

Koi Nation of Northern California Appendix G Comments

Adding a Checkbox for Tribal Consultation in Appendix G-

A checkbox for initiating tribal consultation should be included in the Environmental Checklist Form located between the section entitled, "Environmental Factors Potentially Affected" and the "Determination" section with the 5 checkboxes concerning effects and the type of environmental document. This would be one to two sentences with checkboxes that could resemble this:

Tribal Consultation has begun pursuant to Public Resources Code §21080.3.1. If not, do not check box and explain why: \_\_\_\_\_

The "Environmental Factors Potentially Affected" list must be updated to include "Tribal Cultural Resources" that can include plants.

TRIBAL CULTURAL RESOURCES

Information submitted through consultation with California Native American Tribe is to be considered by 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 may be avoided or mitigated. 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.

Potential 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) 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 CA Public Resources Code, Ch., 1.75, §5097 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)?