

September 4, 2019

See attached list: "California Native American Tribes Consulted under Assembly Bill 52"

Re: Lehigh Southwest Calaveras Cement Plant Cement Kiln Dust 3 Closure Project IS/MND

Dear [Tribe],

This letter serves as a formal invitation to your Tribe to consult with the Central Valley Regional Water Quality Control Board (CVRWQCB) under Assembly Bill 52 (AB 52), pursuant to Public Resources Code Section 21080.3.1. regarding the proposed Lehigh Southwest Calaveras Cement Plant Cement Kiln Dust 3 Closure Project (proposed project). CVRWQCB, as the Lead Agency under the California Environmental Quality Act (CEQA), intends to initiate the preparation of an Initial Study/Proposed Mitigated Negative Declaration (IS/MND) for the proposed project.

The proposed project is situated east of Pool Station Road approximately 2.5 miles south of San Andreas (Figure 1) in Calaveras County. The proposed project encompasses 15.55 acres of land. Elevations range from approximately 880 feet above mean sea level at the southern boundary to 1,000 feet at the northern boundary.

On June 9, 2017, the CVRWQCB issued Waste Discharge Requirements (WDRs) (WDR Order No. R5-2017- 0077) in accordance with Title 27, Division 2 of the California Code of Regulations. The Lehigh Southwest Calaveras Cement Plant has been classified as mine waste Group B which identifies the WDRs for closure of the 8-acre mining unit, referred to as cement kiln dust (CKD) 3. Closure includes the installation of a low-permeability cover over the CKD and submittal of a final construction quality assurance report for review and approval by CVRWQCB. The primary purpose of the cover is to significantly reduce the infiltration of water into the CKD material. A leachate collection and removal system composed of leachate collection trenches, tanks, and pumps would be installed as part of the closure design. CKD 3 will be graded and closed pursuant to Title 27 requirements. Lehigh received final approval from CVRWQCB for the CKD 3 Closure Plan in May 2018.

Excavation and re-grading the CKD pile would result in impacts to two seasonal wetland features and unnamed intermittent drainage requiring authorization from the CVRWQCB under Clean Water Act Section 401. Current closure design shows that the intermittent drainage channel would be excavated to remove CKD material and re-created on the landscape immediately east of the current drainage course. Channel capacity would remain the same. A rip-rap pad would be created at the southern end of the excavation and re-grading area to prevent down-gradient erosion.

As part of the cultural resources review of the proposed project under CEQA, we are providing your Tribe with an opportunity to submit any information that you are willing to share about cultural resources, particularly tribal cultural resources defined in Public Resources Code Section 21074, that could potentially be impacted by the proposed project. We understand that the locations of certain types of cultural resources are sensitive, and resource locations will not be disclosed in public documents and will be kept confidential, in accordance with California Government Code Section 6254.10.

If your Tribe would like to participate in formal consultation with CVRWQCB, please notify the undersigned, in writing, within 30 calendar days of receipt of this notice. If a written request is not received by CVRWQCB within the 30 calendar days, the consultation process under Public Resources Code Section 21080.3.1 may not take place. CVRWQCB is, however, committed to continuing to work with your Tribe on the proposed project.

Please send written notification to:

[CVRWQCB contact]

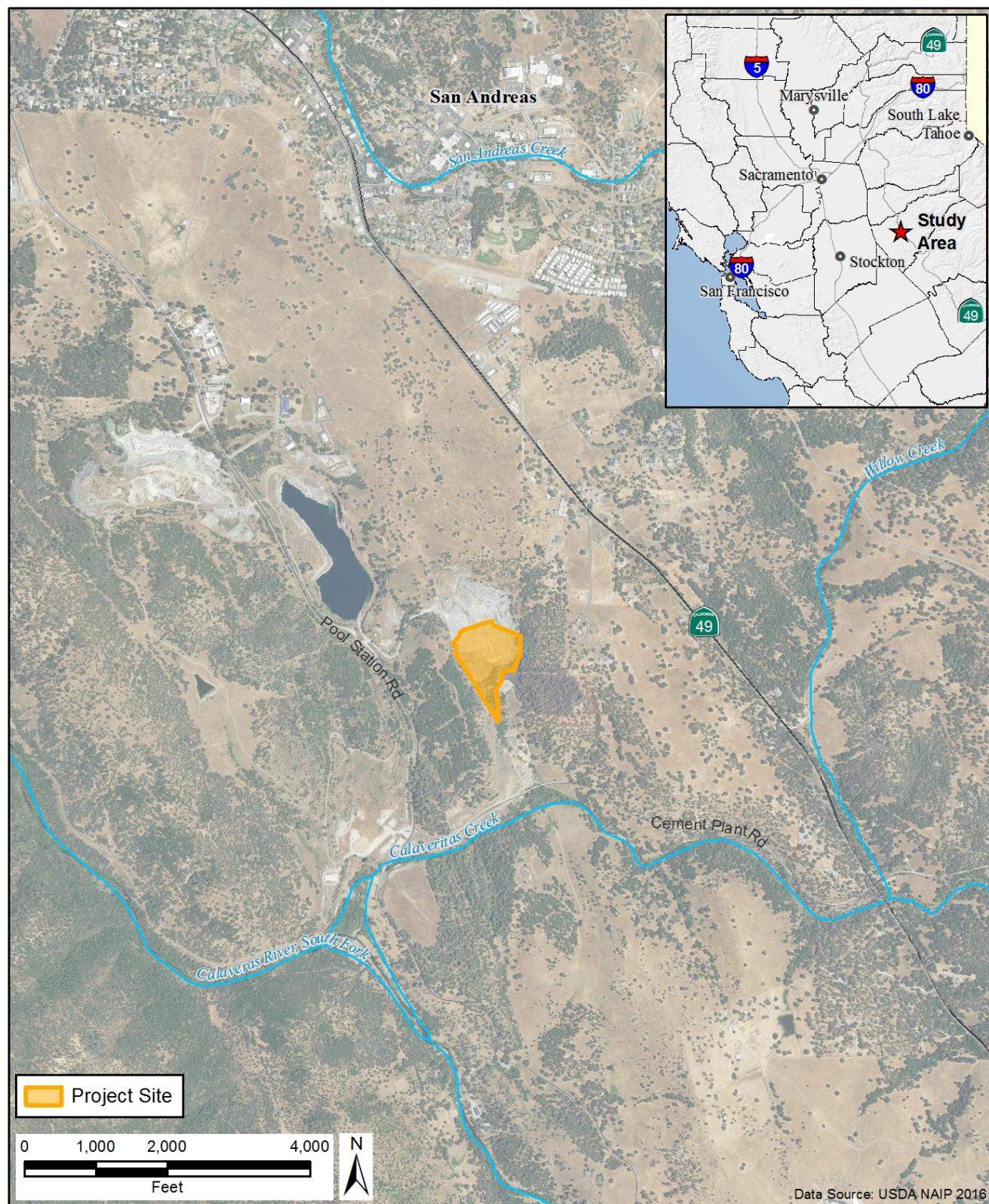
If you have any questions or would like additional information, please contact [CVRWQCB contact name], [Title] at [Phone number] or [email].

Sincerely,

Enclosure:

Figure 1. Proposed Project Location Map

Figure 1. Proposed Project Location Map



California Native American Tribe's Consulted under Assembly Bill 52

1. Big Pine Paiute Tribe of the Owens Valley
2. Buena Vista Rancheria of Me-Wuk Indians
3. Calaveras Band of Mi-Wuk Indians (Grimes)
4. Calaveras Band of Mi-Wuk Indians (Wilson)
5. California Valley Miwok Tribe (a.k.a Sheep Rancheria of Me-Wuk Indians of CA)
6. Colorado River Indian Tribes of the Colorado River Indian Reservation
7. Federated Indians of Graton Rancheria
8. Gabrieleno Band of Mission Indians - Kizh Nation
9. Gabrieleno/ Tongva San Gabriel Band of Mission Indians
10. Ione Band of Miwok Indians
11. Jackson Rancheria Band of Me-Wuk Indians
12. Middletown Rancheria
13. Mishewal-Wappo Tribe of Alexander Valley
14. Pit River Tribe of California
15. San Manuel Band of Mission Indians
16. Santa Rosa Rancheria Tachi Yokut Tribe
17. Shasta Indian Nation
18. Shingle Springs Band of Miwok Indians
19. Torres-Martinez Desert Cahuilla Indians
20. Tuolumne Band of Me-Wuk Indians
21. United Auburn Indian Community of the Auburn Rancheria
22. Wilton Rancheria

BSS

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**SHINGLE SPRINGS BAND
OF MIWOK INDIANS**

Shingle Springs Rancheria
(Verona Tract), California
5168 Honpie Road
Placerville, CA 95667
Phone: 530-676-8010
shingiespringsrancheria.com

CULTURAL RESOURCES

October 8, 2019

Central Valley Regional Water Quality Control Board
Brad Shelton
11020 Sun Center Drive #200
Rancho Cordova, CA 95670

RE: Calaveras Cement Plant Closure Project

Dear Brad Shelton,

Thank you for your letter dated September 4, 2019 in regard to the above mentioned project. Based on the information provided, the Shingle Springs Band Of Miwok Indians is not aware of any known cultural resources on this site. However, SSR would like to have continued consultation through updates, as the project progresses. This will foster a greater communication between the Tribe and your agency.

SSR would also like to request any and all completed record searches and or surveys that were done in or around the project area up to and including environmental, archaeological and cultural reports. If during the progress of the project new information or human remains are found, we would like to be able to go over our process with you to protect such important and sacred artifacts (especially near rivers and streams).

If such finds are made, please contact Kara Perry, Cultural Outreach Coordinator, at (530) 488-4049 or kperry@ssband.org.

Thank you for providing us with this notice and opportunity to comment.

Sincerely,


Daniel Fonseca
Cultural Resource Director
Tribal Historic Preservation Officer (THPO)
Most Likely Descendant (MLD)

NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710



November 27, 2018

Jesse Martinez
GEI Consultants

Sent by Email: jmartinez@geiconsultants.com
Number of Pages: 2

RE: Calaveras Cement CKD 3 Closure Design Project, San Andreas, Calaveras County

Dear Mr. Martinez:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. **Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.**

I suggest you contact all of those listed, if they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. **By contacting all those on the list, your organization will be better able to respond to claims of failure to consult.** If a response has not been received within two weeks of notification, the NAHC 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 of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: sharaya.souza@nahc.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sharaya Souza".

Sharaya Souza
Staff Services Analyst
(916) 573-0168

**Native American Heritage Commission
Native American Contacts List
11/27/2018**

Calaveras Band of Mi-Wuk Indians Charles Wilson, Chairperson 546 Bald Mountain Road West Point CA 95255 (209) 293-2189	Mi-Wuk	Washoe Tribe of Nevada and California Darrel Cruz, Cult Res Dept. THPO 919 Highway 395 North Gardnerville NV 89410 Darrel.Cruz@washoetribe.us (775) 265-8600 x10714 (775) 546-3421 Cell	Washoe
Calaveras Band of Mi-Wuk Indians Debra Grimes, Cultural Res. Specialist P.O. Box 899 West Point CA 95255 CalaverasMiwukPreservation@gmail.com (209) 470-8688	Mi-Wuk Miwok		
California Valley Miwok Tribe 4620 Shippee Lane Stockton CA 95212 (209) 931-4567 Office (209) 931-4333 Fax	Miwok		
California Valley Miwok Tribe AKA Sheep Rancheria of Me-Wuk Indians of Ca P.O. Box 395 West Point CA 95255 l.ewilson@yahoo.com (209) 293-4179 Office	Miwok		
lone Band of Miwok Indians Sara Dutschke Setchwaelo, Chairperson P.O. Box 699 Plymouth CA 95669 sara@ionemiwok.net (209) 245-5800 Office (209) 245-6377 Fax	Miwok		

This list is current as of the date of this document and is based on the information available to the Commission on the date it was produced.

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, or Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American Tribes for the proposed:
Calaveras Cement CKD 3 Closure Design Project, San Andreas, Calaveras County.