BEAR RIVER BAND of ROHNERVILLE RANCHERIA
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December 18, 2015

Holly Roberson
Land Use Counsel
The Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

RE: Discussion Draft of Proposed Changes to Appendix G of the CEQA Guidelines Incorporating Tribal Cultural Resources

Ms. Roberson,

The Bear River Band of Rohnerville Rancheria appreciates the opportunity to comment on the Discussion Draft of Proposed Changes to Appendix G of the CEQA Guidelines Incorporating Tribal Cultural Resources.

I have reviewed each of the proposed alternatives for incorporating Tribal Cultural Resources into the CEQA guidelines and believe that the language of Alternative 3, with changes, is the best choice. With the following edits incorporated, the Bear River Band of Rohnerville Rancheria supports Alternative 3:

Alternative 3

TRIBAL CULTURAL RESOURCES.

Information submitted through consultation with a California Native American Tribe ~~that has requested such consultation may~~ is to be considered by ~~assist~~ a lead agency in determining what type of environmental document should be undertaken, identifying tribal cultural resources, determining whether the project may adversely affect tribal cultural resources, and ~~if so,~~ how such effects may be avoided or mitigated. ~~Whether or not consultation has been requested,~~ However, regardless of whether tribal consultation occurs or is completed, substantial adverse changes to a tribal cultural resource are to be identified, assessed and mitigated. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

1) Would the project cause a substantial adverse change in a site, feature, place, cultural landscape, sacred place, or object, with cultural value to a California Native American Tribe, which is any of the following:

a) Included or determined to be eligible for inclusion in the California Register of Historical Resources?

b) Included in a local register of historical resources?

~~c) Determined by the lead agency, in its discretion and supported by substantial evidence, to be a tribal cultural resource, after applying the criteria in Public Resources Code §5024.1(c), and considering the Significance of the resource to a California Native American Tribe?~~

c) After considering the significance of the resource to a California Native American Tribe and applying the criteria in Public Resources Code §5024.1(c), a resource is determined by the lead agency, in its discretion and supported by substantial evidence, to be a tribal cultural resource?

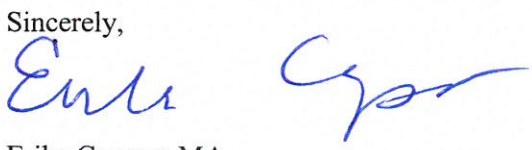
2) Would the Project:

a) Potentially disturb any human remains, including those interred outside of dedicated cemeteries (see Cal. Public Resources Code, Ch. 1.75, §5097.98 and Health and Safety Code §7050.5(b))?

b) Potentially disturb any resource or place defined in Public Resources Code §5097.9 et seq (Native American Historical, Cultural and Sacred Sites)?

It is my understanding that many California Tribes and Tribal Historic Preservation Officers are in support of the above recommended changes in language; I urge OPR to strongly consider adopting Alternative 3 with these modifications. Feel free to contact me should you have any questions.

Sincerely,



Erika Cooper, MA
Tribal Historic Preservation Officer
Bear River Band of Rohnerville Rancheria