

C. Native American Tribes and Groups

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Response to Comment Letter C1

Native American Heritage Commission

Dave Singleton, Program Analyst

Dated June 21, 2012

- C1-1** This comment explains the role of the Native American Heritage Commission (NAHC) in reviewing the Draft Environmental Impact Report (EIR) and the authority of that state commission. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR; therefore, no additional response is provided or required.
- C1-2** As discussed in the Draft EIR, Section D.6, Cultural and Paleontological Resources, record searches and intensive pedestrian surveys were completed for the Area of Potential Effect (APE) for the Proposed Project. Section D.6 of the EIR evaluates all potential impacts to cultural resources as appropriate under California Environmental Quality Act (CEQA) and identifies detailed mitigation measures to reduce potential impacts to the greatest extent feasible.
- C1-3** As required by CEQA, the EIR does not disclose specific information that violates any requirements related to the confidentiality of sacred sites or important archaeological resources.
- C1-4** As discussed in the EIR, Section D.6, Cultural and Paleontological Resources, extensive evaluation and review of cultural resources and potential environmental impacts to such resources has been performed. The evaluation has included consultation with the NAHC and appropriate Native Americans and tribes. Further, Mitigation Measure CUL-2 is in place to ensure additional Native American consultation, including the legal and ethical treatment consistent with Native American Graves Protection and Repatriation Act (NAGPRA) and California Public Resources Codes of any human remains located within the APE, and Native American monitoring during construction.
- C1-5** The Proposed Project is not under the jurisdiction of the statutes and regulations of the Natural Environmental Policy Act (NEPA).
- C1-6** Please refer to response C1-3.
- C1-7** Pursuant to EIR Mitigation Measure CUL-2, the Applicant shall follow all state and federal laws, statues, and regulations that govern the treatment of human remains. The Applicant shall comply with and implement all required actions and studies that result from such consultations, as directed by the agency.

C1-8 Pursuant to Mitigation Measure CUL-1, the CPUC shall determine whether avoidance is necessary and feasible.