised to avoid construction activity in the most culturally sensitive areas of the site. However, other areas would still be at risk of disturbance due to their proximity to grading and trenching activity. To this end, Raymond Benson, who has been hired as a consultant for the project, has indicated that "there is a moderate to high probability of impacts to cultural resources of certain recorded loci in the project's Area of Potential Effect".

Mr. Benson suggests that these impacts can be mitigated by the following:

- Cultural Resources Sensitivity Training
- Flagging and/or Fencing Procedures
- Retaining a Qualified Archaeologist Monitor and
- Providing a Treatment Plan for known and unanticipated archaeological discoveries

A Treatment Plan has been created for the project which includes a definition of cultural resources as well as discussion of required monitoring, Native American participation and burial treatment and procedures. This Treatment Plan, entitled "Cultural Resources Monitoring and Treatment Plan for Late Discoveries During Construction Activities for the Celebration Community Fellowship Project" is required to ensure that impacts to historical or archaeological resources as a result of the proposed project are reduced to a less than significant level.

The County will require all of these measures, as indicated below, in addition to standard County measures to reduce potential impacts to cultural resources to a less than significant level.

Mitigation Measures- Items V-1,2:
MM V.1 A registered professional archaeologist shall provide Sensitivity Training required for the project to the general contractor and all sub-contractors on the job site at the time of the pre-construction meeting and the construction kickoff meeting. Immediately following the Sensitivity Training, the general contractor shall submit to the Planning Department notification that the Training has been completed. This will be required prior to building permit process.

MM V.2 All known sensitive sites and features shall be flagged or fenced to the satisfaction of the Registered Professional Archaeologist to prevent disturbance during construction activities. Evidence of this requirement shall be provided to Planning Department staff prior to any on-site grading.

MM V.3 Concurrent with submittal of Improvement Plans, the applicant shall provide written evidence to the Planning Department that a qualified archaeologist has been retained by the applicant to observe grading and construction activities. The archaeologist shall establish procedures for cultural resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of discovered cultural resources. If major archaeological or historical resources are discovered, which require temporary halting or redirecting of grading or construction activity, the archaeologist shall report such findings to the project developer, and to the Planning Department. These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the California Register of Historic Resources or the Native American Heritage Commission. The archaeologist shall submit a follow-up report to the

California Register of Historic Resources and the Planning Department which shall include the period of inspection, an analysis of the resources found, and present repository of the resources.

MM V.4 Throughout construction of the project, and until a Certificate of Occupancy is issued for the church, the Registered Professional Archaeologist shall provide evidence that the Treatment Plan is being implemented and adhered to. Such evidence shall consist of a written description of how the Plan is being implemented (i.e. presence of a Native American Monitor, treatment of finds, etc.) as well as updates on the progress of the project. These updates shall be submitted every six months to the Planning Department.

Discussion- Item V-3:
The proposed project will not, directly or indirectly, result in the destruction of a known paleontological resource or site or unique geologic feature.

Discussion- Items V-4,6:
The proposed project does not have the potential to cause a physical change, which would affect any known unique ethnic cultural values.

The proposed project will not disturb any known human remains. If a discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be included in the General notes section of the Improvement Plans for the project. No mitigation measures are required.

Discussion- Item V-5:
The proposed project will not restrict existing religious or sacred uses within the potential impact area as the site is not currently being used for these purposes.

VI. GEOLOGY & SOILS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)				X
2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)		X		
3. Result in substantial change in topography or ground surface relief features? (ESD)		X		
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)				X
5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)		X		
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)		X		
7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD)			X	
8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD)				X
9. Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? (ESD)				X

Discussion- Items VI-1,4,8:
The property is located on the lower western slopes of the Sierra Nevada within the Sierra Nevada Geomorphic Province. According to the United States Department of Agriculture Soil Conservation Service, the project area is characterized with two predominant soil types. Soil adjacent to the Interstate 80 right-of-way is indicative of Xerorthents, cut and fill areas, which consist of mechanically removed and mixed soil material in which horizons are no longer discernible. These cut and fill areas are typically well drained and are typically well-suited for construction of highways and urban development. Soil adjacent to Neils Road is characterized as Mariposa-Josephine complex, typically consisting of well-drained soil with a brown loam surface layer, subsoils of clay loam and silty clay loam over weathered slate approximately 52 inches deep. There are no unique geologic or physical features for the soil that would be destroyed or modified, nor are any severe soil limitations anticipated. Construction of the proposed buildings and associated driveways and parking areas would not create any unstable earth conditions or result in liquefaction or change any geologic substructure resulting in unstable earth.

Discussion- Items VI-2,3:
The project proposal would result in the construction of an approximately 13,906 square foot church and an approximately 3,368 square foot fellowship hall, with associated infrastructure including driveways, parking areas, sewer, drainage, and water. To construct the improvements proposed, potentially significant disruption of soils on-site will occur, including excavation/compaction for the on-site buildings, driveways and parking area improvements, foundations, and various utilities. Approximately 3.3 acres will be disturbed by grading activities. The project grading would result in approximately 600 cubic yards of imported soil. In addition, there are potentially significant impacts that may occur from the proposed changes to the existing topography. The project proposes soil cuts of up approximately 3,470 cubic yards and fills of approximately 3,530 cubic yards as identified on the preliminary grading plan. The project's site specific impacts associated with soil disruptions and topography changes will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Items VI-2,3:
MM VI.1 The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual that are in effect at the time of submittal) to the Engineering and Surveying Department for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. Prior to plan approval, all applicable recording and reproduction cost shall be paid. The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or Design Review Committee review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the Engineering and Surveying Department prior to acceptance by the County of site improvements.

Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety.

MM VI.2 All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the Design Review Committee. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the Engineering and Surveying Department.

Submit to the Engineering and Surveying Department a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of

improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the Design Review Committee/Engineering and Surveying Department for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the Design Review Committee/Engineering and Surveying Department to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body.

Discussion- Items VI-5,6:
The disruption of the soil discussed in Discussion Items VI-2, 3 above increases the risk of erosion and creates a potential for contamination of storm runoff with disturbed sediment or other pollutants introduced through typical grading practices. In addition, this soil disruption has the potential to modify the existing on site drainageways by transporting erosion from the disturbed area into local drainageways. Discharge of concentrated runoff after construction could also contribute to these impacts in the long-term. Erosion potential and water quality impacts are always present and occur when soils are disturbed and protective vegetative cover is removed. It is primarily shaping of building pads, grading for transportation systems and construction for utilities that are responsible for accelerating erosion and degrading water quality. The project would increase the potential for erosion impacts without appropriate mitigation measures. The project's site specific impacts associated with erosion will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Items VI-5,6:
Refer to text in MM VI.1
Refer to text in MM VI.2

MM VI.3 Water quality Best Management Practices shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development/ Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department).

Construction (temporary) Best Management Practices for the project include, but are not limited to: Fiber Rolls (SE-5), Straw Bale Barrier (SE-9), Straw Wattles, Storm Drain Inlet Protection (SE-10), Hydroseeding (EC-4), Silt Fence (SE-1), Stabilized Construction Entrance (TC-1), and revegetation techniques.

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the Engineering and Surveying Department. Best Management Practices shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) Best Management Practices for the project include, but are not limited to: infiltration/treatment vault. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All Best Management Practices shall be maintained as required to ensure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to Engineering and Surveying Department upon request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Contractual evidence of a monthly parking lot sweeping and vacuuming, and catch basin cleaning program shall be provided to the Engineering and Surveying Department upon request. Failure to do so will be grounds for discretionary permit revocation. Prior to Improvement Plan, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance.

MM VI.4 Projects with ground disturbance exceeding one-acre that are subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System program shall obtain such permit from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction.

Discussion- Item VI-7:
The site is located within Seismic Zone 3 and ground shaking will occur during seismic events on nearby active faults. The project would be constructed in compliance with the California Building Code, which includes seismic

standards. These standards are expected to be adequate for the intensity of shaking that may result from seismic activity on the project site. No mitigation measures are required.

Discussion- Item VI-9:
According to the United States Department of Agriculture Soil Conservation Service, the project area is indicative of a soil type that is anticipated to have a low shrink-swell potential.

VII. HAZARDS & HAZARDOUS MATERIALS – Would the project:

1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)				X
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS)			X	
3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (APCD)			X	
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (EHS)				X
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN)				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)				X
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)			X	
8. Create any health hazard or potential health hazard? (EHS)			X	
9. Expose people to existing sources of potential health hazards? (EHS)				X

Discussion- Item VII-1:
The project will not create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous materials. The project as described is a community church and fellowship hall. There is no significant involvement or use of hazardous materials in this operation.

Discussion- Item VII-2:
Construction of the proposed project would involve the short-term use and storage of hazardous materials typically associated with grading, such as fuel and other substances. All materials would be used, stored, and disposed of in accordance with applicable federal, state, and local laws including California Occupational Safety and Health Administration requirements and manufacture's instructions. Therefore, the proposed project does not pose a risk of accident or upset conditions involving the release of hazardous materials. No mitigation measures are required.

Discussion- Item VII-3:
Based upon the project analysis, there is no existing or proposed school within a quarter mile to the project location and the project is not expected to emit substantial hazardous emissions. No mitigation measures are required.

Discussion- Items VII-4,9:
A Phase 1 Environmental Site Assessment was conducted on this project site, consisting of a records search and related review. The Environmental Site Assessment did not identify any past uses known to be associated with human health hazards and that the site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Discussion- Items VII-5,6:
The project is not located within two miles of a private airstrip or public use airport, nor is it located within an airport land use plan.

Discussion- Item VII-7:
The project site is surrounded by a grassland and woodland environment that is typical of the wildland areas in the foothills which can be conducive to the generation and spread of wildfires. The Placer Hills Fire Protection District has reviewed the project application and has determined that, if constructed to commercial standards now in effect, including, but not limited to, providing fire sprinklers, alarms, sufficient water storage and the installation of two fire hydrants, the project would be consistent with fire safety standards required by the Fire District.

Because a Building Permit is required for all projects in the County, and because these and other fire safety policies and procedures are standard requirements when a Building Permit is issued, the project impacts will not expose people or structures to risk of loss, injury or death involving wildland fires. No mitigation measures are required.

Discussion- Item VII-8:
Existing sources of potential health hazards that people may be exposed to as a result of the project is limited to mosquitoes, if conditions exist that allow the breeding of mosquitoes. Mosquitoes are potential vectors of diseases therefore, they are a health hazard. Conditions that allow the breeding of mosquitoes include standing water, which may occur as a result of overwatering of landscaping. Drip irrigation is recommended for landscaped areas where shrubbery and trees are located and to prevent the ponding of water and a habitat for mosquitoes. The lawn areas of the property shall be properly graded to prevent the ponding of water and to allow for effective irrigation methods. No mitigation measures are required.

VIII. HYDROLOGY & WATER QUALITY – Would the project:

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1. Violate any potable water quality standards? (EHS)			X	
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS)			X	
3. Substantially alter the existing drainage pattern of the site or area? (ESD)			X	
4. Increase the rate or amount of surface runoff? (ESD)		X		
5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD)		X		
6. Otherwise substantially degrade surface water quality?(ESD)		X		

7. Otherwise substantially degrade ground water quality? (EHS)				X
8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD)				X
9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD)				X
10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD)				X
11. Alter the direction or rate of flow of groundwater? (EHS)			X	
12. Impact the watershed of important surface water resources, including but not limited to Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? (EHS, ESD)		X		

Discussion- Item VIII-1:
The water well for this project is properly constructed via permit through Environmental Health Services. The well has met the primary standard for water quality. The site will be served by an on-site sewage disposal system which will be located over 500 feet from the water well. This distance is beyond the standard setback of 100 feet from the water well to an on-site sewage disposal system. Thus, the potential for the project to violate any potable water quality standards is less than significant. No mitigation measures are required.

Discussion- Items VIII-2,11:
The water well for this site has been constructed and drilled into a fractured rock aquifer. A fractured rock aquifer may not be a steady source of water and the supply of water can decline over time. In order to reduce the likelihood of a limited water supply, the California Waterworks Standard (Title 22, Division 4, Chapter 16, Article 2) requires either a 72-hour or 10-day water well capacity test. When a 72-hour water well capacity test is conducted, the water well capacity is determined by assigning a capacity of 25% of the pumping rate at the end of the completed test's pumping. For a 10-day water well capacity test, the water well capacity is assigned a capacity of 50% of the pumping rate at the end of the completed test's pumping. In this case, the project proponent conducted a 72-hour well capacity test and at the end of the pumping cycle, a capacity of 1.8 gallons per minute (7.5 gallons per minute x 25% = 1.8 gallons per minute) was determined to be the actual yield of the water well. This yield gives an indication of how much water can conservatively serve this project.

The Celebration Community Fellowship Church will have offices that will be used by several employees during the work week and will be busiest during the weekends for church services. The amount of water needed by the facility has been determined to be 2000 gallons per day, while the water well itself can produce 2500 gallons per day over a 24-hour period. Thus, the water well is not likely to substantially deplete groundwater supplies.

The introduction of impervious surfaces can have indirect groundwater recharge capability impacts in some areas. The soil types in the project area are not conducive to recharge, except perhaps along major drainage ways. As this project does not involve disturbance of major drainage ways, impacts related to groundwater recharge are less than significant. No mitigation measures are required.

Discussion- Item VIII-3:
A preliminary drainage report was prepared by the applicant's engineer. The site is a vacant lot bound on the northwest by Interstate 80 and to the southwest by Dry Creek Road and on the southeast by Neils Road. The adjoining parcel to the northeast is also vacant. There are existing roadside drainage ditches along Dry Creek Road and Neils Road. Additionally, existing surface drainage is intercepted by an existing 36 inch corrugated metal pipe on the southeast side of Neils Road discharged to an existing 42 inch culvert located northerly of the northwest property line and within the Caltrans right-of-way. This project is proposing to detain peak flow runoff and proposes no change to how the drainage enters and leaves the project site. Consequently, project drainage patterns will not change significantly from the existing condition to the post-project condition. No mitigation measures are required.

Discussion- Item VIII-4:
The proposed project will increase impervious surfaces including on-site parking areas and buildings. This increase in impervious surfaces typically has the potential to increase the stormwater runoff amount and volume. The

potential for increases in stormwater runoff have the potential to result in downstream impacts. A preliminary drainage report was prepared for the project. The post project flows identified in the report indicated an increase in flows from pre-development levels. The project proposes to ensure that the quantity of post development peak flow from the project is, at a minimum, no more than the pre-development peak flow quantity by installing detention facilities.

The post development volume of runoff will be higher due to the increase in proposed impervious surfaces; however, this is less than significant because the project proposes detention facilities designed to handle the increase in peak flow runoff.

A final drainage report will be prepared and submitted with the site improvement plans for County review and approval in order to monitor the preliminary report drainage calculations and results. The proposed project's impacts associated with increases in runoff will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Item VIII-4:
Refer to text in MM VI.1
Refer to text in MM VI.2

MM VIII.1 Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Department of Public Works for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The report shall address storm drainage during construction and thereafter and shall propose Best Management Practice measures to reduce erosion, water quality degradation, etc. Said Best Management Practice measures for this project shall include: Minimizing drainage concentration from impervious surfaces, construction management techniques, and erosion protection at culvert outfall locations.

MM VIII.2 Storm water run-off shall be reduced to pre-project conditions through the installation of retention/detention facilities or through a drainage report that does not identify any increase in peak flows at all downstream discharge points from the property. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of Department of Public Works. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

Discussion- Items VIII-5,6:
The construction of the proposed improvements has the potential to degrade water quality. Stormwater runoff naturally contains numerous constituents; however, urbanization and urban activities including development and redevelopment typically increase constituent concentrations to levels that potentially impact water quality. Pollutants associated with stormwater include, but are not limited to, sediment, nutrients, oils/greases, etc. The proposed urban type development has the potential to result in the generation of new dry-weather runoff containing said pollutants and also has the potential to increase the concentration and/or total load of said pollutants in wet weather stormwater runoff. The proposed project's impacts associated with water quality will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Items VIII-5,6:
Refer to text in MM VI.1
Refer to text in MM VI.2
Refer to text in MM VI.3
Refer to text in MM VIII.1

MM VIII.3 The project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. Best Management Practices shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's National Pollutant Discharge Elimination System Municipal Stormwater Permit (State Water Resources Control Board National Pollutant Discharge Elimination System General Permit No. CAS000004).

Discussion- Item VIII-7:
The project will not substantially degrade groundwater quality as it will utilize stormwater best management practices to reduce stormwater leaving the site, to reduce erosion of the site and to prevent the siltation of nearby waterways from the site.

Discussion- Items VIII-8,9,10:
The project site is not located within a 100-year flood hazard area as defined and mapped by the Federal Emergency Management Agency. The project improvements are not proposed within a local 100-year flood hazard area and no flood flows would be redirected after construction of the improvements. The project site is not located within any levee or dam failure inundation area.

Discussion- Item VIII-12:
The proposed project is located within the Dry Creek watershed. The proposed project's impacts associated with impacts to surface water quality will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Item VIII-12:
Refer to text in MM VI.1
Refer to text in MM VI.2
Refer to text in MM VI.3
Refer to text in MM VI.4
Refer to text in MM VIII.1
Refer to text in MM VIII.3

IX. LAND USE & PLANNING – Would the project:

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1. Physically divide an established community? (PLN)				X
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)				X
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)				X
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)				X
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)				X
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)				X
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)				X
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)				X

Discussion- Items IX-1,4,6:
The project site is bordered by single-family residential development and large, undeveloped lots that will eventually become home sites as new residents continue to move into the community. The established

community, therefore is considered rural residential. While churches are not residences, they are commonly located in rural areas as a meeting place for local residents. The proposed church will draw neighbors in and provide a facility in which they can hold public meetings and events. Therefore, the project will become an integral part of this community and will not result in an incompatible use within the neighborhood.

Discussion- Items IX-2,7:
The Auburn Bowman Community Plan land use designation for the project site is Rural Residential and the site zoning is Farm with a minimum lot size of 4.6 acres. Although the parcels combine to form a property that is smaller than the zone district minimum, they are considered legal non-conforming due to their creation in 1981, prior to a zone district change that increased the minimum parcel size for the area. As a result, development of this site is possible and would be consistent with the Placer County Zoning Ordinance. The proposed use and intensity of use are consistent with both Community Plan policies and Zoning Ordinance standards. In addition, the proposed project will not result in a substantial alteration of the present or planned land use. The project is consistent with County plans for this site.

Discussion- Item IX-3:
The project does not conflict with any applicable habitat conservation plan or natural community conservation plan or other County policy, plan or regulation adopted for the purpose of avoiding or mitigating environmental effects.

Discussion- Item IX-5:
The project site is currently undeveloped and does not support agricultural or timber uses. Site development would not have an impact to soils, operations or plans associated with these uses.

Discussion- Item IX-8:
The project will not cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration.

X. MINERAL RESOURCES – Would the project result in:

[illegible]	[illegible]	Less Than [illegible]	Less Than [illegible]	No Impact
1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)				X
2. The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

Discussion- Item X-1:
The Mineral Land Classification of Placer County (California Department of Conservation–Division of Mines and Geology, 1995), was prepared for the purpose of identifying and documenting the various mineral compounds found in the soils of Placer County. The Classification is comprised of three primary mineral deposit types: those mineral deposits formed by mechanical concentration (placer gold); those mineral deposits formed by hydrothermal processes (lode gold, silver, copper, zinc and tungsten); and construction aggregate resources, industrial mineral deposits and other deposits formed by magmatic segregation processes (sand, gravel, crushed stone, decomposed granite, clay, shale, quartz and chromite).

With respect to those deposits formed by mechanical concentration, the site and immediate vicinity are classified as Mineral Resource Zone 1 (MRZ-1), meaning, this is an area of no mineral resource significance.

With respect to those mineral deposits formed by hydrothermal processes, as well as aggregates and industrial minerals, the site and vicinity have been classified as Mineral Resource Zone 4 (MRZ-4). As is the case with deposits formed by mechanical concentration, this is an area of no known mineral resource significance and there are no aggregate operations or quarries in the vicinity.

Because the site has never been mined, and because no valuable, locally important mineral resources have been identified on the project site, implementation of the proposed project will result in less than significant impacts to mineral resources.

Discussion- Item X-2:
No recovery site has been delineated on the subject property or vicinity. Therefore, no impacts to the availability of locally-important mineral resources would occur as a result of the development of this site.

XI. NOISE – Would the project result in:

[illegible]	[illegible]	[illegible]	[illegible]	No [illegible]
1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (EHS)		X		
2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (EHS)		X		
3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (EHS)			X	
4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (EHS)				X
5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (EHS)				X

Discussion- Items XI-1,2:
The project will expose people to transportation and stationary noise impacts in exceedance of the Placer County General Plan Noise Element standards. The project proponent had two Environmental Noise Assessments completed by Bollard Acoustical Consultants on July 19, 2005 and October 26, 2007. The Environmental Noise Assessments showed that Interstate 80 produces significant transportation noise impacts at the site. Stationary noise impacts to sensitive receptors result from outdoor church activities such as, outdoor church concerts and wedding celebrations with amplified sound.

In order to reduce the elevated noise impacts from Interstate 80 and the outdoor concerts, the Environmental Noise Assessments require exterior and interior noise reduction features. For the Interstate 80 transportation noise impact, a six-foot soundwall is proposed. According to the Bollard Acoustical Consultants report, the project would be able to meet the 70-dB Ldn exterior noise exposure as reasonable attenuation can be achieved with the six-foot soundwall. The Auburn Bowman Community Plan allows a 70-dB Ldn noise level adjacent to Interstate 80 within one-half mile of the freeway.

The Bollard Acoustical Consultants report identified interior noise reductions which would be required to meet the County's interior noise exposure criteria of 40-dB Leq for Churches and Meeting Halls. A commercial building shell will typically produce a 25-dB Leq noise reduction. The projected transportation noise impact from Interstate 80 is expected to be 69-dB Leq at the building envelope. Thus, the interior noise level is expected to be 44-db Leq, which is 4-dB greater than the interior noise exposure criteria set forth in the Auburn Bowman Community Plan. The following mitigation measure identifies the interior noise reduction measure required for the project to meet the 40-dB interior noise standard.

Celebration Community Fellowship will hold occasional outdoor concerts and wedding ceremonies. The closest neighbor lies approximately 950 feet southeast of the project site. The soundwall proposed for the project will incorporate absorptive properties which will help the project meet the County's 45-dB hourly Leq performance criteria at the closest neighboring residences on Neils Road.

Mitigation Measures- Item XI-1,2:
MM XI.1 The project will be able to meet the 70-dB requirement of the Auburn Bowman Community Plan by installing a six-foot soundwall as detailed according to the Bollard Acoustical Consultants Environmental Noise Assessment of June 12, 2008. The soundwall shall incorporate absorptive material as indicated in the Environmental Noise Assessment to mitigate reflected sound energy and associated noise exposure to the closest

neighbors. This action will reduce noise from future church concerts and other amplified events to meet the Placer County General Plan 45-dB hourly Leq performance criterion at the closest neighboring residences on Neils Road.

The interior noise exposure as detailed in the discussion could be as high as 44-dB hourly Leq from future Interstate 80 traffic conditions. This level exceeds the established interior noise exposure standard for Church uses as described in the Auburn Bowman Community Plan. In order for this project to meet the 40-dB hourly Leq interior noise standard, the project proponent shall follow the July 19, 2005 Environmental Noise Assessment by Bollard Acoustical Consultants which will reduce this impact to less than significant.

- Design and orient the project building so that noise-insensitive rooms (e.g., restrooms, hallways, storage rooms, Lobby) are positioned between noise-sensitive rooms (e.g., Church Sanctuary, meeting rooms, offices, classrooms) and Interstate 80.
- Minimize the surface area of windows and doors (acoustically-weak elements) on project building facades with line-of-sight to Interstate 80.
- Doors and/or windows within building facades with line-of-sight to Interstate 80 should provide for a laboratory sound transmission classification rating of 35 or greater. Assuming fixed window glazing, STC 35 performance may be obtained with a ¼" laminated glazing assembly.

Discussion- Item XI-3:
Construction of the project, through build-out, will increase ambient noise levels. Adjacent residents may be negatively impacted. This impact is temporary and less than significant. A condition of approval for the project will be recommended that limits construction hours so that early evening and early mornings, as well as all day Sunday, will be free of construction noise. No mitigation measures are required.

Discussion- Item XI-4:
The project is not located within an airport land use plan.

Discussion- Item XI-5:
The project is not located near any known private airstrips.

XII. POPULATION & HOUSING – Would the project:

[illegible]	[illegible]	[illegible]	[illegible]	No Impact
1. Induce substantial population growth in an area, either directly (i.e. by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN)			X	
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (PLN)				X

Discussion- Item XII-1:
The improvements proposed on the project site are consistent with the development vision presented in the Auburn Bowman Community Plan (Section VI, Land Use & Planning). The proposed use will provide a service for the neighboring community, but the project will have a less than significant impact to population growth because members of the congregation will primarily come from a base of existing local area residents. No mitigation measure is required.

Discussion- Item XII-2:
The project site is currently undeveloped and therefore will not displace existing residences

XIII. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

[illegible]	[illegible]	[illegible]	[illegible]	No Impact
1. Fire protection? (EHS, ESD, PLN)			X	
2. Sheriff protection? (EHS, ESD, PLN)			X	
3. Schools? (EHS, ESD, PLN)				X
4. Maintenance of public facilities, including roads? (EHS, ESD, PLN)			X	
5. Other governmental services? (EHS, ESD, PLN)				X

Discussion- All Items:
The Placer Hills Fire Protection District provides fire protection services to the project area; the Placer County Sheriff's Department provides police protection services to the project area; the Placer County Department of Public Works is responsible for maintaining County roads; school districts serving the site include Placer Hills Union Elementary and Placer Union High School.

Because the proposed project is consistent with the underlying land use designations, the project development will result in a negligible additional demand on the need for these public services. The proposed project is not anticipated to impact schools. As is required for all new projects, "Will Serve" letters will be required from these public service providers. The incremental increase in demand for these services will not result in significant impacts associated with the construction of new or physically altered governmental services or facilities. No mitigation measures are required.

XIV. RECREATION – Would the project result in:

[illegible]	[illegible]	[illegible]	[illegible]	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)				X
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)				X

Discussion- All Items:
The project will not increase the use of existing parks or other recreational facilities because no new residences are proposed. In addition, because the church provides an outdoor activity area, which is covered within the scope of work analyzed in this environmental document, there is no anticipated adverse physical effect on the environment in order to provide the outdoor recreation.

XV. TRANSPORTATION & TRAFFIC – Would the project result in:

[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (ESD)		X		
2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD)		X		
3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)			X	
4. Inadequate emergency access or access to nearby uses? (ESD)			X	
5. Insufficient parking capacity on-site or off-site? (ESD, PLN)				X
6. Hazards or barriers for pedestrians or bicyclists? (ESD)			X	
7. Conflicts with adopted policies supporting alternative transportation (i.e. bus turnouts, bicycle racks)? (ESD)				X
8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (ESD)				X

Discussion- Items XV-1,2:
The project proposal would result in the construction of an approximately 13,906 square foot church and an approximately 3,368 square foot fellowship hall on a vacant parcel with existing frontage improvements that include an approximately 35 foot wide road plus shoulders and roadside drainage ditches. For potential cumulative impacts, the Auburn Bowman Community Plan includes a fully funded Capital Improvement Program, which with payment of traffic mitigation fees for the ultimate construction of the Capital Improvement Program improvements, would help reduce the cumulative traffic impacts to less than significant levels. The increases in traffic due to this project are consistent with those anticipated in the Auburn Bowman Community Plan. The proposed project's impacts associated with increases in traffic will be mitigated to a less than significant level by implementing the following mitigation measures:

Mitigation Measures- Items XV-1,2:
MM XV.1 The project will be subject to the payment of traffic impact fees that are in effect in this area (Auburn Bowman), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County Department of Public Works prior to issuance of any Building Permits for the project:

A) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code

The current total combined estimated fee is $35,227.51 for the 17,274 square feet of church facilities. The fees were calculated using the information supplied. If the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs.

Discussion- Item XV-3:
The proposed project includes two new driveway connections to existing frontage improvements. The project proposes to construct the driveway connections in accordance with Placer County Standard Plate R-17, therefore, there will be a less than significant impact. No mitigation measures are required.

Discussion- Item XV-4:
The servicing fire district has provided comments on the proposed project and has not identified any impacts from inadequate emergency access. The project is proposing to construct two driveway access connections onto Neil Road, at approximately 200 feet and 560 feet north of the intersection of Dry Creek Road. The proposed project does not impact the access to any nearby use. Therefore, the impact is less than significant and no mitigation measures are required.

Discussion- Item XV-5:
According to the Placer County Zoning Ordinance, the required on-site parking for a house of worship is one stall per every four fixed seats, plus one stall for each office and classroom. The project proposes 396 fixed seats and 12 office/classrooms. The resulting on-site parking required is 111 stalls. The applicant proposes the construction of 111 on-site parking spaces. As proposed, the project would not result in insufficient parking capacity and there is no impact to parking.

Discussion- Item XV-6:
The proposed project will be constructing site improvements that do not create any hazards or barriers for pedestrians or bicyclists. Therefore, this is a less than significant impact and no mitigation measures are required.

Discussion- Item XV-7:
The proposed project will not conflict with any existing policies or preclude anticipated future policies, plans, or programs supporting alternative transportation.

Discussion- Item XV-8:
The project construction and related site improvements will not change air traffic patterns or increase the air traffic levels that result in substantial safety risks.

XVI. UTILITIES & SERVICE SYSTEMS – Would the project:

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)			X	
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)			X	
3. Require or result in the construction of new on-site sewage systems? (EHS)			X	
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)			X	
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)			X	
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)			X	
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)				X

Discussion- Items XVI-1,2,6:
A septic system is proposed to collect wastewater from the office building and the construction of this system is not expected to cause significant environmental effects. No mitigation measures are required.

Discussion- Item XVI-3:
The project will result in the construction of new on-site sewage disposal systems. The project proponent had soil testing completed as required by Environmental Health Services as there is no public sewer service available in the project area. As such, this impact is routine and typical for a project within the unincorporated area of the County. No mitigation measures are required.

Discussion- Item XVI-4:
The stormwater will be collected in the on-site drainage facilities and conveyed via an underground storm drain system into existing drainageways. The existing system has the capacity to accept flows from the proposed project since the proposed project will not increase any downstream flows from the pre-development condition. This project proposes the construction of a storm drain system to Placer County standards. The construction of these facilities will not cause significant environmental effects. Therefore, this impact is less than significant. No mitigation measures are required.

Discussion- Item XVI-5:
As noted in Discussion Item VIII 2,11, the project proponent had a water well drilled and constructed via permit from Environmental Health Services. The water well according to Placer County guidelines can consistently produce 1.8 gallons per minute as the well is located in a hard rock aquifer which can have varying potential for producing a long-term steady supply of potable water. As the amount of potable water the project can supply is less than five gallons per minute, the project proponent will be required to install a storage facility to maintain a sufficient supply of potable water on-site.

The project requires a maximum daily demand of 2000 gallons of water per day. With the conservative rate of 1.8 gallons per minute, the water well can produce over 2500 gallons of water in a 24-hour period. This amount exceeds the maximum daily demand which the project requires for the busiest days at the church. For purposes of environmental review, the project is able to provide an adequate volume of water. Additionally, the project proponent will be required to obtain a public water system permit with Environmental Health Services. This is a routine requirement which this office handles on a regular basis. Thus, this impact is less than significant and no mitigation measures are required.

Discussion- Item XVI-7:
The project is served by a landfill with sufficient capacity to meet the project's solid waste demand. The solid waste will ultimately be deposited at the Western Regional Sanitary Landfill in Roseville.

E. MANDATORY FINDINGS OF SIGNIFICANCE:

[illegible]	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X

F. OTHER RESPONSIBLE AND TRUSTEE AGENCIES whose approval is required:

☐ California Department of Fish and Game	☐ Local Agency Formation Commission (LAFCO)
☐ California Department of Forestry	☐ National Marine Fisheries Service

☐ California Department of Health Services	☐ Tahoe Regional Planning Agency
☐ California Department of Toxic Substances	☒ U.S. Army Corp of Engineers
☐ California Department of Transportation	☐ U.S. Fish and Wildlife Service
☐ California Integrated Waste Management Board	☐ _____
☐ California Regional Water Quality Control Board	☐ _____

G. DETERMINATION – The Environmental Review Committee finds that:

Although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because the mitigation measures described herein have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

H. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments consulted):

Planning Department, Gerry Haas, Chairperson
Engineering and Surveying Department, Sharon Boswell
Engineering and Surveying Department, Wastewater, Ed Wydra
Department of Public Works, Transportation
Environmental Health Services, Grant Miller
Air Pollution Control District, Yu-Shuo Chang
Flood Control Districts, Andrew Darrow
Facility Services, Parks, Vance Kimbrell
Placer County Fire/CDF, Bob Eicholtz/Brad Albertazzi

Signature Gina Langford Date July 22, 2008
Gina Langford, Environmental Coordinator

I. SUPPORTING INFORMATION SOURCES: The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Suite 190, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 565 West Lake Blvd., Tahoe City, CA 96145.

County Documents	☒ Community Plan	
	☐ Environmental Review Ordinance	
	☒ General Plan	
	☐ Grading Ordinance	
	☒ Land Development Manual	
	☐ Land Division Ordinance	
	☐ Stormwater Management Manual	
	☒ Tree Ordinance	
	☐ _____	
Trustee Agency Documents	☐ Department of Toxic Substances Control	
	☐ _____	
	☐ _____	
Site-Specific Studies	Planning Department	☒ Biological Study
		☒ Cultural Resources Pedestrian Survey
		☒ Cultural Resources Records Search

		☒ Lighting & Photometric Plan
		☐ Paleontological Survey
		☒ Tree Survey & Arborist Report
		☒ Visual Impact Analysis
		☒ Wetland Delineation
		☐ _____
		☐ _____
	Engineering & Surveying Department, Flood Control District	☐ Phasing Plan
		☒ Preliminary Grading Plan
		☐ Preliminary Geotechnical Report
		☒ Preliminary Drainage Report
		☒ Stormwater & Surface Water Quality BMP Plan
		☐ Traffic Study
		☐ Sewer Pipeline Capacity Analysis
		☐ Placer County Commercial/Industrial Waste Survey (where public sewer is available)
		☐ Sewer Master Plan
		☒ Utility Plan
		☐ _____
		☐ _____
	Environmental Health Services	☐ Groundwater Contamination Report
		☐ Hydro-Geological Study
		☒ Acoustical Analysis
		☒ Phase I Environmental Site Assessment
		☐ Soils Screening
		☐ Preliminary Endangerment Assessment
		☐ _____
		☐ _____
	Air Pollution Control District	☐ CALINE4 Carbon Monoxide Analysis
		☐ Construction Emission & Dust Control Plan
		☐ Geotechnical Report (for naturally occurring asbestos)
		☐ Health Risk Assessment
		☐ URBEMIS Model Output
		☐ _____
		☐ _____
	Fire Department	☐ Emergency Response and/or Evacuation Plan
		☐ Traffic & Circulation Plan
		☐ _____
	Mosquito Abatement District	☐ Guidelines and Standards for Vector Prevention in Proposed Developments
		☐ _____

MONITORING AND TREATMENT PLAN FOR UNANTICIPATED CULTURAL AND ARCHAEOLOGICAL DISCOVERIES DURING CONSTRUCTION OF THE CELEBRATION COMMUNITY FELLOWSHIP PROJECT, PLACER COUNTY, CALIFORNIA

Prepared for

Celebration Community Fellowship
c/o Pastor Cedric Lee
16981 Placer Hills Road
Meadow Vista, California 95945

and

United States Army Corps of Engineers
Sacramento District
1325 J Street
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USGS 7.5' Auburn 1981 Quadrangle

Geo Project No. 18588-001-01

January 2010

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EXAMPLE 1 – Finds that Qualify as Unanticipated Discoveries
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INTRODUCTION

Cultural resources investigations for the Celebration Community Fellowship (CCF) project are being conducted under Section 106 of the of the National Historic Preservation Act (NHPA) and implementing regulations of the Advisory Council on Historic Preservation (36 CFR 800), as well as under the California Environmental Quality Act (CEQA), and the General Plan of the County of Placer. Consultation with the U.S. Army Corps of Engineers (USACE) was required since the project involves alteration of portions of a wetland swale (0.02 acres) as defined in the June 16, 2008 pre-construction notification for the CCF project prepared by North Folk Associates, an ephemeral drainage regulated under Section 404 of the Clean Water Act of 1977, as amended. Since a Section 404 Permit is required for modifications to the wetland swale, the private development is defined as a federal undertaking, and the USACE Sacramento District is the lead federal agency for the proposed undertaking.

This Monitoring and Treatment Plan presents the approach that CCF will use to ensure the protection of significant cultural resources and to address emergency discoveries of cultural and archaeological resources during construction activities for the proposed CCF site development. This plan provides for the identification, protection, and treatment of cultural resources discovered by archaeological monitors, Native American monitors, or construction workforce during project activities either inside or outside designated project boundaries.

CCF is committed to the protection and preservation of cultural resources, in accordance with federal, state, and county legislation. To the greatest extent possible, CCF will avoid disturbances to all such resources. However, CCF recognizes that, despite intensive cultural resources survey investigations that are typically performed prior to the start of any construction activities, it is possible that significant cultural resources deposits could be discovered during project construction, particularly during excavation. CCF also recognizes the requirement for strict compliance with federal and state regulations and guidelines regarding the treatment of human remains, if any are discovered.

Project boundaries are defined as the Celebration Community Fellowship acreage located within an unincorporated portion of Placer County, California (Figure 1). The CCF project area consists of approximately 3.5 acres (Assessor's Parcel No. 077-050-055-000) located on the U.S. Geological Survey (USGS) 7.5-minute Auburn 1981 Quadrangle within Section 24 in Township 13 North, Range 8 East (Mt. Diablo Meridian and Base).

The area of potential effect (APE) for the proposed undertaking under USACE jurisdiction is defined as the entire 3.5 acre parcel (Figure 1). AN Environmental Sensitive Area (ESA) has been established in the northwestern section of the APE. No ground disturbing activities will take place within the ESA.

The first part of this Monitoring and Treatment Plan includes a seven-point section on Archaeological Monitoring, which includes the presence of qualified archaeologists (Cultural Resources Specialist and Archaeological Monitors, defined below) during construction and grading operations. Implementation of the monitoring program during the construction phase of the project will assure that if cultural resources are discovered or if previously identified resources are impacted in an unanticipated manner, such resources receive mitigation to lessen the impact to less than significant.

The second part of this plan details the procedures to be used to address: (1) the discovery of cultural and archaeological resources (see Protocol 1) and (2) the discovery of human remains (see Protocol 2). If assessment of the discovered resource by USACE within the APE and by a qualified archaeologist reveals that it is not eligible for listing on the National Register of Historic Places (NRHP) or California Register of Historic Resources (CRHR), that it is not a "unique archaeological resource" under CEQA (Public

Resources Code [PRC] Section 21083.2), and if there are no potential human remains at the discovery site, then no further management is required and work may resume. However, if the discovered resource is recommended eligible for inclusion on the NRHP as a "historic property" or for inclusion on the CRHR as a "historical resource," or is a "unique archaeological resource" under CEQA, impacts to the resource will be avoided or, if avoidance is not feasible, must be mitigated, usually through data recovery. Procedures to address the discovery of human remains during construction are discussed under Protocol 2. Although this plan states that a qualified Archaeological Monitor who is trained as a human osteologist shall be present during construction and grading operations, the following procedures and protocols cover unanticipated discoveries made when an Archaeological Monitor is on site and when an Archaeological Monitor is not on site.

During the construction phase of the project, an unanticipated discovery may be made within the APE under USACE jurisdiction. USACE will continue to be the federal agency for discoveries within the APE.

No previously recorded archaeological sites have been recorded within the project boundary.

Two previously recorded sites (CA-PLA-982-H and CA-PLA-841-H) are within a ¼ mile of the proposed project area, and have been determined not eligible for NRHP listing. Site CA-PLA-982-H consists of a segment of the former Southern Pacific Railroad eastbound tracks. Site CA-PLA-841-H consists of a segment of the former First Transcontinental Railroad. Results from a 2005 Phase I survey, performed by NCR Consulting, confirm both prehistoric and historic-period archaeological activity. Additionally, the historic-period settlement called Nielsburg (also spelled as Nealsburg, Neilsburg, or Nielsburgh) is shown on the 1953 Auburn quadrangle map as setting 335 feet to the south east of the proposed project area. Archaeological monitoring of ground disturbing activities at the proposed project area is recommended in the technical report, to which this document is appended, and any discoveries at the site are covered by this Plan.

ARCHAEOLOGICAL MONITORING

A monitoring program will be in place during the construction phase of the project to avoid impacts to cultural resources. Archaeological monitoring is the observation of sediments during excavation or other ground disturbance activities in order to determine if cultural resources are present. Monitoring is a mitigation measure to assure that resources that are discovered, or previously identified resources, which might be impacted in an unanticipated manner, receive additional mitigation to lessen the impact to less than significant.

Impacts to cultural resources may result either directly or indirectly during the pre-construction and construction phases of the project. Direct impacts are those that may result from the immediate disturbance of resources, whether from vegetation removal, vehicle travel over the surface, earth-moving activities, or excavation. Indirect impacts are those that may result from increased erosion due to project site clearance and preparation, or from inadvertent damage or outright vandalism to exposed resource materials due to improved accessibility.

For the CCF project, project-related development and construction would entail subsurface disturbance of the ground, which has the potential to adversely affect previously unknown cultural resources. Two historic archaeological sites have been previously recorded within a ¼ mile of the CCF project area. Additionally, this indicates a relatively high potential for unknown cultural resources to be encountered and possibly affected during project construction in this highly sensitive area.

This section includes the following seven points:

- Archaeological monitors,
- Monitoring program,
- Native American monitoring,
- Worker cultural awareness training,
- Monitoring guidelines,
- Recordation and curation, and
- Technical reporting.

ARCHAEOLOGICAL MONITORS

Qualified personnel consisting of a Cultural Resources Specialist (CRS) and Archaeological Monitors shall conduct the required monitoring. Both the CRS and Archaeological Monitors shall meet the minimum professional qualifications specified under the Secretary of the Interior's *Standards and Guidelines for Archaeology and Historic Preservation* (36 CFR Part 61) and be trained in human osteology. For archaeology, the minimum professional qualifications are a graduate degree in archeology or anthropology plus:

1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;
2. At least four months of supervised field and analytic experience in general North American archeology;
3. Demonstrated ability to carry research to completion and,
4. Have one year of specialized training in the identification and documentation of human remains in an archaeological setting.

In addition to these minimum qualifications, if prehistoric resources are involved, the CRS shall have at least one year of additional full-time professional experience at a supervisory level working with prehistoric California sites, as well as interacting with California Native American tribes and individuals. The CRS will also have available, or on staff, an historic archaeologist with a minimum of one year experience on historic sites in the American West.

The CRS shall be responsible for overall implementation of the cultural resources monitoring program. The Archaeological Monitors shall be present for required monitoring activity unless discoveries, incidents of non-compliance, or oversight duties make the presence of the CRS necessary. Under normal circumstances, the Archaeological Monitors will report directly to the CRS. The CRS will then report all mitigation and monitoring activities, or related actions of the cultural resources team to CCF and USACE, as appropriate.

The CRS may make periodic field inspections, but as the principal, her/his role will be to coordinate the field activities of the monitors and serve as a conduit between CCF, construction supervisors, USACE, and Native American monitors. The CRS will consult at least weekly with the project supervisor or construction field manager regarding the construction schedule for the following week. The CRS would make a site visit to make recommendations regarding significance in the event of a discovery or serious non-compliance issue, and address such issues with CCF and USACE or direct a data recovery or other treatment program. The information from daily monitoring logs shall be compiled by the CRS and provided weekly to CCF's designated construction supervisor/manager and USACE.

The CRS and Archaeological Monitors will inspect, from a safe distance during excavation activities, mechanical trenching, backdirt piles, or associated ground disturbance for evidence of prehistoric, historic, or other culturally sensitive materials. If warranted by their observations, the CRS and Archaeological Monitors may halt or redirect construction to examine soils or the interior of a trench, and to allow for sufficient time to evaluate and potentially remove a find.

MONITORING PROGRAM

As discussed further under the section on Discovery Procedures, the CRS and Archaeological Monitors shall be empowered to temporarily divert or halt grading and other construction equipment in the event of a discovery, to examine soils or the interior of a trench, and to allow for sufficient time to evaluate and potentially remove a find. In addition, the archaeologist/osteologist shall periodically examine spoils for culturally sensitive material, screened through a 1/8 inch mesh, from ground disturbing activities throughout the APE.

NATIVE AMERICAN MONITORING

The project falls along the boundary of the traditional use area of the Nisenan groups. Ten Native American groups and individuals were contacted and provided information about the project. Responses include requests that Native American monitors be present during ground-disturbing activities and to be contacted in the case of inadvertent discovery of human remains.

At the time of this Plan, a specific Native American monitor has not been chosen for the construction ground disturbing activities. However, a member of a cultural affiliated tribe/band/individual selected from the NAHC contact list, will be on site during all ground disturbing activities.

Mr. Grayson Coney from the Tsi'–Akim Maidu Indian Tribe acted as the Native American monitor for the archaeological subsurface testing phase conducted May 11th through May 15th, 2009.

WORKER CULTURAL AWARENESS TRAINING

Prior to initiation of ground-disturbing activities, the CRS will conduct a short awareness training session for all construction workers and supervisory personnel. The course would explain the importance of, and legal basis for, the protection of significant archaeological resources. Each worker would also learn the proper procedures to follow in the event cultural resources or human remains/burials are uncovered during construction activities, including work curtailment or redirection and to immediately contact their supervisor and the archaeological monitor. It is recommended that this worker education session include visuals of artifacts (prehistoric and historic) that might be found in the project vicinity, and that it take place on the construction site immediately prior to the start of construction. The approximately 30–45 minute training session may be conducted onsite by video, power point presentation, or related media.

MONITORING GUIDELINES

A daily log will be completed by the onsite Archaeological Monitors and/or CRS for each day of monitoring or other cultural resource activities conducted during the monitoring period. The logs will track the cultural resources monitoring program, where monitoring was occurring, detail any discoveries, describe any actions taken, and describe any non-compliance incidents.

The daily monitoring logs will be summarized by the CRS into a weekly status report of cultural resource-related activities. The weekly reports will be filed with CCF and USACE.

Non-compliance reports will be used throughout the project's monitoring program to document cultural resource-related violations and resolution actions. The CRS or monitors shall immediately report non-compliance incidents to USACE and also CCF, and discuss the steps required to resolve the incident. Such incidents and their resolution shall be included in the daily monitoring log, and also included in the weekly report.

RECORDATION AND CURATION

Cultural resources encountered in the field shall be appropriately recorded on Department of Parks and Recreation (DPR) form 523 series, photographed, and mapped. The location of each resource shall be collected using a handheld GPS to record UTM coordinates, using NAD 1983. Diagnostic isolates (e.g., projectile points, shell beads, etc.) shall be photographed and recorded on appropriate DPR forms, including a location map.

If any cultural resources are collected, they will be analyzed, catalogued, and prepared for eventual curation in accordance with the State Historical Resources Commission's "Guidelines for the Curation of Archaeological Collections." All cultural resources will be evaluated for eligibility to the NRHP and/or CRHR.

Because of the federal action for the CCF project, items collected as a result of this project within the APE will be curated at an approved curation facility that meets the Secretary of the Interior's guidelines in accordance with 36 CFR 79. As the responsible lead federal agency, USACE will verify that the chosen curation facility meets 36 CFR 79. Temporary storage of any such collection may occur at a federal facility prior to transfer to the permanent repository. CCF will assume responsibility for any funding requirements related to curation.

TECHNICAL REPORTING

Upon completion of all project monitoring a thorough technical report of the findings will be prepared. The report will incorporate a discussion of the scope and location of monitoring and data recovery, methodology and results, as well as tables and illustrations resulting from any artifact analysis and all appropriate appendices. The final cultural resources technical report will conform to the Archaeological Resource Management Reports (ARMR) Guidelines published by the California Office of Historic Preservation. All DPR forms for newly identified or updated cultural resources will be appended to the report. Copies of the final report will be submitted to CCF, USACE, and the California Historical Resources Information System's North Central Coastal Information Center at California State University, Sacramento, and any other appropriate agencies.

DISCOVERY PROCEDURES

PROTOCOL 1: UNANTICIPATED CULTURAL AND ARCHAEOLOGICAL DISCOVERIES

Section 106 Compliance

Unanticipated discoveries within the project APE shall be guided by the Section 106 process, specifically the federal regulations listed at 36 CFR 800.13(b) for "Discoveries without prior planning." If any unanticipated discoveries are encountered during implementation of this project within the APE, USACE shall comply with 36 CFR 800.13 by stopping work in the immediate area and informing the SHPO of such unanticipated discoveries or effects within two (2) business days. If any unanticipated effects on historic properties are found to be occurring during the implementation of this project within the APE, USACE shall comply with 36 CFR 800.13 and inform the SHPO immediately.

Definition of Unanticipated Discoveries

This plan applies to unanticipated discoveries of cultural resource sites or features that have the potential to meet the criteria of eligibility for the NRHP (delineated at 36 CFR 60.4) and of significance for the CRHR (CEQA Guidelines Section 15064.5 and PRC Section 21084.1), and are therefore significant historic properties or historical resources. Resources that neither meet any of these criteria nor qualify as a "unique archaeological resource" under CEQA PRC Section 21083.2 are viewed as not significant, and project impacts to such resources are not addressed by these protocols. With this in mind, unanticipated discoveries are defined as:

- Previously unidentified prehistoric, protohistoric, and historic archaeological sites and features, as defined by NHPA and CEQA and professional guidelines and identified by qualified archaeologists;
- Artifacts or cultural materials within archaeological sites previously determined to be ineligible for further treatment which are qualitatively distinct from artifacts and cultural materials previously identified at the site and which indicate that the site has the potential to qualify as eligible for further treatment based on its potential to provide data. All qualitative determinations will be made by the project CRS in consultation with USACE or CCF, as necessary, and be clearly stated; or
- Artifacts or cultural materials within archaeological sites previously determined to be unique or eligible for inclusion on the NRHP and/or CRHR; or
- Any evidence of human remains regardless of context of discovery. All discoveries of suspect bone are to be treated by construction personnel as potential human remains until a coroner can make a determination or, if acceptable to the coroner, a qualified Archaeological Monitor or CRS, as described in Protocol 2, below.

Definition of Finds that Do Not Qualify as Unanticipated Discoveries

Finds that do not qualify for treatment under this unanticipated discovery protocol include:

- Prehistoric, protohistoric, and historic era isolates, such as isolated artifacts, burned rock, or verified non-human bone outside the boundaries of previously defined archaeological sites. As described above under the Archaeological Monitoring section, isolates that do not qualify for

treatment will be recorded in the Work Stoppage Log (see below) and may be collected. All diagnostic isolates (e.g., projectile point, shell bead, etc.) should be recorded on appropriate DPR forms, photographed and mapped. Collection of diagnostic isolated artifacts on private lands will depend on agreement between CCF and the CRS.

- Artifacts or materials within archaeological sites previously evaluated as not unique and ineligible for either the NRHP or CRHR, which are qualitatively consistent with the materials previously identified at the site.

Steps to Protect Unanticipated Discoveries

Flow Chart 1 summarizes the procedures for potential unanticipated discoveries identified during construction when an Archaeological Monitor is on site and when an Archaeological Monitor is not on site. The following steps will be taken when an unanticipated discovery is encountered:

Work Stoppage. If an unanticipated discovery is encountered, construction activity will halt immediately at the discovery location, followed as soon as possible by the cessation of all other ground-disturbing activity within 30 meters (100 feet) of the discovery.

Immediate Protection. The archaeological monitor or construction foreman will ensure that an area at least 10 meters (30 feet) around the discovery is fenced with orange safety fencing or a similar material. These individuals will also be responsible to prevent traffic through the area of the resource disturbed by project activities, beyond that necessary to remove vehicles and equipment already within the area immediately surrounding the discovery. Persons involved in the discovery will immediately notify construction foreman who, in turn, will immediately notify the appropriate CCF contact, who will then contact the CRS to determine if the find is an unanticipated discovery.

In the event that any potential cultural resources are uncovered during construction and the CRS or Archaeological Monitor is *not* onsite, the following procedures should be followed:

- Excavation work or any other earth-moving activities within 30 meters (100 feet) must halt/relocate.
- The construction foreman or inspector is notified immediately of the suspected find(s) and will immediately notify the appropriate CCF contact.
- The CRS or, if unavailable, the Archaeological Monitor is notified immediately by the construction foreman or the CCF contact.
- The Archaeological Monitor or construction foreman will ensure that an area at least 10 meters (30 feet) around the discovery is fenced with orange safety fencing or a similar material. These individuals will also be responsible to prevent traffic through the area of the resource disturbed by project activities, beyond that necessary to remove vehicles and equipment already within the area immediately surrounding the discovery.
- The CRS or Archaeological Monitor will then inspect the find(s) and determine if it qualifies as an unanticipated discovery, or does not qualify, and then follow the remainder of the procedures outlined in Flow Chart 1 and/or 2 and discussed below.

Notification Regarding Unanticipated Discoveries

Individuals who will be notified in the event of unanticipated discoveries are listed below.

Celebration Community Fellowship
Pastor Cedric Lee
530-878-1365

GeoEngineers
Cindy Arrington
Cultural Resources Specialist
916-444-5825

If the discovery is within the project APE, CRS Cindy Arrington will immediately notify USACE.

In the event that a discovery involves potential human remains, notification must additionally include the Native American Heritage Commission and the Placer County coroner (see Protocol 2 below).

Work Stoppage Log

A Work Stoppage Log will be completed whenever work is stopped for a putative find, and the find is evaluated as not significant (that is, does not qualify as an unanticipated discovery). This documentation will demonstrate that project procedures are in place and will also document any construction down time. The log will include:

- Date, time, and duration of the stoppage;
- Activity halted;
- Who requested the stoppage;
- Reason for the halt;
- Location (using handheld GPS unit to record UTM coordinates);
- Isolated artifacts will be photographed and described, and diagnostic isolates recorded on DPR series forms;
- Notation as to whether the stoppage occurred within or near a previously recorded site or Environmentally Sensitive Area; and
- Description of find and explanation as to why it does not qualify as an unanticipated discovery.

Evidence in the form of Work Stoppage Logs of stoppage for multiple finds of the same type which are non-significant or that do not qualify as unanticipated discoveries may warrant an informal construction workforce training session to prevent future unnecessary work stoppage.

Verification of Potential Discovery by a Qualified Archaeologist

After halting construction and fencing the area of the unanticipated discovery as described above, CCF will have the discovery verified by a qualified archaeologist, either the Archaeological Monitor or CRS. If the CRS or Archaeological Monitor determines that the discovery is non-cultural, CCF will be notified and the halted construction activity can resume. If the CRS determines that the find is cultural but does not qualify as an unanticipated discovery, CCF will be notified, a Work Stoppage Log will be completed, and the halted construction activity may resume. If the find occurs within the project APE, determination of whether the find qualifies as an unanticipated discovery will be made by the CRS in consultation with USACE.

If the CRS or Archaeological Monitor determines that the find does qualify as an unanticipated discovery, the archaeologist will notify the USACE contact if the discovery is within or adjacent to the boundaries of the project APE, and the procedures outlined below for the treatment of unanticipated discoveries will be implemented. During verification and evaluation of the discovery, the archaeologist will have the authority to probe and shovel-skim the potential unanticipated discovery to the extent necessary to determine whether it qualifies as an unanticipated discovery. If the unanticipated discovery is something other than human remains, the procedures below will be followed. If human remains are discovered, additional procedures outlined below (Protocol 2) will be followed.

U.S. Army Corps of Engineers
Erin Hess, Project Manager
Sacramento District
1325 J Street
Sacramento, California 95814
916-557-6740

Initial Documentation and Evaluation of Unanticipated Discoveries by a Qualified Archaeologist

Flowchart 1 summarizes the procedures to follow when there is an unanticipated discovery. Discovery of potential human remains is addressed separately in Protocol 2, below, and summarized in Flowchart 2. A qualified archaeologist — either the CRS or the Archaeological Monitor as appropriate — will verify all potential unanticipated discoveries. Upon verifying that the find meets the criteria of Unanticipated Discovery, the archaeologist will promptly:

1. Notify the CCF contact to begin the official notification process (see below).
2. Complete a Discovery Record (see below).
3. Determine, in consultation with CCF and USACE, as appropriate, whether or not the discovered resource can be avoided.
4. If impacts to the discovery cannot be avoided, evaluate the potential significance of the resource and assess appropriate mitigation measures.

Notification of Unanticipated Discovery. After the Archaeological Monitor or CRS notifies CCF of a verified unanticipated discovery, CCF will immediately contact USACE, as appropriate, by telephone, with written confirmation by fax or overnight mail. If CCF learns of a potential discovery from construction personnel, when an Archaeological Monitor is not on location, CCF will also notify the CRS. The notification will include a brief description of the discovery and its location.

Discovery Report. The investigating CRS will prepare a Discovery Record of the unanticipated discovery.

If the discovery is a **previously unidentified archaeological site**, the following steps will be taken:

1. The area around the discovery including the periphery of disturbance of the construction activity will be examined for any surface manifestation of the site. The appropriate records from the California Department of Parks and Recreation (DPR 523A–L) will be completed. Recording will include GPS coordinates, plotting the location of the site on a U.S. Geological Survey (USGS) 7.5' topographical map, producing a sketch map, and photographing the site. All activities will be confined to the right of way. If appropriate, California Archaeological Resource Identification

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and Data Acquisition Program (CARIDAP) procedures (e.g., for sparse lithic scatters) will be carried out.

2. In consultation with USACE, as appropriate, the CRS will advise CCF as to whether additional testing will be needed to assess site significance.

3. Unless the project can avoid the site, further site evaluation (minimally, shovel testing) will be initiated to determine the significance of the site. If avoidance is possible, this will not be undertaken and further site evaluation will be unnecessary.

If the discovery consists of qualitatively distinct materials within a previously recorded site the following steps will be taken:

1. The CRS or Archaeological Monitor will make a detailed sketch map (DPR 523K) of the area containing the discovery. It will show the location and known extent of the discovery, areas that have been disturbed by construction, and micro-topographic features. Any features will be mapped in plan view and/or profile, as appropriate. Stratigraphic profiles will be made of a selected trench wall in which cultural materials are exposed.

2. The CRS or Archaeological Monitor will also prepare a summary description of the nature of the discovery and its environmental context and will describe any features or artifacts. This record will also include photographs, with overviews showing the location of the discovery, the extent of disturbance resulting from construction in the surrounding area, and any feature or features. An update or supplement to any existing DPR 523 primary record or other record will be prepared if appropriate, and will be forwarded to the appropriate California Historical Resources Information System (CHRIS) office.

3. The CRS or Archaeological Monitor will collect any specimens and artifacts that in his/her judgment are in danger of being destroyed or illicitly removed from the work site. Any such specimens will be documented, stored in a secure facility, and curated.

If it is determined that the **find does not qualify as an unanticipated discovery**, it will be documented on a Work Stoppage Log.

Determination of whether Resource can be Avoided. The preferred approach to any discovered cultural resource is avoidance. Once the site has been documented and the boundaries delineated, the CRS, CCF, USACE, will consult to determine whether impacts to the site can be avoided through such measures as reengineering or redesign. If the site cannot be avoided, as described below it either will be evaluated, or will be assumed to be significant and will be treated as such.

Evaluation of Significance of Resources which cannot be Avoided. If the CRS and CCF in consultation with USACE determine that there is no feasible way to avoid impacts to the resource, one of two evaluation options will be carried out:

1. **Assume that the site is significant and treat and mitigate as if it were significant.** This option will be used where time constraints do not permit the full evaluation of the site using standard archaeological evaluation methods, such as preconstruction excavation. Generally this option could be applied if the proposed mitigation consists primarily of recordation or monitoring measures, which would not result in project delays. These measures would be reduced or

eliminated, after proper notification, if subsequent work indicates that the site in fact is not significant.

2. **Evaluate the resource using standard archaeological evaluation methods.** In consultation with USACE, as appropriate, the CRS will develop and carry out site evaluation, using archaeological testing as appropriate. In most cases, the site will be evaluated with respect to eligibility under NRHP Criterion D and/or CRHR Criterion 4, for its potential to answer questions important in prehistory or history, in accordance with regional research questions. If the testing program determines that the site cannot yield information important in prehistory or history or other NRHP and/or CRHR criteria, if the site has no potential for human remains, and if USACE, as appropriate, concurs with this decision, then no further management is required. If the resource is significant and impacts to the significant qualities of the site cannot be avoided, recommendations will be made concerning the appropriate mitigation measures such as monitoring during construction, or archaeological data recovery. Within the project APE, USACE will make determinations of eligibility and effect, and provide a Notice to Proceed (NTP).

Discovery Record Review Process

The investigating CRS, with input from the Archaeological Monitor, will submit a Discovery Record to CCF within 48 hours of the initial examination of the discovery. For any site that cannot be avoided, CCF will submit the Discovery Record to USACE, as appropriate, within 72 hours of the initial examination of the discovery.

For discoveries within the project APE, USACE will review the Discovery Record, determine whether the identification and evaluation measures are adequate, and will notify the CCF contact regarding the determination by telephone followed by written confirmation. If a response is not received within ten calendar days, CCF will consult with UACE to determine an appropriate course of action. CCF will maintain a written record of all USACE decisions with regard to cultural resources encountered by the project within the APE.

For discoveries within the project APE, if USACE determines that the site containing the discovery requires no further action, USACE will prepare a written NTP. The written NTP will be sent to CCF. CCF may resume construction immediately upon receipt of the NTP.

Treatment of Eligible Unanticipated Discoveries

Discoveries will be protected until mitigation (treatment) is complete. If a number of sites of the same type are encountered, a programmatic approach may be developed in consultation with USACE and other appropriate parties.

Flow Chart 1 summarizes the procedures for the treatment of unanticipated historic or prehistoric discoveries, which are evaluated as eligible for either the NRHP or CRHR (i.e., as significant resources). Separate procedures, summarized on Flowchart 2, pertain to any discovery involving potential human remains.

Data recovery treatment would not stop construction except at the specific site or sites subject to treatment. Protection of the site(s) undergoing data recovery might include the use of barricade fencing, restricting the width of the construction right of way, construction monitoring, or similar actions. Construction would continue outside of those areas. If, at any point during implementation of a treatment plan, human remains are discovered, the separate provisions for discovery of human remains will be invoked and instituted.

Letter Report of Treatment of Unanticipated Discovery

At the conclusion of the archaeological treatment data recovery, the CRS will prepare a letter report summarizing preliminary results of the investigation. This report will include a description of the nature and extent of the investigations, a brief summary of the results, an evaluation of the find, and any recommendations for additional treatment.

The CRS will submit the letter report to CFF within 48 hours of the completion of the data recovery fieldwork. CFF will submit a copy of the preliminary report to USACE within 72 hours of the completion of fieldwork. USACE has up to 10 calendar days from receipt of the preliminary data recovery report to determine whether additional treatment decisions or recommendations are justified.

If USACE concur that no additional treatment is justified, USACE will prepare a written NTP if the discovery is within the federal APE. The NTP or signed report will be submitted to CFF by fax and mail.

CFF may resume construction immediately upon receipt of either the NTP for the APE. CFF will not resume construction at the location of the unanticipated discovery until it has received the written NTP. CFF will keep a record of all such decisions and will retain the related documentation (NTP or signed reports).

Additional Treatment

The CRS will undertake additional archaeological data recovery or other related investigations during or after construction or maintenance if USACE, as appropriate, determines that this is necessary for adequate mitigation. The specific nature, scope, and timing of any such investigations will be negotiated by USACE and CCF and specified in a written agreement signed by all parties, as appropriate. If necessary, this work will be completed prior to the resumption of construction, and then USACE will grant authorization for construction to resume at the location of the discovery within the federal APE.

The CRS will submit a Data Recovery Report after completion of the fieldwork or as negotiated in conjunction with more extensive data recovery investigations. The final report will be consistent with *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format* published by the California Office of Historic Preservation.

Authority to Resume Work

Authority to resume work at the discovery location depends on the nature of the discovery. If the discovery is determined not to be significant, this protocol no longer applies, and work may resume on the authority of the CRS and the construction foreman. If the discovery is judged by the CRS and USACE to be significant, work may not resume until the find has been documented and mitigated to the satisfaction of the CRS and USACE. In this case, permission to resume work must be received by the CCF Project Manager from USACE if within the federal APE, who will notify the CRS and the construction foreman. In the case of any discovery, significant or not, the construction foreman must ensure that work does not proceed until safe to all personnel.

PROTOCOL 2: DISCOVERY OF HUMAN REMAINS

Flowchart 2 details the actions to be taken in the event of the discovery of human remains or suspected human remains. Human remains may include intact burials or isolated bones, including teeth or fragmentary pieces of bone. Under law, the following procedures apply, whether or not an Archaeological

Monitor or Native American Monitor is present. Notification and treatment procedures (if any) will conform with appropriate state and federal statutes, regulations, and guidance, including California Health and Safety Code (Chapter 1492, Section 7050.5), California Public Resources Code sections 5097.94, 5097.98 and 5097.99, Native American Heritage Commission (1994), and CEQA under PRC 5097.98.

The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) (25 United States Code [USC] 3001-3013) would apply if the discovery were made on federal lands. It is important to note that, except on federal land, state law prevails in California in regard to the treatment of human remains.

Work Stoppage

In the event of a discovery of suspected or possible human bone, work at that immediate location and within a 30-meter (100-foot) buffer must halt until a determination has been made as to whether the bone is human. Except to ensure safety, the location of the find will not be backfilled. Further, if the bone is suspected to be human, no spoils shall be moved until a determination of the source of the find has been made. If work is stopped for more than one hour, the CRS will complete a Work Stoppage Log.

Determination of Whether Bone is Human

After work has stopped, the Archaeological Monitor (if present at the discovery), in concert with the CRS, will inspect the bone to determine whether or not it is human. CRS Cindy Arrington is an experienced osteologist. If the bone is assessed as non-human, it is not considered to be an unanticipated discovery and work may proceed.

In the event of a discovery of bone while the Archaeological Monitor is not on site, any maintenance personnel involved in such a discovery will immediately halt work at the discovery site, move off 30 meters (100 feet) and notify a supervisor (or designated substitute), who will immediately notify the CCF Project Manager. The Project Manager will immediately notify the CRS who will direct the Archaeological Monitor, to inspect the find. The Archaeological Monitor, in concert with the CRS, will inspect the bone to determine whether or not it is human. If the find is not human, work may proceed.

If the find is human, the protection and notification procedures described below must be followed immediately. If there is any doubt on the part of the Archaeological Monitor and the CRS about a find potentially representing human remains, work stoppage and protection procedures apply. Either a physical anthropologist or osteologist will be immediately dispatched to the site to confirm identification as human or non-human, or the monitor will complete a Coroner Notification Form, and the County Coroner must be contacted immediately and the notification procedures must be followed.

Protection of the Find

Until the assessment of the find by the Archaeological Monitor, CRS, and/or coroner has been completed, work must remain stopped and no spoils will be removed from a 30-meter (100-foot) radius around the find. After the find has been determined to represent human remains, excavation work and vehicular traffic may not come within 30 meters (100 feet) of the discovery location. After all such activity has been halted, appropriate steps will be taken to ensure that no further disturbance occurs to the discovery until the assessment and notification process has been carried out. At a minimum, the construction foreman will ensure that no ground-disturbing activity by CCF or CCF's agents resumes within 30 meters (100 feet) of the discovery in all directions, and will prevent the resumption of vehicular traffic within the buffer zone. Other steps to secure and protect the discovered remains will be taken, depending on the

nature and particular circumstances of the discovery, potentially including measures such as the posting of a security person, placement of a security fence around the area of concern, or a combination of these measures. Measures taken to protect the remains and any associated artifacts will remain in effect until CCF has received formal notice from the qualified archaeologist to proceed with the construction in the 30-meter (100-foot) buffer zone.

Photographs

No photos will be taken by CCF or CCF's agents of human bone or burials or associated grave goods found in a burial context without the express consent of the Most Likely Descendant (MLD).

Notification

The Archaeological Monitor (if present at the find) will immediately notify the construction foreman and the CRS of the find and will also prepare and provide a Coroner Notification Form to the CRS. The notification form will include the time and location of discovery, a description of the find, and an assessment as to whether the remains are of Native American (archaeological) origin. If the Archaeological Monitor is not present at the find, the CRS will inspect the find or will ensure that it is inspected promptly by an Archaeological Monitor, physical anthropologist, or osteologist and will be responsible to notify the CCF Project Manager and to prepare the Coroner Notification Form for transmittal to the Placer County Coroner. If the CRS or Archaeological Monitor cannot contact the CCF Project Manager immediately, the CRS will be responsible to provide immediate notification by fax and phone to the Coroner.

Upon being notified by the CRS of the presence of possible human remains, CCF's Project Manager will contact the County Coroner's office immediately by phone and a fax transmittal of the Coroner Notification Form. As noted above, the notification form prepared by the Archaeological Monitor or CRS will include a brief description of the discovery and its location, a clear and explicit statement whether the discovery is situated on state or private land, and an opinion as to whether the find is archaeological.

Placer County Coroner
Auburn, CA
530-889-7800

The Coroner is allowed two working days to inspect the find and provide a determination as to whether the remains are archaeological or represent a crime scene. The Coroner may rely on the assessment of the project archaeologist if the find appears to be of Native American origin. If the remains are determined to be Native American, the coroner's office is responsible for contacting the Native American Heritage Commission (NAHC) within 24 hours. The CRS may be requested by the Coroner to complete this contact in order to facilitate response to the discovery. In this instance, the CRS would notify USACE that the NAHC was to be contacted. The NAHC then immediately designates and notifies an MLD. The MLD has 24 hours to inspect the find and provide recommendations for the treatment or disposition, with proper dignity, of the human remains and associated artifacts.

If the NAHC is unable to identify a MLD, or the MLD fails to make a recommendation within 24 hours, or the legal landowner or his/her authorized representative rejects the recommendation of the MLD and subsequent mediation (as per Section 5097.4 subdivision k) fails, the legal landowner or his/her authorized representative, will ensure that reinterment of the human remains and associated grave goods shall take place with appropriate dignity on the property in a location not subject to further subsurface disturbance. If disputes with the legal landowner cannot be resolved, the remains will be reburied as close

as possible to their discovery location, in a place secure from further disturbance, as described above. Reburial location will be subject to the agreement of the private landowner.

Treatment and Reburial of Human Remains

The MLD may provide recommendations for the recovery, treatment, and disposition of the human remains and associated grave goods. If possible within the requirements of the project, CCF will comply with any such recommendations. If CCF cannot comply with the MLD's recommendations due to project constraints and the remains cannot be left in place without further disturbance, CCF will consult with the MLD to select an acceptable reinterment location, and the remains will be removed respectfully by the CRS or Archaeological Monitor and reburied on the property in an area where further disturbance can be avoided. The location will be mapped to ensure that it is protected in future and treated as confidential information.

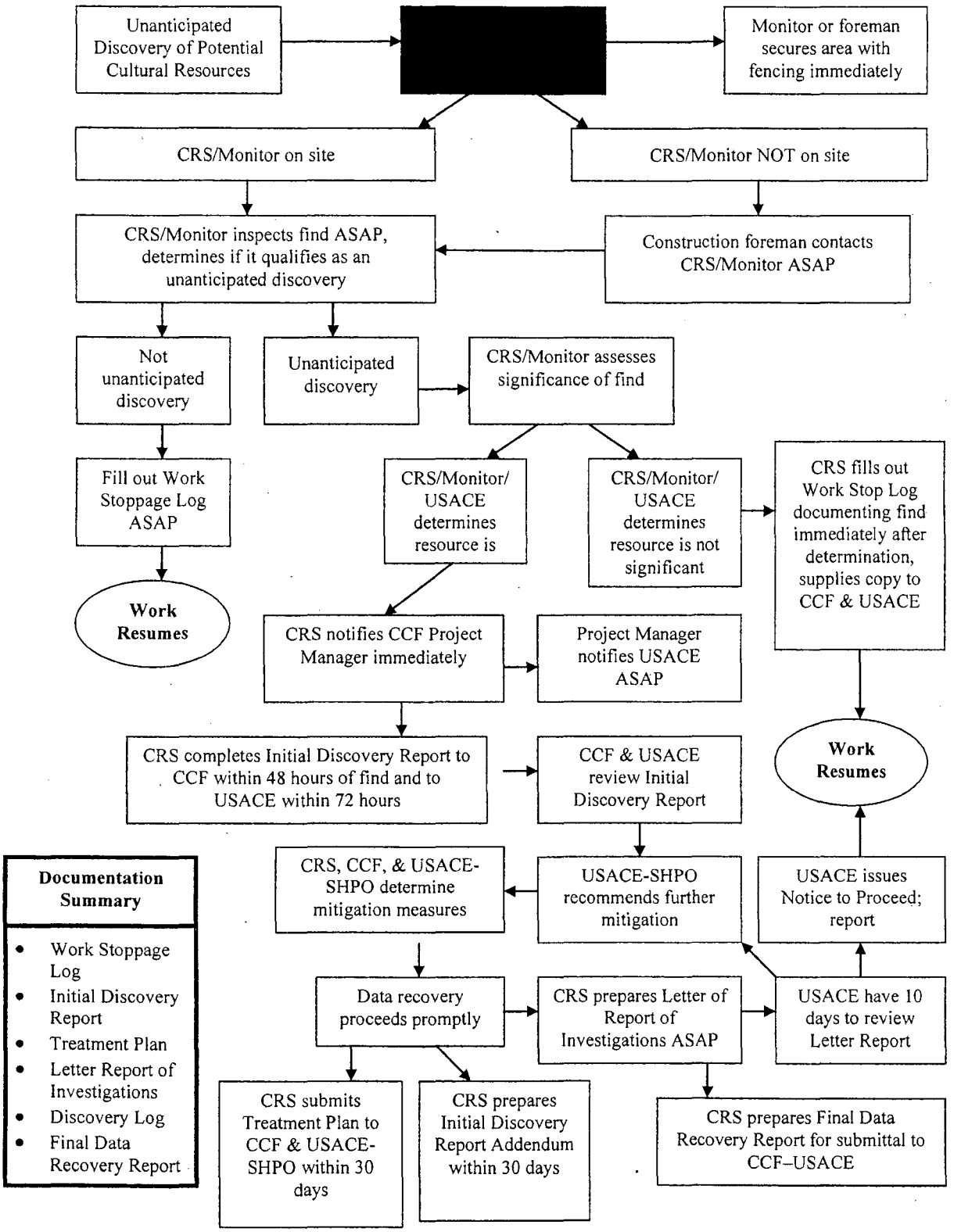
Preservation in place of human remains and associated artifacts at the discovery location may be the MLD's preferred option. If the remains and grave goods will not be subject to further project disturbance, the remains and artifacts and their location will be accurately documented by the Archaeological Monitor on a Burial Record, and the discovery location carefully backfilled to avoid further disturbance. If it cannot be assured that there will be no further subsurface disturbance of the discovery location, human remains and associated cultural items discovered may be exhumed archaeologically, with consultation of the MLD.

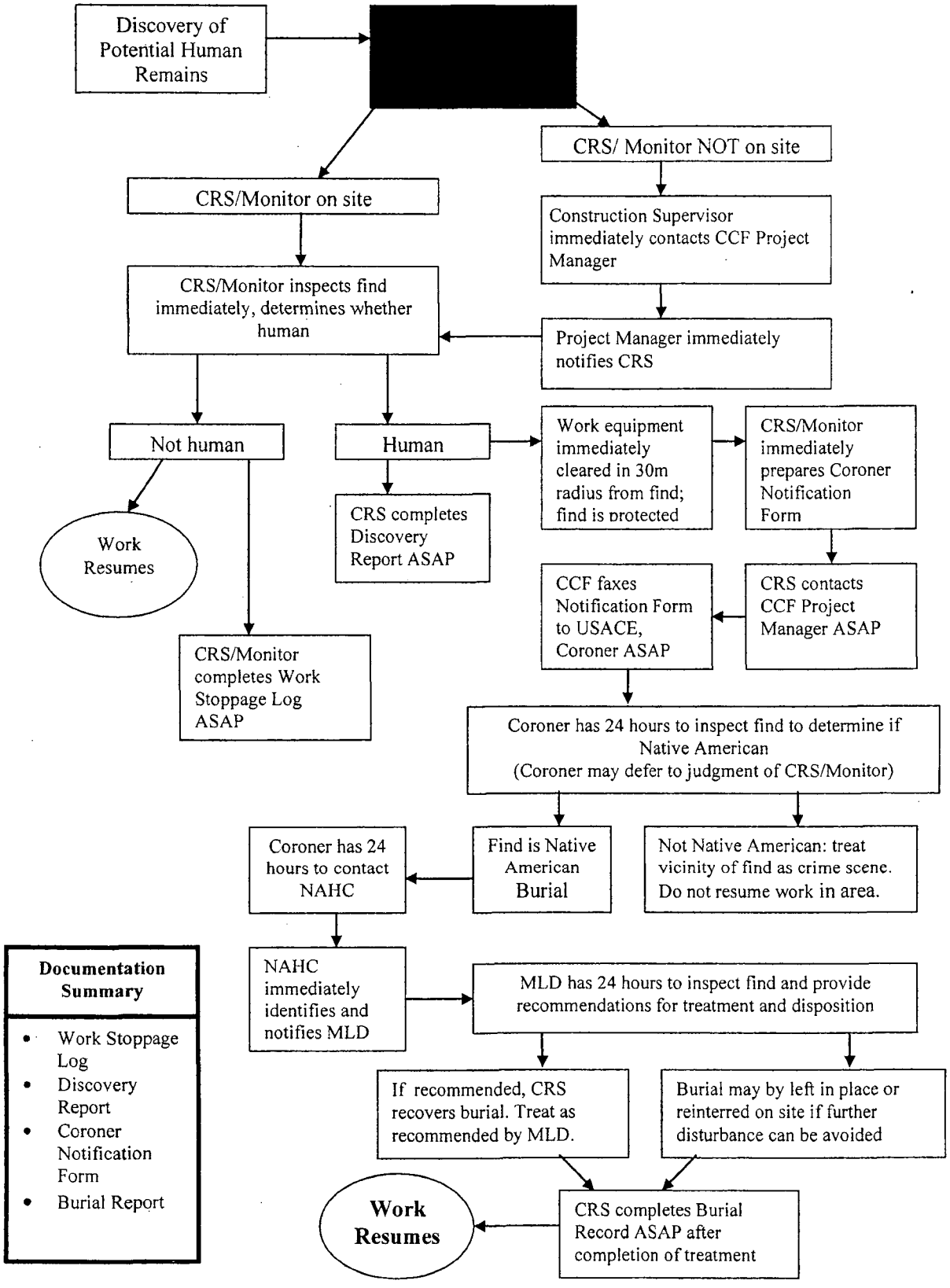
In compliance with CEQA, a qualified archaeologist, physical anthropologist or osteologist may conduct documentation and analysis of human remains and associated grave goods in a laboratory setting prior to reburial, providing that this is in accordance with the recommendations of the MLD. Analyses of human skeletal remains and any associated burial artifacts may include, but are restricted to, non-destructive metric and non-metric osteological investigation, determination of age and sex, and examination of pathological conditions. During analysis, if any, each burial and its associated funerary objects shall be stored as a unit in a secure facility, which shall be accessible to the MLD upon prior arrangement. The analysis of any human remains and grave goods and subsequent reburial shall be completed within a time period to be determined in consultation with the MLD. Any analyses and reports resulting from this examination shall be made available to the Native American community. The CRS or another qualified archaeologist will carry out archaeological documentation of the remains and associated materials.

The remains and associated funerary objects shall be reburied according to the provisions of California Public Resource Code 5097.98(a) and (b). The reburial shall be done in a manner that shall discourage or deter future disturbance. Persons designated by the MLD, with the assistance of GeoEngineers shall conduct the reburial. The location shall be fully documented, filed with the NAHC and the CHRIS, and treated as confidential information.

For security reasons, no news releases, including but not limited to photographs, videotapes, written articles, or other such means that contain information about human remains or burial-related items of Native American origin shall be released by any party during the discovery, recovery, and reburial unless approved by the MLD and the legal landowner.

FLOW CHART 1
PROTOCOL 1: UNANTICIPATED DISCOVERIES




Discovery of Potential Human Remains
CRS/ Monitor NOT on site
CRS/Monitor on site
Construction Supervisor immediately contacts CCF Project Manager
CRS/Monitor inspects find immediately, determines whether human
Project Manager immediately notifies CRS
Not human
Human
Work equipment immediately cleared in 30m radius from find; find is protected
CRS/Monitor immediately prepares Coroner Notification Form
Work Resumes
CRS completes Discovery Report ASAP
CCF faxes Notification Form to USACE, Coroner ASAP
CRS contacts CCF Project Manager ASAP
CRS/Monitor completes Work Stoppage Log ASAP
Coroner has 24 hours to inspect find to determine if Native American
(Coroner may defer to judgment of CRS/Monitor)
Coroner has 24 hours to contact NAHC
Find is Native American Burial
Not Native American: treat vicinity of find as crime scene. Do not resume work in area.
NAHC immediately identifies and notifies MLD
MLD has 24 hours to inspect find and provide recommendations for treatment and disposition
If recommended, CRS recovers burial. Treat as recommended by MLD.
Burial may by left in place or reinterred on site if further disturbance can be avoided
Work Resumes
CRS completes Burial Record ASAP after completion of treatment
Documentation Summary
• Work Stoppage Log
• Discovery Report
• Coroner Notification Form
• Burial Report

APPENDIX A

EXAMPLE 1 - Finds that Qualify as Unanticipated Discoveries

- Bedrock milling station or bedrock grinding slick
- Dense concentrations of prehistoric or protohistoric artifacts (representing more than 3 items within 2 square meters) that appear to represent significant deposit(s) (even if secondary) or in situ archaeological deposit(s) rather than isolated artifacts
- Dense concentrations of historic artifacts (representing more than 10 items within 2 square meters) that appear to represent significant deposit(s) (even if secondary) or in situ archaeological deposit(s) rather than isolated artifacts. Such resources may have a minimum age of 45 years, or less than 45 years if unique or remarkable
- Dense concentrations of non-human bone (representing more than 10 items within 2 square meters) that appear to represent significant deposit(s) (even if secondary) or in situ archaeological deposit(s) rather than isolated artifacts
- Prehistoric or protohistoric cultural features (e.g., trails, trailside shrines, rock cairns, rock art, storage pits, concentrations of ceramic sherds, burned rock configurations)
- Historic cultural features (e.g., privies, trash pits)
- Any evidence of human remains
- Funerary objects, sacred objects, and cultural patrimony associated or unassociated with human remains
- Known resources that may be impacted in a previously unanticipated manner
- Any other unique, remarkable or potentially data-rich artifacts or features that, in the professional opinion of the CRS or Archaeological Monitor, could yield important additional information about the prehistory or history of the area
    - Examples of unique, remarkable or potentially data-rich artifacts or features include projectile points, obsidian artifacts, ceremonial objects, shell beads, clay figurines, worked bone tools, middens, hearths, remains of structures

APPENDIX A

EXAMPLE 2 - Finds that Do Not Qualify as Unanticipated Discoveries

- Individual prehistoric or protohistoric artifacts or groups of prehistoric or protohistoric artifacts, with no temporally diagnostic characteristics, or have no potential to yield important information about the prehistory of the area, and representing less than 3 items within 2 square meters, with no apparent potential for further artifacts or features in that area
- Individual historic artifacts or small deposits of historic artifacts, which are not unique or remarkable, or have no potential to yield important information about the history of the area, representing less than 10 items within 2 square meters, not deemed to represent a historical site and with no apparent potential for further artifacts or features in that area
- Individual non-human bones or groups of bones, representing less than 10 items within 2 square meters, with no apparent potential for further artifacts or features in that area
- Styrofoam® (foamed polystyrene), which was introduced in the U.S. in 1954, and other polymer plastic materials
- All materials (glass, ceramic, plastic, rubber, etc.) with maker's marks that indicate they were produced after 1959
- Cans made from aluminum or bi-metal, or those with pull-tab or push-tab (metal or plastic) openings
- Various modern (less than 45 years old) agricultural and ranching utility features (e.g., water pipes, irrigation pipes, electricity conduits, etc.) associated with barns, sheds, and other related structures
- Various modern (less than 45 years old) utility features (e.g., water pipes, electricity conduits, etc.) associated with residences and related structures (e.g., garages, sheds)
- Modern (less than 45 years old) suburban or urban infrastructure and associated debris, including water, sewer, and other pipes; manholes, drains; power poles; other utilities; old asphalt pavement; concrete curb and gutter remnants; and any features that have characteristics suggesting that they are related to suburban or urban infrastructure, even if an exact function cannot be determined

APPENDIX F

REPORT LIMITATIONS AND GUIDELINES FOR USE

APPENDIX F
REPORT LIMITATIONS AND GUIDELINES FOR USE[1]

This appendix provides information to help you manage your risks with respect to the use of this report.

CULTURAL RESOURCE SERVICES ARE PERFORMED FOR SPECIFIC PURPOSES, PERSONS AND PROJECTS

This report has been prepared for Celebration Community Fellowship and the U.S. Army Corps of Engineers and their authorized agents and regulatory agencies. The information contained herein is not applicable to other sites.

GeoEngineers structures our services to meet the specific needs of our clients. No party other than Celebration Community Fellowship may rely on the product of our services unless we agree to such reliance in advance and in writing. This is to provide our firm with reasonable protection against open-ended liability claims by third parties with whom there would otherwise be no contractual limits to their actions. Within the limitations of scope, schedule and budget, our services have been executed in accordance with our Agreement with the Client and generally accepted practices in this area at the time this report was prepared. Use of this report is not recommended for any purpose or project except the one originally contemplated.

A CULTURAL RESOURCE REPORT IS BASED ON A UNIQUE SET OF PROJECT-SPECIFIC FACTORS

This report has been prepared for Celebration Community Fellowship. GeoEngineers considered a number of unique, project-specific factors when establishing the scope of services for this project and report. Unless GeoEngineers specifically indicates otherwise, it is important not to rely on this report if it was:

- not prepared for you,
- not prepared for your project,
- not prepared for the specific site explored, or
- completed before important project changes were made.

CULTURAL RESOURCE FINDINGS ARE PROFESSIONAL OPINIONS

Cultural resource assessments are based on professional opinions derived from our analysis and interpretation of available documents, records and literature produced by others as well as our field explorations and observations as described herein. It in no way represents absolute conditions regarding the existence of cultural resources. No cultural resources study can wholly eliminate uncertainty, regarding the potential for prehistoric sites, historic properties or traditional cultural properties to be associated with a project. Knowledge of site-specific activities that may have occurred over time and the significance of those actions are difficult to assess without exploration.

THIS REPORT DOES NOT ADDRESS ENVIRONMENTAL CONTAMINATION

The equipment, techniques and personnel used to perform an environmental study differ significantly from those used to perform a cultural resources study and vice versa. For that reason, a cultural resources report does not relate any environmental findings, conclusions or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants.

[1] Developed based on material provided by ASFE, Professional Firms Practicing in the Geosciences; www.asfe.org.

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Response to Mitigated Negative Declaration for Project: PMPA T20070467

The village site of Hownosum Soka and the burial grounds of Hownosum Ustu will be severely affected by the proposed construction of this 18,000 square-foot church and associated outdoor activity space and parking lot. The presence of these culturally significant sites within the boundaries of the project area are strongly supported by cultural heritage, oral history, ethnographic documentation, and archaeological evidence. Since this project is being conducted under Section 106 of the National Historic Preservation Act (NHPA) and implementing regulations of the Advisory Council on Historic Preservation (36 CFR 800) such evidence must be given the strongest weight. The cultural resource investigations so far conducted have been highly flawed - both in terms of professional and technical standards and also in the simple inclusion of all pertinent ethnographic facts. It is determined by the Tsi'-Akim Maidu that the ground disturbances created by such a construction would be highly culturally disruptive as well as destructive of potentially important archaeological remains.

The lead cultural resource investigative group retained by the Celebration Community Fellowship (CCF) for the first survey was NCR Consulting and the second survey was GeoEngineers. Both groups performed limited literature searches with regards to the potential presence of cultural resources upon the property. NCR Consulting referenced the ethnographic village of Hownosum Soka and the cemetery of Hownosum Ustu without attempting to locate these sites. Following the raising of concerns by the Tsi'-Akim Maidu that this proposed construction area was the culturally identified location of these sites, a second survey was initiated by GeoEngineers. However, no mention of this ethnographic information or oral history was referenced in their report. In fact the resources they list in their literature search were instead resources that are more likely to provide information simply about historic resources and not ethnohistoric ones. This begs the question of why they did not follow up on the information present in the NCR Consulting report and on the information provided by the Tsi'-Akim Maidu. Furthermore, there was no listing of information which was contributed by the Native American monitor who was present on the site during the investigation. This information would have underlined the traditional cultural importance of this site as well as informed the surveys about the surrounding archaeological resource district within which this project area is just a small portion.

The first pedestrian surface survey conducted by NCR Consulting showed several locations of flake-stone lithic scatters as well as historic activity areas. These lithic scatters contained both groundstone, basalt flakes, and other materials which support the ethnographically suggested presence of a nearby village site on the southern side of the project area. However, the pedestrian survey which was performed by GeoEngineers recorded only historic surface artifacts over the entire project area. The second survey had transects with extremely high breadth at 15 meter intervals. It is contradictory and misleading that the provided map has an English unit bar rather

than a metric which successfully hides the minimal amount of transects conducted. GeoEngineers also made reference to the previous survey work without outlining what was done or found. A simple read of the second pedestrian survey would lead one to assume there could be no pre-historic component on the surface of the southern section of the project area. It might be assumed that the poor survey component conducted was due to the previous data being considered adequate, but this was not included in their documented report. Therefore, it is obvious that the pedestrian survey report by GeoEngineers is highly superficial and inadequate.

Auger Units were subsequently excavated by GeoEngineers and were scattered over the entire surface of the project area. These units produced both prehistoric and historic era components. In fact, an extremely high percentage of these units produced cultural items (21/23) with 19/23 being considered as possessing prehistoric material. The distribution of these producing units over the entire project area supports the presence of wide spread cultural activity occurring at this location. In fact, all the evidence provided does not indicate any edge to this site within the project boundaries, simply concentrations. The findings thus mirror the results of the NCR Consulting pedestrian survey report. However, for some reason the majority of this information was discounted as being simply evidence of a lithic artifact scatter. If GeoEngineers had properly placed this evidence within the realm of ethnohistoric interpretation and a reading of topographical conditions, a different picture would have emerged of this "lithic scatter" being the outskirts of Hownosum Soka village. Human remains were also recovered from several of these Auger Units. The determination was made that the Most Likely Descendants were the Tsi'-Akim Maidu. These remains provide evidence for the location of Hownosum Ustu and provide further concrete support of the oral history and ethnohistoric information being provided by the Tsi'-Akim Maidu.

NCR Consulting placed two test excavation units on the south side of the drainage. The unit closest to the drainage showed more cultural materials including fire affected rock. This further supports the idea of the archaeological deposits being more substantial than simply a "lithic scatter". Meanwhile Geo-Engineers placed four test excavation units in the area noted as being midden deposits by NCR Consulting on the north side. In contrast, Geo-Engineers says no midden deposits were noted even though they state that this location had the highest artifact density. The test excavations performed by Geo-Engineers uncovered even more beads, ceramic sherds, and fragmented human remains. An independent analysis of the locations of these four test excavations determined that were they were all extremely closely spaced and all placed within locations of previous pot-hunting activity. It is thus not surprising that Geo-Engineers determined that all the deposits were highly disturbed from pot-hunting and highway construction activity. There were no test units placed in other areas of the project area to determine site boundaries or in locations where berry bushes would have protected the ground from pot-hunting disturbance. The presence of trees of significant age that were very likely present at the time of past cultural activity supports the idea of areas of limited disturbance which

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may contain intact cultural deposits. In fact the Geo-Engineers report does not show that they used the topographical or botanical aspects of the environment to enlighten their testing. Since Geo-Engineers only completed four test units instead of their proposed seven test units, it raises the question as to whether they were pressed by time constraints and if so why they did not utilize the wealth of information at their disposal to better conduct their testing and to formulate their report.

The statement by Geo-Engineers that "Though human remains were recovered, there is no indication that GEO-01-09 functioned as a burial or Cry Site" is purely ludicrous. How else do you explain the presence of human bone, both burnt and unburnt, and melted beads? Repeated internment activity and the annual burning of personal possessions would explain much of the archaeological evidence uncovered. Geo-Engineers did no statistical analysis regarding the presence of melted beads or other fire affected cultural items with the human bone remains. In fact, the "pitted" and "brown discoloration" mentioned regarding some of the beads could have being in fact related to burning. There was no attempt at charcoal recovery or any paleoethnobotanical analysis, even though evidence of fire activity is obviously present. The fact that this is an ethnographically documented cry location suggests that there was even a historic period usage which explains some of the components which the Geo-Engineers report dismisses as historic trash disturbing a prehistoric site. In fact the description and analysis of the recovered artifacts do not preclude any of the historic components from being from ethnohistorically documented activities. Until the archaeological evidence is placed within the context of ethnographic and ethnohistorical information, a true evaluation of its worth is impossible.

The various cultural resource studies that have been conducted regarding this proposed construction do not support any supposition that the limits of the proposed Environmental Sensitive Area would safeguard the culturally sensitive remains of Hownosum Ustu. In fact the evidence so far uncovered supports the idea that quite a number of future discoveries of human remains will be made during the proposed construction. Even though a monitoring and treatment plan has been proposed to deal with "unanticipated" discoveries - all evidence points to the possibility of further discoveries should be instead highly anticipated. This possibility is strongly supported by what has already been uncovered and by the ethnographic information regarding the location. This site is associated with lives of persons important in the past of the Tsi'-Akim Maidu and may as yet be likely to yield information important to the critical proto-historic period of these people. The mass introduction and concentration of diseases, the loss of land and territory, violence, malnutrition and starvation which accompanied the gold seekers and other immigrants may be directly related to this location as a cry site. Due to the presence of human remains alone, this site is strongly perceived as of present cultural importance to their Most Likely Descendants - the Tsi'-Akim Maidu. Through the entire process of this environmental review the Tsi'-Akim Maidu have and continue to indicated a strong concern about this project and the impact it will have upon their heritage.

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As Grayson Coney (Cultural Director of the Tsi'-Akim Maidu and Monitor for the last Phase II Survey) relates: If Hownosum Soka Village were a pie plate, the proposed church site would be a silver dollar in the middle of the plate and Hownosum Ustu would be a dime resting on top of the silver dollar. The proposed church site encompasses only a fraction of the entire village site. The immediate properties surround the proposed church site contain other features not brought to light by survey work done to date - i.e., Milling Station aprox. 200 feet south, Round House site aprox. 300 feet south, Pit House sites with Middens aprox. 400 feet west/southwest, Kitchen Middens aprox. 600 feet south, Milling Station aprox. 150 feet north, and Stone Quarry aprox. 2000 feet north/northwest. When evaluating the importance of Hownosom Soka we must include this information. Furthermore, the likelihood of a stop-and-go construction project should be foreseen as the proposed church site lies atop of alluvium continuously laid down. Strata containing cultural artifacts will be found below sterile lenses should construction occur. These horizontal and vertical factors will directly translate into a definite negative environmental impact upon this important traditional cultural feature if the project goes forward as planned.

Due to this professional review of the work done to date, the observations of our monitor concerning this work, and the inherent traditional importance of this location, it is the expressed wish of the Tsi'-Akim Maidu that no construction occur and that a cultural easement be expanded to include the entire site.

In all sincerity,

Don Ryberg

DON RYBERG
TSI'-AKIM MAIDU TRIBAL CHAIR