

## CHAPTER 3.0

### RESPONSES TO COMMENTS

This section contains the written and oral comments that were received on the Draft EIR (DEIR) during the public review period. Following each comment letter is a response intended to either supplement, clarify, or amend information provided in the DEIR, or refer the commenter to the appropriate place in the DEIR where the requested information can be found. Those comments that are not directly related to environmental issues are noted for the record.

Many of the letters received commented on the draft Foresthill Divide Community Plan as well as the DEIR. Unless the Community Plan comment raised an environmental issue not otherwise addressed, comments on the draft Community Plan are presented, but are not responded to in this Chapter. This is in keeping with the intent of CEQA and the CEQA Guidelines (Section 15088(a)).



Letter 1

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER  
GOVERNOR

CYNTHIA BRYANT  
DIRECTOR

March 6, 2008

RECEIVED

MAR 07 2008

Maywan Krach  
Placer County Planning Department  
3091 County Center Drive  
Auburn, CA 95603

ENVIRONMENTAL COORDINATION SERVICES

Subject: Revised Foresthill Divide Community Plan Draft EIR (PEIR T20070206)  
SCH#: 2001092094

Dear Maywan Krach:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on March 5, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

A

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2001092094  
**Project Title** Revised Foresthill Divide Community Plan Draft EIR (PEIR T20070206)  
**Lead Agency** Placer County Planning Department

---

**Type** EIR Draft EIR  
**Description** Proposed to supersede the 1981 Foresthill General Plan in order to comprehensively address issues facing the community and to responsibly and proactively plan for the next 20 years.

---

**Lead Agency Contact**

**Name** Maywan Krach  
**Agency** Placer County Planning Department  
**Phone** 530-745-3132 **Fax**  
**email**  
**Address** 3091 County Center Drive  
**City** Auburn **State** CA **Zip** 95603

---

**Project Location**

**County** Placer  
**City** Auburn  
**Region**  
**Cross Streets** Foresthill Road  
**Parcel No.** Various  
**Township** 14/15N **Range** 10/11E **Section** Multip **Base** MDB&M

---

**Proximity to:**

**Highways**  
**Airports**  
**Railways**  
**Waterways** American River and various reservoirs, streams, creeks  
**Schools** Foresthill Union School District  
**Land Use** Various

---

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

---

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Game, Region 2; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; California Highway Patrol; Caltrans, District 3; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

---

**Date Received** 12/05/2007 **Start of Review** 12/05/2007 **End of Review** 03/05/2008

Letter 1      **Terry Roberts, Director, State Clearinghouse, Governor's Office of Planning and Research**

**Response 1-A:** All letters received from the Clearinghouse are included in Chapter Three and, in accordance with CEQA Guidelines Section 15088, written responses to all comments received are provided herein.



**PLACER COUNTY DEPARTMENT OF  
AGRICULTURE  
WEIGHTS AND MEASURES**

---

11477 E Avenue, Auburn, CA 95603-2799 (530) 889-7372 FAX (530) 823-1698

**CHRISTINE E. TURNER**  
Agricultural Commissioner/  
Sealer of Weights and Measures

March 5, 2008

TO: Maywan Krach, Planning Department

FROM: Christine Turner, Agricultural Commissioner

**SUBJECT: FORESTHILL DIVIDE COMMUNITY PLAN - PEIR - T20070206**

I am submitting the following comments regarding the Foresthill Divide Community Plan - Revised Draft Environmental Impact Report (RDEIR) dated November 2007:

The California Department of Food and Agricultural Code, Section 22, defines the planned production of trees as:

**22. Inasmuch as the planned production of trees is distinguishable from the production of other products of the soil only in relation to the time elapsing before maturity, the production of trees shall be considered a branch of the agricultural industry of the state for the purposes of any law which provides for the benefit or protection of the agricultural industry of the state.**

The Placer County General Plan, Section 7, identifies the Goals and Policies related to Agricultural and Forest Resources. Specifically, the Forest Resources Goals and Policies are:

**Goal 7.E:** To conserve Placer County's forest resources, enhance the quality and diversity of forest ecosystems, reduce conflicts between forestry and other uses, and encourage a sustained yield of forest products.

**Policies**

**7.E.1.** The County shall encourage the sustained productive use of forest land as a means of providing open space and conserving other natural resources.

**7.E.2.** The County shall discourage development that conflicts with timberland management.

**7.E.3.** The County shall work closely and coordinate with agencies involved in the regulation of timber harvest operations to ensure that County conservation goals are achieved.

A

**7.E.4.** The County shall encourage qualified landowners to enroll in the Timberland Production Zone (TPZ) program.

The General Plan also identifies Implementation Programs to accomplish these Goals and Policies related to Forest Resources as:

**7.6.** The County, in consultation with the California Department of Forestry and Fire Protection, shall conduct a careful evaluation of the Forest Practice Rules with regard to clear cutting and other forest management practices with potential visual impacts; use of prescribed burning; protection of biological, soil, and water resources; and protection of old growth forest in Placer County. If the Forest Practice Rules are found to be inadequate, a Special Forest Practice Rules package for Placer County shall be proposed to the Board of Forestry to address these inadequacies.

Responsibility: Planning Department  
Agricultural Commissioner  
Board of Supervisors

**7.8.** The County shall encourage the U.S. Forest Service and the California Department of Forestry and Fire Protection to identify the potential impacts on, and the need for preservation of, old growth forests in Placer County.

Responsibility: Planning Department  
Agricultural Commissioner

As the Placer County Agricultural Commissioner, I am required by California Food and Agricultural Code, Section 2279, to prepare an annual Crop Production Report. That annual report includes information on the County's gross timber harvest values. In 2006, gross timber sales represented \$11,583, 044, or 18% of the County's total gross agricultural value.

The Foresthill Divide Community Plan - Revised Draft Environmental Impact Report (RDEIR) needs to thoroughly examine the site specific, and cumulative, effects of losing forest resources/soils from the County's forest agricultural land resource base that would result from development and recommend mitigation measures for the conversion of forest land to non-forest uses. The Foresthill Divide area has soils that are very well suited for growing trees and the production of timber. It is important to note that under the California Environmental Quality Act (CEQA), significant environmental effects, such as the loss of resources, of proposed activities must be identified, avoided or mitigated.

A review of other state, county and municipal jurisdictions reveal a range of recommended mitigation ratios for the conversion of agricultural (forest) land to non-agricultural (forest) uses from 1:1 to 4:1 depending on the resource value of the specific site. I recommend the Foresthill Divide Community Plan require a minimum of 1:1 for each acre of forest agricultural land converted to a non-forest agricultural use an equivalent acre (or better) of forest agricultural land needs to be preserved within Placer County. A mitigation ratio of 1:1 still results in a 50% net loss to the County's forest agricultural resource base and would remain a significant impact.

A cont.

B

Thank you for the opportunity to offer comments regarding the Foresthill Divide Community Plan - Revised Draft Environmental Impact Report (RDEIR). Please feel free to contact me at (530) 889-7372 should you have any questions about my comments.

cc: Placer County Agricultural Commission

Letter 2      **Christine E. Turner, Agricultural Commissioner, Placer County Department of Agriculture Weights and Measures.**

**Response 2-A:** Comment noted. All applicable policies of the Placer County General Plan related to Agricultural and Forest Resources located within the FDCP have been identified in the DEIR Section 3.6 – Natural Resources/Conservation/Open Space.

**Response 2-B:** Comment noted. Although the goals and policies of the proposed FDCP are designed to protect and preserve existing forest and timber resources with approximately 66% of the plan area designated for Open Space or Timberland uses, ultimate conversion of timberlands (identified as an agricultural resource by the commenter) under the proposed FDCP has been identified as a cumulative, significant and unavoidable impact with or without inclusion of the Forest Ranch Concept Plan component in the FDCP (DEIR pages 3-179 and 3-182). As stated by the commenter, inclusion of a 1:1 preservation standard for lost timberland (as recommended by the commenter) as a mitigation requirement in the EIR would not reduce this impact to a level of insignificance and a statement of overriding consideration at the time of FDCP approval would still be required.



**From:** Crystal Jacobsen  
**To:** Maywan Krach;  
**cc:** Loren Clark;  
**Subject:** FW: Foresthill Divide Community Plan Revised Draft EIR  
**Date:** Wednesday, March 05, 2008 3:52:09 PM

---

FYI – see below

\*\*\*\*\*

Crystal Jacobsen  
Supervising Planner  
Placer County Planning Department  
3091 County Center Drive, Suite 140  
Auburn, CA 95603  
530.745.3085 (Direct)  
530.745.3000 (Main)  
530.745.3080 (Fax)  
[cjacobse@placer.ca.gov](mailto:cjacobse@placer.ca.gov)

\*\*\*\*\*

---

**From:** Andy Fisher  
**Sent:** Wednesday, March 05, 2008 3:51 PM  
**To:** Crystal Jacobsen  
**Cc:** John Ramirez; Albert Richie  
**Subject:** Foresthill Divide Community Plan Revised Draft EIR

Crystal:

On behalf of the Placer County Department of Facility Services, we offer the following comment to the Foresthill Divide Community Plan Revised Draft EIR.

The second paragraph of page 3-108 of the Revised Draft EIR states:

“...Additionally, the Parks Division is currently working on an Environmental Impact Report for a trail that would run from the confluence of the Middle Fork and the North Fork of the American River to Ponderosa Bridge on the North Fork. The Foresthill Divide Community Plan Trails Map identifies a connection from that trail to the eastern edge of the Plan area...”

The referenced trail being studied by the Parks Division is the North Fork American River Trail Project. The proposed North Fork American River Trail terminates at Ponderosa Road near the Ponderosa Bridge and is designed to be a stand alone trail having self contained utility without connection to any larger trail network outside of specific connections to existing trails within the Auburn State Recreation Area. The specific trail connections within the Auburn State Recreation area are

A

with the Connector Trail, Foresthill Divide Loop Trail, and Fuel Break Trail. Thank you.

A cont.

Andy Fisher, Parks Planner  
Placer County Parks Division  
11476 C Avenue  
Auburn, CA 95603  
Office (530) 889-6819  
fax (530) 889-6809

Letter 3: Andy Fisher, Parks Planner, Placer County Parks Division

Response 3-A: The second paragraph on page 3-108 of the DEIR is amended as follows in response to the comments from the Placer County Parks Division:

Strong community support in combination with the leadership of the FTA has helped with maintenance of existing trails and the development of additional trails. Identification of additional trails and their maintenance are a high priority among local residents. The 10-mile Foresthill Divide Loop Trail was completed in 1999 with the help of volunteer community labor. The Foresthill Divide Loop Trail, managed by the California Department of Parks and Recreation, is located on Bureau of Reclamation (BOR) land that was acquired for the Auburn Dam, a project that has never been constructed. The Foresthill Bridge was designed to span the reservoir that would have resulted had the Auburn Dam been completed. The trail parallels both sides of Foresthill Road. A new 3-mile multi-use trail segment has been constructed that extends the trail toward Auburn from Lower Lake Clementine Road. Currently referred to as the “connector trail,” a formal name has not yet been designated by the California Department of Parks and Recreation. The County Department of Facility Services Parks Division and Foresthill community have worked together to create a trails plan for the Foresthill Divide Community Plan (see Figure III-5 of the FDCP). Additionally, the Parks Division is currently working on an Environmental Impact Report for a trail (The North Fork American River Trail Project) that would run from the confluence of the Middle Fork and the North Fork of the American River to Ponderosa Road near Ponderosa Bridge on the North Fork. This trail is designed to be a stand alone trail having self contained utility without connection to any larger trail network outside of specific connections to existing trails within the Auburn State Recreation Area. The specific trail connections within the Auburn State Recreation Area are with the Connector Trail, Foresthill Divide Loop Trail, and Fuel Break Trail. ~~The Foresthill Divide Community Plan Trails Map identifies a connection from that trail to the eastern edge of the Plan area.~~ The FTA is in favor of building the trail and hoping a route can be found that minimizes any environmental impact. The Monte Verde Estates development has constructed a trail segment through the development that provides access to public land. This trail segment ends at the fence at the border of the public land. The FTA is working with the California Department of Parks and Recreation to try to eventually link to a further extension of the Foresthill Divide Loop Trail behind the Monte Verde Estates development.



United States  
Department of  
Agriculture

Forest  
Service

American River  
Ranger  
District

22830 Foresthill Road  
Foresthill, CA  
95631  
530 367-2224  
530 367-2226 TDD  
530 367-2992 FAX

File Code: 1560

Date: March 5, 2008

Maywan Krach  
Environmental Coordination Services  
Placer County Community Development Resource Agency  
3091 County Center Drive, Suite 190  
Auburn, CA 95603

Dear Ms. Krach:

Please accept the following comments regarding Placer County's Revised Draft Environmental Impact Report (DEIR) for the Foresthill Divide Community Plan (Plan) (PEIR T20070206 / State Clearinghouse # 2001092094).

There are two areas of interest we have in this DEIR: (1) ensuring that general information about the Tahoe National Forest and forest activities, land uses, and resources is accurate; and (2) identifying the need for additional consideration of and mitigation for impacts on National Forest lands. In general, we find that during the planning of this document, it appears that very little communication or coordination with the Forest Service took place, resulting in significant deficiencies in both the Plan and the DEIR.

A

**Tahoe National Forest Information**

The DEIR contains inaccurate information pertaining to Tahoe National Forest lands within the Plan area and in the surrounding Ranger District. Enclosed are documents that can help update the information about the Tahoe National Forest in both documents, including the Tahoe National Forest Land and Resource Management Plan (1990) as amended by the Sierra Nevada Forest Plan Amendment (2004) and other minor plan amendments as well as various publications about recreational opportunities on the American River Ranger District. Some specific corrections are:

B

1. The name of the administrative unit of the Forest Service in this Plan area is the American River Ranger District, Tahoe National Forest
2. The Plan and DEIR statement that the Sugar Pine Reservoir is "owned and operated by Foresthill Public Utility District" is not accurate. Sugar Pine Reservoir is located on and surrounded by National Forest lands; use of the land for a reservoir is authorized by the Forest Service through a special use permit to the Foresthill Public Utility District.
3. Information on the Forest Service's Sierra Nevada Forest Plan Amendment process is out of date. The Sierra Nevada Forest Plan Amendment Record of Decision was signed in 2004. Information on this decision can be found at the following website:  
<http://www.fs.fed.us/r5/snfpa/>.

C

D

E



4. The permanent Forest Service workforce on the American River Ranger District is comprised of 50% residents of Foresthill, accounting for approximately 40 jobs.
5. Recreation areas: Information on recreation areas within the Plan area and outside the area is inaccurate. Please see the enclosed information about recreational opportunities on the American River Ranger District. An important recreation area missing in the Plan and DEIR is the Foresthill OHV Trail System in the Sugar Pine area. Also, there is no Oxbow Recreation Area on the American River Ranger District.
6. The North Fork of the American River is a designated “Wild River” (not “Wild and Scenic” river) within the Wild and Scenic River Act. Also, the Middle Fork American River is currently under study as for designation as Recreation River under the Wild and Scenic Rivers Act.
7. In the Plan and DEIR description of agriculture and timber resources in the Plan area, there is no mention of such projects on National Forest land. Please contact this office if you would like more information about Forest Service vegetation and fuels management projects.
8. The Visual Resources policies of the Plan do not address regulating visual impacts to National Forest visitors – specifically measures to mitigate the visual effects associated with increased development by those visiting/recreating in the adjacent National Forest.

F

G

H

I

J

**Potential Impacts to National Forest**

The Plan and DEIR fail to address appropriate jurisdictions and requirements when proposing activities or improvements on National Forest lands. The DEIR also fails to adequately consider impacts to National Forest lands and does not include mitigation measures for adverse impacts.

K

Chapter 2: Project Location

The Plan area increased from 56 square miles in past planning efforts to 109 square miles in the current proposed plan. The DEIR states that “The current Plan area encompasses more of the Foresthill Divide, and more accurately represents a fairly cohesive, yet spread-out geographical community.” The proposed Plan area includes a great deal of Tahoe National Forest lands, much of which does not contain private inholdings. Please explain further the need for the proposed Plan boundary, specifically the portion containing National Forest lands.

L

Chapter 3: Environmental Setting, Impacts, and Mitigation Measures

Section 3.2 – Land Use

The DEIR does not address impacts to National Forest lands nor does it include mitigation measures for potential adverse impacts to National Forest lands should development of private lands within National Forest boundaries (inholdings) take place. These impacts include:

M

1. greater risk of human-caused wildfire and greater need for fuel reduction work on National Forest lands;

2. increased potential for trespass onto National Forest lands; and
3. impacts to current and future recreational uses on National Forest lands adjacent to private inholdings.

M cont.

Section 3.3 – Aesthetics

1. The Plan’s Policy #3.C.1-12 discusses landscaping requirements for new projects outside the commercial core area of Foresthill (along Foresthill Road, Foresthill - Soda Springs Road, and Mosquito Ridge Road). Landscaping requirements designated by the State or County along National Forest roads require coordination and cooperation with the Forest Service, including coordination with Forest Service fire/fuel management objectives and landscape objectives along travel routes. This coordination has not taken place to date.

N

2. The Plan’s Policy 4.A.14-5 states that Foresthill Road to Robinson Flat; Mosquito Ridge Road to Robinson Flat; and Robinson Flat Road from Mosquito Ridge to Foresthill Road shall be designated as scenic highways. These roads are National Forest System roads or county roads within the Tahoe National Forest. For National Forest System roads, the authority to designate them as scenic highways must be made jointly with the Forest Service. Designation of county or state roads as scenic highways should be coordinated with the Forest Service. Should any of these roads be designated, a management plan should be jointly developed to determine what type of activities would be encouraged or permitted within the route’s corridors. To date, the Forest Service has not been involved in discussions about the proposed scenic highways within this Plan.

O

Section 3.5 – Parks and Recreation

1. The Plan highlights recreational use on Tahoe National Forest as means to attract more visitors and revenue to the community. The DEIR does not include mitigation measures to address the impacts associated with increased recreational use on the Forest Service’s ability to manage that increased use.

P

2. The Plan’s Policy #3.C.1-15 states that “Wherever possible an all weather trail (e.g., decomposed granite), roughly parallel to but physically separate from Foresthill Road and Foresthill - Soda Springs Road, shall be provided for non-motorized use.” Coordination and cooperation with the Forest Service and other land owners are required for any trail planning along this road. No discussion about proposed trails within the Plan area has taken place with the Forest Service to date.

Q

3. The Plan identifies at least one proposed trail on National Forest. Establishing or designating trails on National Forest land requires coordination and cooperation with the Forest Service. To date, the Forest Service has not been involved in discussions about this or any other proposed trail for this Plan.

R

4. The Plan’s Table 3.5-2 (Trails on or Near the Foresthill Divide) correction: There is no 12-mile Mumford Bar Trail located ten miles north of Foresthill; the 3.14-mile trail called Mumford Bar Trail is correct.

S

5. The Plan's Table 3.5-1 (Summary of Recreational Areas and Facilities In or Near the Plan Area) correction: Poppy Campground is located outside the Plan area and is part of the French Meadows area.

T

MISC

The Plan's Policy #3.D.13-15 states "The County shall work with local fire protection agencies, the California Department of Forestry and Fire Protection, and the U.S. Forest Service to promote the maintenance of existing fuel breaks and emergency access routes for effective fire suppression." The Plan does not address nor does the DEIR include mitigation measures for the adverse impact caused by increased populations in the more remote reaches of the project area; specifically, the adverse impact of the difficulty of responding to fires and other emergencies.

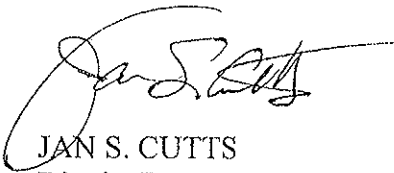
U

One final comment is that it is important for the County to remember that county or local plans do not have jurisdiction on National Forest lands, and that local zoning or other land use restrictions also do not apply to Federal lands.

V

Thank you for the opportunity to comment on this project. Please contact me at the above numbers or by email ([jcutts@fs.fed.us](mailto:jcutts@fs.fed.us)) if you have any questions or if I can be of assistance with resolving the comments above.

Sincerely,



JAN S. CUTTS  
District Ranger

Cc: Tom Quinn

Enclosures

Letter 4: Jan S. Cutts, District Ranger, United States Department of Agriculture

Response 4-A: Comment Noted. The Forest Service has been sent notices throughout the process of updating the community plan and consideration of the Forest Ranch project.

Response 4-B: Comment Noted. These documents will be utilized to update the information in the community plan and the Draft EIR.

Response 4-C: The following changes will be made to the DEIR to clarify the correct administrative unit:

Page 2-12, Table 2-2, 7<sup>th</sup> row is amended as follows:

**Table 2-2 Subsequent Permits, Approvals, Review, and Consultation Requirements**

<b>Agency</b>	<b>Approval</b>
Placer County Air Pollution Control District	Authority to Construct Air Quality Permits
State of California Department of Health Services, Office of Drinking Water	Permits for community water systems
Placer County Environmental Health Services	Permits for individual onsite wells and septic systems
Foresthill Public Utility District	Provision of community water service
Central Valley Regional Water Quality Control Board	Construction Activities Storm Water General Permits NPDES Permits Waste Discharge Requirements Clean Water Act Section 401 permitting
California Department of Fish and Game	Approval of biological mitigation measures California Endangered Species Act consultation Streambed Alteration Agreements
Placer County Transportation Planning Agency, Placer County Department of Public Works, Placer County Department of Engineering and Surveying, Caltrans, U.S. Forest Service, <u>American River Ranger District</u> , <u>Tahoe National Forest</u>	Roadway improvements, encroachment permits, grading and drainage improvements
Placer County	Community Plan approval and subsequent rezoning; tentative maps, parcel maps, conditional use permits
Placer County Local Agency Formation Commission	Formation of and/or annexations to special districts, assessment districts, county service areas, etc. to provide additional municipal services



Agency	Approval
U.S. Fish and Wildlife Service	Federal Endangered Species Act consultation
U.S. Army Corps of Engineers	Clean Water Act Section 404 permitting
Placer County Flood Control and Water Conservation District	Consultation regarding drainage and flood control

Source: Quad Knopf, 2007

Page 3-20, 1<sup>st</sup> complete paragraph, 2<sup>nd</sup> sentence is revised as follows:

Federal lands are managed by the United States Forest Service (USFS), American River Ranger District, Tahoe National Forest, Bureau of Land Management (BLM), and Bureau of Reclamation (BOR), and are concentrated in the north and eastern portion of the Plan area, as shown in Figure III-1 of the FDCP (Figure 2-3 of this EIR).

Page 3-105, last paragraph, 1<sup>st</sup> sentence is revised as follows:

Forest Service trails on the Foresthill Divide are under the jurisdiction of the ~~Foresthill Ranger District~~ American River Ranger District and are maintained by the Tahoe National Forest.

Page 3-178, Impact 3.6-2, Discussion/Conclusion, 2<sup>nd</sup> sentence is revised as follows:

The Plan area contains an interface between exclusive Placer County land use jurisdiction and the jurisdiction of the U.S. Forest Service, American River Ranger District, which is responsible for managing land uses and timber resources in the Tahoe National Forest.

**Response 4-D:** The commenter is correct that Sugar Pine Reservoir is surrounded by National Forest Service lands; however, the Foresthill P.U.D. does own Sugar Pine Reservoir and related facilities. A quitclaim deed (Contract No. 03-LC-20-8049) transferred all rights, title, and interest of the Department of the Interior, Bureau of Reclamation, Mid-Pacific Region, the improvements and facilities of the Sugar Pine Dam and Reservoir Project, including but not limited to all pipelines, conduits, tunnels, pumping plants, intake facilities, aqueducts, laterals, water storage and regulatory facilities, substations, and related works constructed for and as part of the Sugar Pine Project. Within the Tahoe National Forest, only the structures, not the lands, were transferred in this quitclaim deed. The commenter is correct that there is a Special Use Permit between the Foresthill P.U.D. and the U.S. Forest Service which authorizes facility use within the National Forest.

**Response 4-E:** Page 3-19, 4<sup>th</sup> complete paragraph, 1<sup>st</sup> sentence is revised as follows:

The United States Forest Service (USFS) ~~is currently undertaking~~ completed the Sierra Nevada Forest Plan Amendment in 2004.

Response 4-F: Page 3-26, 1<sup>st</sup> incomplete paragraph, last two sentences are revised as follows:

In addition, ~~75~~ 50 percent of permanent Foresthill District U.S. Forest Service employees are residents of the Divide. This currently accounts for ~~27~~ 40 jobs; an additional 25 to 30 seasonal jobs are available from May until the first snow.

Response 4-G: Page 3-104, 1<sup>st</sup> paragraph, 3<sup>rd</sup> sentence is revised as follows:

Within the Plan area, Big Reservoir (Morning Star Reservoir) ~~and Oxbow Recreation Area are~~ is a federally owned recreation area that offers camping, boating, winter recreation, hiking, and OHV facilities.

Response 4-H: Page 3-118, 4<sup>th</sup> paragraph, 2<sup>nd</sup> sentence is revised as follows:

The North Fork of the American River is designated a Wild River ~~and Scenic~~ within the Plan area and the Middle Fork is currently under study for designation as "Recreational River" under the Wild and Scenic Rivers Act.

Response 4-I: Page 3-149, last paragraph is amended as follows:

The Plan area contains an interface between exclusive Placer County land use jurisdiction and the jurisdiction of the USFS, which is responsible for managing land uses and timber resources in the Tahoe National Forest. The Tahoe National Forest has a very active fuels management program, treating hundreds of acres of vegetation every year to reduce the fire hazard to woodlands and communities adjacent to National Forest lands.

Response 4-J: The visual resource policies in both the Placer County General Plan and the proposed Foresthill Divide Community Plan do address visual impacts to National Forest visitors. Please see Placer County General Plan policies 1.B.5, 1.K.1, 1.K.2, 1.K.3, 1.K.4, 1.K.5, 1.K.6, 1.O.3, 1.O.4, 1.O.9, all of which will minimize impacts to National Forest visitors as a result of development in the Foresthill community. Policies in the proposed community plan that also serve to mitigate impacts to National Forest visitors include 3.C.1-1 through 3.C.1-16, 3.C.3-1 through 3.C.3-6, 3.C.4-1, 3.C.4-2, 3.C.9-1 through 3.C.9-6 and 4.A.14-1 through 4.A.14-5.

Response 4-K: The Plan and Draft EIR do not propose activities or improvements on National Forest lands and no analysis is required. As noted in Response 4-J, there are numerous mitigation measures that would reduce impacts of development in the Foresthill community that would reduce impacts to National Forest Service lands.

Response 4-L: Comment noted. This comment is not a comment on the environmental review, but a request for further information. The expansion of the community plan boundary was the result of input received during the extensive public input including a community survey, the work of the Foresthill Divide Community Plan Team, and town hall meetings. Community

members felt that the National Forest lands have a large impact on the Foresthill community in general, and wanted to reflect that by including this area within the plan boundary.

**Response 4-M:** It is important to note that all of the policies in the Placer County General Plan and the Foresthill Divide Community Plan as well as all of the mitigation measures in the Draft EIR would apply to development of any private lands within National Forest boundaries (inholdings). These policies and mitigation measures will reduce any impacts to wildfire, trespass and recreational uses. There is very little private land within the National Forest boundaries and these lands would have extremely limited development potential under the land use designations of the plan.

**Response 4-N:** Comment noted. This comment is related to coordination efforts related to landscaping and is not a comment on the environmental impacts of the adoption of the community plan.

**Response 4-O:** Comment noted. The recommendation to pursue designation as scenic highways is proposed in the community plan. Upon adoption of the plan, discussions would occur related to establishing these designations.

**Response 4-P:** Increased recreational use of National Forest Service lands could occur with or without the adoption of the revised Foresthill Divide Community Plan. Such increased use is not directly related to the adoption of the plan. The revised plan includes additional policies to address the provision of adequate recreational facilities within the Foresthill community outside of the Forest Service lands. The intent of these policies is to ensure there are adequate recreational facilities within the community to serve any increase in population.

**Response 4-Q:** Comment noted. This is a proposed policy and any discussion of this potential trail or any other trails involving National Forest Service lands would occur after adoption of the community plan and after funding or other mechanism to implement the policy has occurred.

**Response 4-R:** See Response 4-Q.

**Response 4-S:** Table 3.5-2 will be revised as follows to delete reference to a 12 mile Mumford Bar trail located 10 miles north of Foresthill.

**Table 3.5-2 Trails On or Near the Foresthill Divide**

Trail	Length	Location
American River Trail	7.6 mi.	Tahoe National Forest, North Fork American River Area
Bearcroft Trail	2 1/4 mi.	Tahoe National Forest, North Fork American River Area
Big Trees Interpretive Trail	3/8 mi.	Tahoe National Forest, Foresthill Area
Codfish Falls Trail	3 mi.	Ponderosa Way Bridge along North Fork American River
Confluence Trail	1.8 mi.	Mammoth Bar Rd. to the Confluence

Trail	Length	Location
Euchre Bar Trail	7.5 mi.	Tahoe National Forest, North Fork American River Area
Fire Break Trail	1.5 mi.	Lake Clementine Rd. to east end of Foresthill Bridge
Forest View Trail	1.5 mi.	Tahoe National Forest, Foresthill Area
Green Valley Trail	2 1/4 mi.	Tahoe National Forest, North Fork American River Area
Italian Bar Trail	2.3 mi.	Tahoe National Forest, North Fork American River Area
Olmstead Loop Trail	8.5 mi.	Starts at Firehouse in Cool (ptn. in El Dorado Co.)
Lower half of CA St.	9 mi	between Peachstone Trail and bottom of Driver's Flat Rd.
Lower McKeon-Ponderosa Trail	3 mi.	from gate to the Middle Fork
McGuire Trail (segment of WST)	3 7/8 mi.	Tahoe National Forest, French Meadows Area
McKeon-Ponderosa Loop Trail	3 mi.	Starts below White Oak Flat
Michigan Bluff to Deadwood Trail	6 mi.	Tahoe National Forest, Foresthill Area
Mosquito Ridge Trail	1.25 mi.	Tahoe National Forest, Foresthill Area
Mumford Bar Trail	3 1/4 mi.	Tahoe National Forest, North Fork American River Area
<del>Mumford Bar Trail</del>	<del>12 mi.</del>	<del>10 miles North of Foresthill</del>
North Fork of the Middle Fork Trail	1.1 mi.	Tahoe National Forest, Mosquito Ridge area
Old Lake Clementine Trail	1.7 mi.	Old Foresthill Road Bridge to Lake Clementine Rd.
Pointed Rocks Trail	1.4 mi.	No Hands Bridge towards Cool to Knickerbocker Area
Quarry Road Trail	5.6 mi.	Hwy 49 Bridge to Main Bar on Middle Fork (ptn. El Dorado Co.)
Sailor Flat Trail	3.3 mi.	Tahoe National Forest, North Fork American River Area
Stagecoach Trail	1.8 mi.	Auburn to Old Foresthill Bridge, along North Fork
Todd's Valley Trail	2 mi.	Todd's Valley Area
Upper half of CA St.	9 mi	between Foresthill and Peachstone Trail
Volcano Canyon (segment of WST)	6 mi.	between Michigan Bluff and Foresthill
Western States Trail (WST)	100 mi.	Squaw Valley to Auburn

Source: Foresthill Trails Alliance, National Forest Service, California Dept. of Parks and Recreation.

Response 4-T: Table 3.5-1 will be revised as follows to indicate that the Poppy Campground is located outside the Plan Area and within French Meadows.

**Table 3.5-1 Summary of Recreational Areas and Facilities In or Near the Plan Area**

Recreation Area	Acreege	Campground	Boating/ Fishing	Swimming	Picnic Area	Gold Panning	Trails	Sports Fields	OHV Area
Auburn State Recreation Area	35,000	X	X	X	X	X	X		X
Big Reservoir Area/Morning Star	N/A	X	X				X		
Big Trees Grove*	N/A				X		X		
China Wall Recreation Area*	N/A						X		X
Foresthill Elementary School	6							X	
Foresthill Community Park (Leroy E. Botts)	15				X			X	
Foresthill Middle School	16							X	
Sugar Pine Reservoir	N/A	X	X	X			X		
Todd's Valley Pond and 2 sites	41.1		X				X		
French Meadows*/Hellhole Reservoir*		X	X				X		
Poppy Campground (located within French Meadows)*		X							
Giant Gap		X							
Shirttail Creek		X							
*Located outside Plan area									

Source: Quad Knopf, 2000.

**Response 4-U:** Fire protection throughout the plan area (including the more remote areas) is discussed on pages 3-68 and 3-69 as well as 3-95 and 3-96 of the DEIR. As noted in these discussions, there are many policies in the proposed Foresthill Divide Community Plan that will serve to reduce, but not to a less than significant level, impacts related to wildfire risk.

**Response 4-V:** Comment noted. This is a comment on jurisdiction and is not a comment on the environmental impacts of the adoption of the community plan.



## DEPARTMENT OF FORESTRY AND FIRE PROTECTION

P.O. Box 944246  
 SACRAMENTO, CA 94244-2460  
 (916) 653-7772  
 Website: [www.fire.ca.gov](http://www.fire.ca.gov)



RECEIVED

JAN 16 2008

January 14, 2008

Maywan Krach  
 Placer County Planning Department  
 3091 County Center Drive  
 Auburn, CA 95603

ENVIRONMENTAL COORDINATION SERVICES

The Revised Foresthill Divide Community Plan has been reviewed for compliance with the California Forest Practice Act and Rules. Pertinent requirements of the rules are summarized in the bullets list below, with rule references and explanation provided here:

Project implemented under the Revised Foresthill Divide Community Plan could involve the cutting or removal or both of timber or other solid wood forest products from timberlands for commercial purposes. Additionally, Public Resources Code 4527 defines commercial purposes, among other activities, as the cutting or removal of trees during the conversion of timberlands to land uses other than the growing of timber including water development projects. Any such projects implemented under the revised plan are subject to the Forest Practice Act and Rules.

Recommendations for compliance with the Forest Practice Act and Rules are as follows:

- Submittal of a Timber Harvest Plan (RM-63) or other harvesting document for timberland acreage included in the project.
- Submittal of a timberland conversion permit or applicable exemption for subdivision.
- Incorporation of a California Licensed Timber Operator for conduct of timber operations.

The Forest Practice Rules and harvesting forms are available online at:

[http://www.fire.ca.gov/php/rsrc-mgt\\_forestpractice.php](http://www.fire.ca.gov/php/rsrc-mgt_forestpractice.php)

Sincerely,

Matthew Reischman  
 Unit Forester  
 Nevada-Yuba-Placer Unit  
 (530) 889-0111 X-125

cc Allen Robertson, CAL FIRE-Sacramento CA  
 State Clearinghouse-Sacramento CA

A

# Memorandum

**To:** Bill Hoehman, Chief  
Northern Region  
Department of Forestry and Fire Protection

**Date:** December 21, 2007  
R46

Attention: Environmental Coordinator  
Nevada-Yuba-Placer Unit

**Telephone:** (916) 657-0300

**From:** Department of Forestry and Fire Protection  
Allen S. Robertson, Deputy Chief, Environmental Protection

**Subject:** Environmental Document Review

Project Name: Revised Foresthill Divide Community Plan  
SCH #: 2001092094  
Document Type: Draft Environmental Impact Report (DEIR)

Potential Area(s) of Concern: Fire Protection?; Timberland Conversion?

Other: Opportunity for Input

**MANDATED DUE DATE: 3/05/08**

The above referenced environmental document was submitted to State Headquarters, Environmental Protection for review under the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA). The proposed project, located within your unit, may have an impact upon the Department's fire protection and/or natural resource protection and management responsibilities or require the Department's permits or approval. Your determination of the appropriate level of CDF involvement with this project is needed. Please review the attached document and address your comments, if any, **to the lead agency** prior to the due date. Your input at this time can be of great value in shaping the project. If the Unit's Environmental Coordinator is not available, please pass on to another staff member in order to meet the mandated deadline.

Please submit comments directly to the lead agency before the mandated due date with copy to the State Clearinghouse (P.O. Box 3044, Sacramento, CA 95812-3044).

No Comment - explain briefly on the lines below.

*See attached*

Name and Title of Reviewer: Matthew Reischman  
Phone: (530) 277-2305 Email: Matthew.reischman@fire.ca.gov

Note: Please complete this form and return it, with a copy of any comments, for CDF's records to: Brian R. Barrette or Allen S. Robertson, Environmental Protection, P.O. Box 944246, Sacramento CA 94244-2460.



Letter 5: Matthew Reischman, Unit Forester, Nevada-Yuba-Placer Unit, California Department of Forestry and Fire Protection

**Response 5-A:** Provisions of the California Forest Practices Act and Rules identified by the California Department of Forestry and fire Protection are noted. Conversion of timberlands to non-timberland use, or harvesting of timber, within the FDCP boundaries will require compliance with the Act and Rules. Compliance with the Act and Rules will provide mitigation to insure timber harvest operations and conversion of timberlands to land uses other than the growing of timber are accomplished with minimal environmental impacts.

**From:** Cumber, Sarah  
**To:** Placer County Environmental Coordination Services;  
**Subject:** Foresthill Divide Community Plan-DEIR  
**Date:** Wednesday, March 05, 2008 7:11:20 AM

To Whom It May Concern,

On behalf of California State Parks, Off-Highway Motor Vehicle Recreation Division (OHMVRD); I am submitting comments on the Revised Draft Environmental Impact Report (DEIR) for the Foresthill Divide Community Plan. The OHMVRD has several comments with regards to this DEIR that it would like addressed. These comments are itemized in no particular order of importance below:

- 1) The DEIR appears to impact the Sugar Pine Off-Highway Vehicle (OHV) Trails System in the Tahoe National Forest which includes approximately 86 miles of designated trails and 20 miles of roads accessing the wide variety of OHV recreational opportunities. This area receives high numbers of OHV enthusiasts who could potentially be displaced by impacts to this trail system.
- 2) The DEIR appears to impact the China Wall OHV staging area which also provides access to OHV recreational opportunities including connecting trails to the Sugar Pine OHV trails system. China Wall OHV staging area is also the trailhead and staging area for snow-mobile enthusiasts, and is funded through the OHMVRD Winter Recreation Program. This area receives high numbers of OHV enthusiasts and Over-Snow Vehicle (OSV) enthusiasts who could potentially be displaced by impacts to this trails system.
- 3) The OHMVRD Local Assistance and Cooperative Agreements program provides funding through a competitive grant process to cities, counties, special districts, federal agencies and non-profit organizations. The scoring of the competitive grant application is based upon OHV opportunity and use. In 2007/2008, the Tahoe National Forest received approximately \$500,000 in grant funding to support projects relating to OHV opportunity and use. The potential impacts identified in items 1 and 2 could affect the competitive grant process in future years.
- 4) In 2007, Placer County received approximately \$36,000 from the Off-Highway Vehicle license fee. This funding is contingent upon OHV opportunity and use in the local jurisdiction. The potential impacts identified in items 1 and 2 could affect this source of local funding.
- 5) The displacement of OHV enthusiasts could impact neighboring OHV recreation areas such as Prairie City State Vehicular Recreation Area (~50 miles away), Mammoth Bar State Recreation Area (~20 miles away), Nevada City District Area, Tahoe National Forest (~ 50 miles away), and Mace-Mill Rock Creek Area, Eldorado National Forest (~40 miles away).

A

B

C

D

E

Thank you for the opportunity to comment on the Foresthill Divide Community Plan. I appreciate the time and energy it took to complete this document. I look forward

to your posted response to the OHMVR Division's comments.

Sarah Cumber  
Environmental Scientist  
Off-Highway Motor Vehicle Recreation Division  
1725 23rd St, Ste. 200  
Sacramento, CA. 95816  
916-324-5890:phone  
916-324-1610:fax  
[scumber@parks.ca.gov](mailto:scumber@parks.ca.gov)

Letter 6: Sarah Cumber, Environmental Scientist, Off-Highway Motor Vehicle Recreation Division, California State Parks

**Response 6-A:** It is not anticipated that Off-Highway Vehicle (OHV) recreational opportunities will be displaced by conflicting land uses under the FDCP in that lands north and east of Finning Mill Road (roughly the westerly boundary of roads and trails included in the Sugar Pine off-Highway Vehicle Trails System) are designated for 80 acre minimum timberland and Open Space uses which are supportive of, and compatible with, the OHV Trail System.

**Response 6-B:** See Response 6-A

**Response 6-C:** See Response 6-A

**Response 6-D:** See Response 6-A

**Response 6-E:** As stated in Response 6-A, there should be no displacement of OHV activities due to the proposed FDCP land use designations. Impacts on neighboring OHV facilities between 20 and 50 miles distant from the FDCP would, therefore, not occur.

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 942360001  
(916) 653-5791



RECEIVED

DEC 14 2007

ENVIRONMENTAL COORDINATION SERVICES

December 11, 2007

Maywan Krach  
Placer County Planning Department  
3091 County Center Drive  
Auburn, California 95603

Revised Foresthill Divide Community Plan Draft EIR (PEIR T20070206)  
State Clearinghouse (SCH) Number: 2001092094

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at <http://recbd.ca.gov/>. Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

A

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

Christopher Huitt  
Staff Environmental Scientist  
Floodway Protection Section

Enclosure

cc: Governor's Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

RECEIVED

DEC 14 2007

ENVIRONMENTAL COORDINATION SERVICES

## Encroachment Permits Fact Sheet

### **Basis for Authority**

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

### **Area of Reclamation Board Jurisdiction**

The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at [http://recbd.ca.gov/designated\\_floodway/](http://recbd.ca.gov/designated_floodway/) and CCR Title 23 Sections 101 - 107.

### **Regulatory Process**

The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board.

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at <http://recbd.ca.gov/> under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at <http://recbd.ca.gov/forms.cfm>.

### **Application Review Process**

Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

### Technical Review

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of

your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

#### Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a “responsible agency” within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the “lead agency” [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (<http://www.dfg.ca.gov/1600/>),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board

may choose to serve as the “lead agency” within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.



Letter 7: Christopher Huitt, Staff Environmental Scientist, Floodway Protection Section,  
California Department of Water Resources

**Response 7-A:** Comment noted. The Revised Foresthill Divide Community Plan DEIR is a Program EIR and is not proposing any specific project that might encroach on an adopted flood control plan. As future site specific projects are proposed, the project will be examined by the county to ensure it is not within a designated floodway. If a future project is found to be located within a designated floodway, the project applicant will have to apply for, and be provided with, the required Reclamation Board encroachment permit prior to construction.

## NATIVE AMERICAN HERITAGE COMMISSION

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



RECEIVED

DEC 12 2007

December 11, 2007

ENVIRONMENTAL COORDINATION SERVICES

Maywan Krach  
Placer County Planning Department  
3091 County Center Drive  
Auburn, CA 95603

RE: SCH#2001092094 Revised Foresthill Divide Community Plan Draft EIR (PEIR T20070206); Placer County.

Dear Mr. Krach:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) regarding the above project. To adequately assess and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

- Contact the appropriate Information Center for a record search to determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation 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 the NAHC for a Sacred Lands File Check.
  - **Check Completed with negative results, 12/11/07**  
The absence of specific site information in the Sacred Lands File does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites (see below).
- ✓ Contact the NAHC for a list of appropriate Native American Contacts for consultation concerning the project site and to assist in the mitigation measures.
  - **Native American Contacts List attached**  
The NAHC makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend other with specific knowledge. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received. If you receive notification of change of addresses and phone numbers from any these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

A

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5 (e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

A cont.

Sincerely,



Katy Sanchez  
Program Analyst  
(916) 653-4040

CC: State Clearinghouse

**Native American Contacts**

Placer County  
December 11, 2007

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

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

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

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

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

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

**This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2001092094 Revised Foresthill Divide Community Plan Draft EIR (PEIR T20070206); Placer County.**

Letter 8: Katy Sanchez, Program Analyst, California Native American Heritage Commission

**Response 8-A:** Requirements recommended by the Native American Heritage Commission to adequately assess and mitigate project-related impacts on archaeological resources are noted. Mitigation measures addressing archaeological resource impacts are found within the DEIR beginning at page 3-239.