

Beggs.Kelly

From: David L. Nelson, MD <nelsondl@pacbell.net>
Sent: Friday, July 1, 2022 1:26 PM
To: Beggs.Kelly
Cc: Salmon, Michele; Doug Allshouse; 'David Schooley'
Subject: quarry development

This is in response to the request for public comment for the EIR for the quarry development.

I am a member of the California Native Plant Society, Board member of the CNPS Yerba Buena chapter, and author of the book, San Bruno Mountain: A Guide to the Flora and Fauna. I have been doing botanical research on San Bruno Mountain for 8 years. On land above the quarry itself but part of the quarry parcel, there grows a rare plant. There are only 5 plants in the world of *Arctostaphylos uva-ursi* forma *leobreweri* (Leo Brewer's manzanita), and they all grow above the quarry. I have studied this plant. While at this time it is listed as a forma, not as a species, it has been determined on a morphological basis that this is indeed a separate species. The lead researchers on *Arctostaphylos* (manzanita species) have assured me that it is a unique species but they do not want to say this formally until the DNA can be done.

I wanted to bring this to the attention of those working on the EIR.

David Nelson

Beggs.Kelly

From: Sean Correa <scorrea@smcgov.org>
Sent: Friday, July 1, 2022 2:03 PM
To: David L. Nelson, MD; Beggs.Kelly
Cc: Salmon, Michele; Doug Allshouse; 'David Schooley'; Evan Cole; Hannah Ormshaw
Subject: RE: Guadalupe Quarry Annexation

Hi All,

I must address one remark made on this email. I am not the Habitat Conservation Plan (HCP) Manager. Evan Cole, Natural Resource Manager for San Mateo County Parks, is the HCP Manager. Evan is currently on vacation, but any questions you may have about the HCP can be directed toward Hannah Ormshaw, Assistant Director for San Mateo County Parks who I have CC'd on this email.

Thank you,
Sean

Sean Correa (*he/him*)
Natural Resource Specialist II
San Mateo County Parks Department
455 County Center, 4th Floor
Redwood City, CA, 94063
smcoparks.org

From: David L. Nelson, MD <nelsondl@pacbell.net>
Sent: Friday, July 1, 2022 1:57 PM
To: kbeggs@brisbaneca.org; Sean Correa <scorrea@smcgov.org>
Cc: Michele Salmon <mmsalmon@aol.com>; Doug Allshouse <dougsr228@comcast.net>; 'David Schooley' <diversilobum@gmail.com>
Subject: Guadalupe Quarry Annexation

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Dear Ms. Beggs,

I read your Notice of Preparation of an EIR for the Guadalupe Quarry Annexation, et cet.

https://www.brisbaneca.org/sites/default/files/fileattachments/community_development/project/23909/220616_guadalupe_quarry_nop_final.pdf

The quarry lies within the boundaries of the San Bruno Mountain Habitat Conservation Plan, will have an effect on the protected species covered by the HCP, and therefore will also need approval of the HCP Manager, who is Sean Correa. Your description of the property and the approvals necessary did not mention this, and should be amended online and elsewhere.

Thank you.



July 15, 2022

Kelly Beggs, Consulting Planner
City of Brisbane
50 Park Place
Brisbane, CA 94005

Subject: Notice of Preparation of an Environmental Impact Report for the Guadalupe Quarry Annexation and General Plan/Zoning Amendment project City of Brisbane

Dear Kelly Beggs,

Thank you for the opportunity to comment on the Notice of Preparation of an Environmental Impact Report for the Guadalupe Quarry Annexation and General Plan/Zoning Amendment Project City of Brisbane.

The Local Agency Formation Commission (LAFCo) is a state mandated local agency established in every county to oversee the boundaries of cities and special districts. San Mateo LAFCo has jurisdiction over the boundaries of the 20 cities, 22 independent special districts, and many of the 33 active county and city governed special districts serving San Mateo County.

The Notice of Prepetition (NOP) for the Guadalupe Quarry Annexation and General Plan/Zoning Amendment project (Project) identifies a proposed closure of the Guadalupe Quarry located at 1 Quarry Road and reclamation and annexation of approximately 59-acres into the City's boundaries. The property would be pre-zoned to allow for a range of light industrial and warehousing/distribution uses. The total Project area includes 146 acres, 59 acres of active quarry and 87 acres of undeveloped hillside.

The NOP correctly states that LAFCo approval of an annexation of the Project area to WBSD will be required. LAFCo will serve as Responsible Agencies under California Environmental Act (CEQA) (CEQA Guidelines 21069).

Before action can be taken by LAFCo as Responsible Agency under CEQA, an approved EIR that includes analysis of the potential impacts of the Project must be certified by the City of Brisbane.

The NOP states the applicant will submit applications to the San Mateo Local Agency Formation Commission to process the annexation. The LAFCo application process is initiated either by petition from the property owners or registered voters of the proposed territory or by a resolution of application by a public agency, such as the City of Brisbane. Other application materials include a prepared application and fees, map, and legal description, and the certified environmental document.

COMMISSIONERS: MIKE O'NEILL, CHAIR, CITY ▪ ANN DRAPER, VICE CHAIR, PUBLIC ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
▪ WARREN SLOCUM, COUNTY ▪ KATI MARTIN, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT

ALTERNATES: VACANT, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: ROB BARTOLI, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

LAFCo has the following comments related to the NOP:

- As part of consideration of an annexation, LAFCo will review the proposed annexation area against existing property lines, lines of assessment, and ownership. LAFCo would consider an annexation that split a parcel to be non-conforming. Future documents for this project should identify which parcels are to be included in the proposed annexation. Entitlements and environmental documents should also identify and analyze if the configurations of any of the parcels in the Project area will be altered.
- Future environmental studies and entitlements should evaluate the 87 acres of undeveloped hillside area that are outside of the proposed annexation area, but within the Project area, and describe if there will be development impacts on this open space area. It should be clarified if this area is to remain unincorporated as well. Ownership of this land and future use of the proposed open space area should also be described and evaluated, particularly describing how the open space will interact with the San Bruno Mountain Habitat Conservation Plan.
- Future environmental studies and entitlements should also evaluate the impact of the annexation and development on public services such as fire protection, domestic water and wastewater. Environmental studies should also describe the geographic extent of these public services and state if they will be confined to the proposed annexation area.
- The majority of the project area is located within the designated Sphere of Influence of the City of Brisbane (see attached map). However, in review of the project site map, there appears to be an area in the northwest portion of the annexation area that is not within the City's Sphere of Influence. In future documents, please clarify if this portion of the Project area is already within the City boundaries or if the City or applicant will be requesting a Sphere of Influence amendment for the Project. In accordance with LAFCo law, annexations shall be consistent with an agency's adopted Sphere of Influence. LAFCo staff would be happy to discuss this comment further with City staff.

San Mateo LAFCo does not have additional comments on the NOP and looks forward to reviewing all future documents related to the Project.

Sincerely,

Rob Bartoli

Rob Bartoli
Executive Officer

Attachment

- A. Sphere of Influence Map for the City of Brisbane

Cc: Steve Monowitz, Director Of Community Development, San Mateo County Planning and Building Department

Michael Schaller, Senior Planner, San Mateo County Planning and Building Department

Hannah Ormslow, Assistant Director of Parks, San Mateo County Parks Department

Samuel Herzberg, Senior Planner, San Mateo County Parks Department

Attachment A

Overview

Brisbane



Source: Esri, DigitalGlobe, GeoEye, Icube, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Geomapping, AeroGRID, IGN, ICF, swisstopo, and the GIS User Community

BRISBANE SPHERE OF INFLUENCE

From: [Tera Freedman](#)
To: [Beggs.Kelly](#)
Subject: Quarry EIP questions
Date: Friday, July 15, 2022 4:16:49 PM

Hi Kelly,

Here is a list of questions and concerns about the impacts on the Quarry. Include these issues in the scope for the Environmental Impact Report:

- Plans for road maintenance since trucks are hard on roads
- Water allotment -where will the water come from?
- Erosion on the hillside
- Clean Dirt and removal of equipment on and in Quarry grounds
- Dangers of dust generated by Quarry -carries dangerous particles
- Safe areas for animals; coyotes, raccoons...
- No non native plants. Invasive plants take over native plants.
- Greenhouse gasses and effects
- Other options reclaiming the quarry 3 light industrial buildings in moderate size.
- Last mile delivery - More than one mile just to leave Brisbane
- Low income populations going north on Bayshore
- It is extremely important to preserve the native habitat that serve two Federal Endangered Species Act list of California updated Jan 2022 the Mission blue & Callippe silverspot butterflies and their host plants that can only be found on San Bruno Mountain.
- Maintain a butterfly pathway from the saddle of San Bruno Mountain Park to Callippe Hill
- HCP San Bruno Mountain Habitat Conservation Plan.
- Noise and light impacts both day and night
- Impacts of people and recreational activities in the area
- Impacts of trucks traffic both days and nights
- How will the traffic impact local business and other traffic?
- Hydraulics of the Quarry
- Owl canyon water issues
- Creek corridor on the west side of South Hill Drive
- Addressing the dangers of the cliffs?
- How to limit Greenhouse gasses?
- Danger of quarry dust

Thank you, Tera Freedman

From: [Eve](#)
To: [Beggs.Kelly](#)
Subject: The Quarry
Date: Sunday, July 17, 2022 7:29:05 AM

No housing. If there are to be streets, one should be named Vuillemainroy Ave. for my dad who died there. He wasn't the first, but I believe the last. He wasn't old or infirmed, but young and active. I will tell all who look to buy, that young men died there. Brisbane infrastructure doesn't support new building. Vuillemainroy Ave. would honor my dad and my grandfather, one died there the other ruined his lungs there and lived with emphysema his last ten years.

Sent from my iPhone

June 24, 2022

To the Mayor and Council Members of Brisbane,

Over several decades, Brisbane residents and other concerned citizens successfully fought to protect the San Bruno Mountain from continued over development that had caused irreparable damage to the critical natural habitat and its many endangered and rare species of plants and animals. We had thought that we achieved significant protections, including the protection of 22 particular endangered species. But now I am hearing that plans are being considered to build a business park on the old quarry. This would certainly adversely impact the health of our mountain and survival of the species we fought to protect. For example, this would cause harm to the endangered Elfin butterflies that have recently been flourishing in the upper quarry area.

San Bruno Mountain Watch had talked about the creation of a Botanical Garden over the whole old quarry. This would ensure valuable protections and educate people about the importance of them to, in our small way, work towards the survival of our planet. I propose that the city actively work on such a Garden along with environmental organizations. We are now making efforts to contact them regarding this issue.

Yours Truly,

David Schooley
102 Monterey St, Brisbane CA
(415)994-4104
Diversilobum@gmail.com

www.NoQuarryHousing.com



Quarry: A brief history compiled from San Bruno Mountain Watch files.

January, 1896: San Franciscans Warren and Malley opened rock quarry on Guadalupe Ranch. They built a tramway to transport the rock 1 mile to the bay. Gave employment to some one hundred men.
(Ken Kosloff, Quarry Products Inc, "The History of the Brisbane Quarry," Nov. 1976)

First half 20th century: Fifteen quarries operated in San Francisco and northern San Mateo counties. In 1976, only Quarry Products Inc. (the Brisbane Quarry) remains
(Ken Kosloff, Quarry Products Inc, "The History of the Brisbane Quarry," Nov. 1976)

1960: Quarry under name Pacific Cement and Aggregates, quarry helped in the building of Crocker Industrial Park
(Ken Kosloff, Quarry Products Inc, "The History of the Brisbane Quarry," Nov. 1976)

1961-1971: Pacific Cement and Aggregates and Lone Star Cement merged. Lone Star Cement became Lone Star Industries.
(Ken Kosloff, Quarry Products Inc, "The History of the Brisbane Quarry," Nov. 1976)

January, 1972: Permit granted to Lone Star Industries for one year

November, 1973: Application for 1 year permit. EIR refers to a 5 year phase out plan terminating January, 1976.
(Staff Report, San Mateo County Planning Commission, Meeting of Nov 14, 1973)

Jan 1, 1975: Quarry Products, Inc., with two quarries already located in Richmond, bought out Lone Star Industries.
Quarry Products, Inc. is both owner and operator of 93 acre quarry site, and this is the first time this (owner and operator being the same) has happened since Charles Crocker acquired the lands.
(Ken Kosloff, Quarry Products Inc, "The History of the Brisbane Quarry," Nov. 1976)

1975: Quarry Products, Inc begins recycling used asphalt and concrete, a suggestion of Peter Twight, Natural Resources Coordinator for San Mateo County.
(Ken Kosloff, Quarry Products Inc, "The History of the Brisbane Quarry," Nov. 1976)

1975: Year from which Quarry operating under permits and certified EIR approval from SMCOUNTY.
(Guadalupe Valley Reclamation Plan, December, 1981 - November, 1987, p. 6)

1976: Planning Commission of SMCOUNTY issued 5 year permit subject to annual reviews.
(Memorandum from Tom Adams, Legal Aid Society of San Mateo County, to David Schooley, 11/16/1979)

Sept, 1979: Based on Committee to Save San Bruno Mountain photographs, quarry ordered to cease operations above 850 feet. At that same meeting, a BAAQCB member testified that quarry was repeatedly in violation of air quality standards.
(Memorandum from Tom Adams, Legal Aid Society of San Mateo County, to David Schooley, 11/16/1979)

Oct. 1979: SMCOUNTY Planning commission calls for hearing to consider revoking quarry's permit because of repeated violations of permit conditions.

1992: Mignone Wood joins Malcom Carpenter Associates as Principal Planner. (MCA website)

December, 9 1992: Planning Commission approved extension of permit pending completion of permit process

1994: Sonoma County supervisors voted to eliminate quarrying of gravel-rich lands along river despite Cal Dept of Conservation "mineral land classification" report identify the county's reserves as regionally significant. (Tom Knudson, Sacramento Bee, Aug 17, 2003 (

<http://www.sacbee.com/static/live/news/projects/denial/08172003.html>

)

Feb 1994: Guadalupe Valley Quarry Reclamation Plan filed for American Rock and Asphalt by Malcolm Carpenter Associates.

(Guadalupe Valley Reclamation Plan, February, 1994)

Sept 26, 1995: SMCCounty Board of Supervisors approved Surface Mining Permit and associated documents.

(Letter from Sam Herzberg of the county to Ralph Johnson, Subject: Surface Mining Permit(SMP 87-1), Oct 6, 1995)

October 6, 1995: Letter from Sam Herzberg, SMCCounty Planner to Ralph Johnson of American Rock and Asphalt, on the subject of the Surface Mining Permit (SMP 87-1). Letter includes 65 conditions of permit approval.

(Letter from Sam Herzberg of the county to Ralph Johnson, Subject: Surface Mining Permit(SMP 87-1), Oct 6, 1995)

March, 2000: Quarry operator submitted an application for permit renewal; also proposed a revised reclamation plan. Memo also specifies that the 'current agreement between the quarry operator and the County runs through the end of 2006.'

(Memorandum from Marcia Raines, Director of SMCCounty Environmental Services Agency to SMCCounty Supervisors, January 3, 2005)

July 1, 2004: LSA absorbs entire staff of Malcolm Carpenter Associates.

(<http://mcaplanners.server101.com/acq.html>)

San Bruno Mountain Watch
P.O. Box 53
Brisbane CA 94005

Tel (415) 467-6631

Fax (510) 843-3661

email: sanbruno@mountainwatch.org

Web site: www.mountainwatch.org

Quarry Native Botanical Garden

VOTE NO ON "B"



The San Bruno Mountain Wilderness, stretching from Sierra Point to the San Francisco/Daly City Saddle, is an incredible and nearly impossible story of survival.

**The crucial question for all of us is:
Will we have care-
less, unchecked future
growth?**

OR -- a protected Brisbane community and surviving wild mountain: TWO rare and endangered habitats for all our children's future.

Quarry housing would seriously alter the Brisbane Community and the Wild Mountain. And for quarry homeowners, there would be an uncertain legacy of potential rock fall, mudslides, quarry dust, and harm to the environment around them.

If we vote NO ON "B" a far more important process will begin, opening in a new direction.

Rare species have already begun to return on to the abandoned quarry benches;

With help and a space, 17 rare and endangered plants and animals can be given a chance to turn the quarry into a grounds for learning and recovery.

Two quiet and careful well-funded groups are waiting for the decision of Brisbane voters before making a proposal for the quarry's future.



Butchart Gardens

In Victoria, B.C. Butchart Gardens is a quarry that has become a world famous tourist destination.

In Berkeley, GLENDALE LA LOMA PARK is also a former quarry site with native oaks and playgrounds.

The Brisbane Quarry should become the first Rare and Endangered Botanical Garden.

SAN BRUNO MOUNTAIN WATCH 415-467-6631

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Article Last Updated: 7/31/2006 07:32 AM

Nature lovers fight for quarry

By Todd R. Brown, STAFF WRITER
Inside Bay Area

BRISBANE — David Schooley pauses during a hike up Owl Canyon on San Bruno Mountain. He looks in the direction of the sprawling single-family homes of The Ridge along the opposite side of Guadalupe Valley before returning his attention to the plenitude of grasses and plants underfoot.

He points to some lupine, food source of the endangered Mission blue butterfly, which gestates among the plant's roots and lays its eggs on the leaves. Nearby is a patch of monkey flower, with its bright yellow petals, and a thatch of fragrant California sage.

Farther up the trail, mint grows among willows and wild cherry trees with green fruits.

"This is the way it was 1,000 years ago in San Francisco," Schooley says. "That's rare anywhere in the Bay Area."

Schooley, who celebrated his 63rd birthday Friday, is chairman and founder of San Bruno Mountain Watch (www.mountainwatch.org). Since 1969, the environmental advocacy group has fought with developers who wanted to transform parts of the range into housing, high-rise buildings and shopping centers.

The most recent threat that the group perceives is a plan to turn the floor of Brisbane's century-old quarry, adjacent to Owl Canyon, into 173 housing units.

On Friday, Mountain Watch board member Jo Coffey said the group has teamed with residents to organize a "Campaign Against Housing in the Quarry" to defeat a November ballot measure to approve the development, roughly a mile from the city center.

"To build (more) neighborhoods is going to change the character of this town irrevocably," Coffey, 64, said during the hike on Friday. "They're going to have to drive to do anything. It dilutes that sense of community that the town has. This is a suburb of Brisbane."

Schooley worried that any further construction on the mountain could open the floodgates and spur more homes near The Ridge, as well as Brisbane Acres, the open space that stretches above the central city and slopes down to Sierra Point.

"The first time I started wandering here," he said. "I couldn't believe there was this little beautiful wild habitat — right next to San Francisco and the Cow Palace and Candlestick and all that."

He said instead of more buildings, he'd like to see a nature preserve in the quarry, anchored by a learning center that could focus on the Ohlone Indians who left massive shell mounds on the southeast slope of the mountain.

More than that, he said his group wants the area to revert to native habitat and hopes to re-establish a natural corridor from Sierra Point to the Daly City border; a permanent quarry development would interrupt that continuity forever.

"Anywhere they put in housing and infrastructure is going to alter the movement of not just animals, but plants," Schooley said.

Nature isn't waiting for the November vote. Schooley said Elfin and Callippe silverspot butterflies already are returning to the topmost level of the terraced walls, where vegetation is creeping back "on all the ledges coming down."

Owen Poole, the agent who represents quarry owner California Rock & Asphalt, Inc., for the housing plan, said leaving the land to its own devices is "absurd."

"People are talking like it's a pristine site," he said. "This is a piece of property that is totally defaced, marred. This comes down to a very simple question: Do you want to have residential housing there, or do you want to continue it as a quarry?"

Although the quarry doesn't have a current mining permit from the county, he said he has no doubt it will get one if the housing plan is nixed.

"The state considers it an important resource," he said. "If the owner of the property wants a permit, the owner of the property will get a permit."

He disputed the idea that a development there would cut back drastically on the city's open space, saying only a fraction of 157-acre site would be built on and that the barren walls would be re-vegetated.

"It's never going to revert," he said. "The more housing we put there, quite frankly, the better maintenance there will be of that slope. The funding will be there to do it."

Yet he admitted of the planned foliage, "It'll grow quickly, there's no question about it."

What exactly will grow is another question. During the Friday hike, Schooley worried that residents of sprawling neighborhoods will be increasingly nervous about controlled burns needed to beat back scrub brush that could overtake lupine and other native species. A 2003 burn consumed 55 more acres than planned and came within 100 feet of nearby homes.

At the same time, Schooley said the habitat's original denizens have shown unexpected resiliency, including about 12 kinds of ants that are at war with South American invaders.

"They're fighting them off," he said of the frisky native insects, demonstrating their toughness by provoking them with a stick and, moments later, frantically blowing them off his hand.

"This kind of open space in the northern part of the county is rare," said Ken McIntire, 58, of Kings Mountain, who also joined the hike. "Once the housing is put in there, it's going to be there till the next major earthquake."

McIntire is set to become the executive director of San Bruno Mountain Watch next month when Philip Batchelder, 37, steps down to pursue a degree in environmental law. McIntire said the value of open space to the region is worth more than the benefit of housing that probably would serve mostly commuters to San Francisco.

"The people really have a psychological need to be in contact with nature," he said. "We could fill the whole area with housing and malls. Then what's our quality of life? What's the value of our civilization?"

Staff writer Todd R. Brown covers the North County. Reach him at (650) 348-4473 or tbrown@sanmateocountytimes.com.

To the Mayor and Councilmembers,

July 16, 2022

The Guadalupe Quarry Annexation plan must not happen. It would cause irreparable damage to the San Bruno Mountain and its critical natural habitat and its endangered species.

Over the years, as active mining of the quarry decreased and eventually stopped, the rare and endangered San Bruno Elfin (*Callophrys mossii bayensis*) and Mission Blue (*Icaricia icarioides*) butterflies began to flourish along the quarry's benches. In fact, these benches provide the Elfin the ideal habitat on the Mountain where their population has recently doubled in size.

Another rare and endangered subspecies currently found only above the benches on the Mountain, besides a single plant in the Berkeley Botanical Garden, is the James Roof Manzanita (*Arctostaphylos uva-ursi*) Bearberry plant.

The quarry currently provides an excellent and unique environment for the many native plants and species to flourish, with its benches offering varied heights/altitude, climates, and terrain, sun and shade, windy and protected, and wet and dry areas, and rocky walls and rich soil surfaces. In fact, numerous native plants, such as the sedum and lupin, necessary for the Elfin and Mission Blues, have been and continue moving into the quarry.

This is why it is absolutely necessary to protect the quarry from the sort of destruction that an Industrial park would wreak on this precious mountain.

We propose that the quarry could be developed into a unique Botanical Garden, learning center, and greenhouse for native plants, ensuring the vital protections of the habitat and provide opportunities for the public to learn about, develop an appreciation for and discover the many wonders of nature. Any structures could be built atop an area of the quarry that was already excavated beyond repair, sparing the bulk of the quarry as a native habitat.

Near the quarry are various sites reflecting the mountain's critical relationship with the Ohlone nation peoples. With their leadership and guidance, this development could include opportunities to honor them.

As people in the bay area are becoming aware of the proposed Guadalupe Quarry Annexation plan, they are shocked and upset at the prospect of what this will mean. The San Bruno Mountain and the harm an Industrial park would cause matters to us. Rest assured, we will be sure to get out the word and work hard to prevent it from happening.

Sincerely,



David Schooley

diversilobum@gmail.com

(415)994-4104

Beggs.Kelly

From: Kanji Nishijima <dnishijima53@gmail.com>
Sent: Monday, July 18, 2022 10:00 AM
To: Beggs.Kelly
Subject: Guadalupe Quarry Annexation and General Plan/Zoning Amendment Project EIR

We have recently been made aware of possible plans to expand the Brisbane industrial park into the quarry. We guess the rezoning amendment plan is the start of this project.

We can't imagine how this is acceptable to anyone who cares about the mountain, nature, brisbane, or humanity. Over 80% of brisbane voted to stop a housing development in the quarry. We suspect the same voters would vote against an industrial park, as well.

Besides, there are plenty of vacant buildings in the current industrial park. And if commercial activities start to come back to the industrial park, it will mean more obnoxious traffic racing through our area.

As it is, as we take regular walks around the industrial park, we confront the many trucks and speeding cars at the crosswalks. The most dangerous crossing is at the quarry entrance where cars and semis zip around the corner. As we walk inside the designated crosswalk, we pray they stop for the flashing light. It frightens us when we see others dash across outside the crosswalk where neither pedestrian nor vehicle will see each other until it is too late. We certainly don't need more of this.

It is critical that any decisions must include as much information as possible. It will be necessary to include the direct input and involvement of David Schooley who has been actively and regularly monitoring the quarry. He has already seen a miracle happening there where endangered species are flourishing.

Thank you,

Kanji Nishijima and Aurora Cuesta
102 Monterey St, Brisbane, CA 94005
415-467-7033

To: City of Brisbane, Kelly Beggs. And John Swiecki

Re: NOTICE OF PREPARATION of an Environmental Impact Report for the Guadalupe Quarry Annexation and General Plan/Zoning Amendment Project City of Brisbane

From: Michele Salmon, Resident of Brisbane, CA

Date: July 18, 2022

In addition to the verbal comments and concerns that I raised during the public scoping meeting for the EIR, please include these issues in the scoping for the Environmental Impact Report:

- Plans for road maintenance since trucks are hard on roads
The dramatically increased truck traffic will have a negative impact on road surfaces not only in the city limits of Brisbane, but in surrounding areas. Please address this and assure that mitigation that does not come from public funds.
- Water allotment -where will the water come from?
This facility will need water – and probably lots of it. Do they have a water allotment and where will the water come from? Will we be competing for water? Will they allow any truck washing facilities and how will that be addressed? What water will they use for dust mitigation during reclamation and development?
- Erosion on the hillside
There will be further erosion and rock fall both in the planned development area and the area to be donated to open space – San Bruno Mountain State & County Park. How will the erosion be addressed? How will rock fall be addressed – with big chain link fences like Telegraph Hill? How will the upper benches be made safe? Or will they be fenced off? How will that impact insects and the butterflies and animal migration?
- Clean Dirt and removal of equipment on and in Quarry grounds
A great deal of dirt has been moved and non-native dirt has been brought into the Quarry site. Will this be tested for cleanliness (no toxic or radioactive material)? Will this dirt be moved yet again? Is there any abandoned equipment under the dirt that need to be removed? What dust mitigation measures will be implemented and will they be adequately applied even on weekends and after hours when the wind kicks up?
- Dangers of dust generated by Quarry -carries dangerous particles
Dust from rock and other hard material like concrete that was artificially ground or quarried has much sharper edges than naturally formed dust and can lodge in the lungs and cause silicosis. How will the dangers of this dust be addressed both for workers during and after development and for citizens at large?
- Safe areas for animals; coyotes, raccoons...
San Bruno Mountain is home for many forms of wildlife including several mammals. How will their migration corridors and hunting areas be made accessible so that they do not get run over by truck traffic and that the potential reconfiguration of Quarry Road does not interfere with the wildlife and thus isolating the habitat?
How will you be able to mitigate the loss of insects and butterflies by get splattered on trucks coming and going form the facility?
- No non-native plants. Invasive plants take over native plants.

How will you insure that no non-native and/or invasive plants are introduced in the area through landscaping or any other means?

- Greenhouse gasses and effects

How will you adequately mitigate the greenhouse gases that will be generated not only by the facilities, but also from the subsequent truck traffic and commute traffic to this site – not just for Brisbane and SBM, but regionally?

- Other options reclaiming the quarry 3 light industrial buildings in moderate size.
What other alternative options will be studied in the EIR? We'd like the original option that was in the reclamation agreement to be studied – three pads with moderate-sized light industrial warehousing of the nature that was in Crocker Industrial Park at the time that was crafted – it did not include 24/7 operation or freight forwarding – as one of the options.
- Last mile delivery - More than one mile just to leave Brisbane
One of the uses mentioned was “Last Mile Delivery”. How can this be justified when there are few delivery addresses within a driving mile of the location?
- Low-income populations going north on Bayshore
Please address the fact that increased truck traffic will have to pass through low-income neighborhoods to get to a freeway on ramp with the exception of the on and off ramps along Sierra Point Parkway.
- It is extremely important to preserve the native habitat under the Federal Endangered Species Act list of California updated Jan 2022. This habitat serves the Mission Blue butterfly, the Callippe Silverspot butterfly, and particularly the San Bruno Elfin butterfly, as well as their host plants that can only be found on San Bruno Mountain.
How does this propose to protect these endangered species? How will you mitigate butterflies and other important insects like damsel flies getting smashed on trucks going to and from the quarry site?
- Maintain a butterfly pathway from the saddle of San Bruno Mountain Park to Callippe Hill
How will this project help to maintain safe and useable flyways for the endangered Callippe butterflies from their habitat along the main ridge to their habitat on Callippe Hill? How will this project interfere with their flight pattern?
- HCP San Bruno Mountain Habitat Conservation Plan.
What will be expected of any development in light of the HCP?
- Noise and light impacts both day and night
How do you propose to mitigate noise and light pollution from the site? Both daytime noise and nighttime noise and light pollution and all of the deleterious effects on both humans and animals and pollinators and plants
- Impacts of people and recreational activities in the area
How will the proposed project negatively impact recreational activities in the area – in particular Quarry Road. Many people use Quarry Road for recreation. How will you make the area around the quarry site safe for hikers?
- Impacts of trucks traffic both days and nights
Please accurately assess the noise and traffic impacts. The quarry site with its bowl shape, as well as Guadalupe Valley and central Brisbane all have unique sound

amplification qualities due to the natural topography and the quarries altered topography. Already noise from Quarry operation can not only be heard at the Northeast Ridge development, but can also be heard in central Brisbane. Truck traffic entering and exiting Valley Drive and traveling along Bayshore Boulevard can definitely be heard in central Brisbane. How do you plan to mitigate this and especially the cumulative effects of this traffic added to already existing and planned traffic?

- How will the traffic impact local business and other traffic?
How will the increased truck and vehicle traffic impact local traffic withing Crocker Industrial Park as well as on Old Bayshore? How will it impact the quality of life for residents trying to access their homes on both the Ridge and in central Brisbane?
- Hydrology of the Quarry site
The quarry site has complicated hydrology. In the past, it has had large reservoirs of water that were used as storage and sedimentation ponds. This certainly came from vast run-off and also from suspected underground springs. Historically, this water was icy cold and very clear as characterized by spring-fed water. Even recently, water from the quarry site fed the frog ponds and the wetlands at the base of Owl Canyon – now set aside a valuable habitat. The flow of water to the base of Owl Canyon needs to be restored.
- Hydraulics of the Quarry site
Going hand-in-hand with the hydrology, recent changes to the hydraulics of the quarry operation has had a deleterious effect on the seasonal wetlands at the base of Owl Canyon and the year-around pond that was at the entrance to the actual Quarry site. This was the home to many Chorus frogs and damsel flies. The water has been shunted away and straight into storm drains with no access for insects, animals or frogs. This should not have been done and needs to be restored.
- Owl canyon water issues
Water issues related to the quarry site and quarry operations and quarry site reclamation are complicated and need to be thoroughly addressed and not just for the benefit of the project but the benefit of the environment, restoration and reclamation and for a no project option.
Water is a precious resource and naturally occurring water
- Creek corridor on the west side of South Hill Drive
With the proposed potential development comes the reconfiguration of both Quarry Road, South Hill Drive, and potential egress though the property previously owned by Dolby that now belong to the City of Brisbane. There is an active waterway that is used by animals, insects and plants that runs along the back parking lots of the buildings along South Hill Drive. Undergrounding this is not a good environmental option. How are you going to address this?
- Crocker Trail aka Guadalupe Trail is on the old railroad right of way that was deeded to the City of Brisbane and is heavily used as a walking trail plus there is a masterplan for improvements. The trail crosses South Hill Drive just before the current junction leading to Quarry Road.
How do you plan to address the dangers of truck and additional vehicle traffic crossing this popular pedestrian and bicycle trail?

- One of the Safe Routes to School from Lipman Intermediate to the Northeast Ridge comes down from Old Quarry Rd and meets South Hill Drive at the junction with the Crocker/Guadalupe Trail and joins the sidewalk along South Hill Drive to Valley Drive and then crosses Valley Drive and continues on North Hill Drive.
How do you plan to address the safety issues with the dramatically increased truck and vehicle traffic and pedestrians, including school age children?
- Addressing the dangers of the cliffs and benches above the quarry?
While the development proposal would include donating these steep and dangerous quarry benches to SBM State & County Park, the responsibility for safety and reclamation should still belong to the developer. That was outlined in the last operating agreement with the quarry when Measure B was defeated in 2006. How do you plan to address this?

From: [Ariel Cherbowsky](#)
To: [Beggs.Kelly](#)
Subject: Comment - Scope of EIR for Guadalupe Quarry
Date: Monday, July 18, 2022 4:59:55 PM

Dear Kelly,

In 2015, Creekside Science produced a report assessing the San Bruno Mountain Habitat Conservation Plan, which is available at the link below the following citation:

Weiss, S.B., Naumovich L. and C. Niederer. 2015. Assessment of the past 30 years of habitat management and covered species monitoring associated with the San Bruno Mountain habitat conservation plan. Prepared for the San Mateo County Parks Department.

<https://www.smcgov.org/parks/san-bruno-mountain-habitat-management-approach-projects-documents>

Chapter 8 of the report reviews impacts to San Bruno Mountain vegetation cover due to nitrogen deposition from vehicle emissions and industrial activities. Increased rates of nitrogen deposition fertilize soil on the mountain and lead to a higher biomass of invasive plants detrimental to the quality of the mountain's habitats. For example, elevated nitrogen deposition facilitates the growth of invasive plants that degrade grasslands essential to the endangered mission blue and callippe silverspot butterflies.

The report mentions that "the low elevation leeward slopes from Devil's Arroyo around to Brisbane Acres have lower N-deposition" than those on the South Slope and Northeast Ridge. This "lower deposition zone" includes the Guadalupe Quarry and surrounding areas like Owl and Buckeye Canyons. It is important for the scope of the EIR to include a review of potential impacts of nitrogen deposition from the vehicular traffic associated with the proposed land uses and zoning; the current baseline conditions of the "lower deposition zone" may be altered.

Thank you,
Ariel



Ariel Cherbowsky Corkidi
Director of San Bruno Mountain Watch
(415) 467 6631
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NATIVE AMERICAN HERITAGE COMMISSION

June 17, 2022

Governor's Office of Planning & Research

Jun 17 2022

Kelly Beggs
City of Brisbane
50 Park Place
Brisbane, CA 94005-1310

STATE CLEARINGHOUSE

Re: 2022060358, Guadalupe Quarry Annexation and General Plan/Zoning Amendment Project, San Mateo County

Dear Ms. Beggs:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. 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.
 - a. The final report containing site forms, site significance, and mitigation measures 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.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

cc: State Clearinghouse