

## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364

SACRAMENTO, CA 95814

(916) 653-4082

(916) 657-5390 - Fax



May 18, 2010

MAY 21 2010 PM 2:53 Planning

David Bernardi  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

RE: SCH#2008112004 Sir Francis Drake Boulevard Rehabilitation Project Draft EIR; Marin County.

Dear Mr. Bernardi:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) regarding the above project. To adequately assess and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

- Contact the appropriate Information Center for a record search to determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ 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.
  - 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.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the NAHC for a Sacred Lands File Check.
  - **Check Completed with negative results, 05/18/10**  
The absence of specific site information in the Sacred Lands File does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites (see below).
- ✓ Contact the NAHC for a list of appropriate Native American Contacts for consultation concerning the project site and to assist in the mitigation measures.
  - **Native American Contacts List attached**  
The NAHC makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend other with specific knowledge. If a response has not been received within two weeks of notification, the Commission 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 these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5 (e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

A handwritten signature in black ink that reads "Katy Sanchez". The signature is written in a cursive, flowing style.

Katy Sanchez  
Program Analyst  
(916) 653-4040

CC: State Clearinghouse

# Native American Contact List

Marin County

May 18, 2010

The Federated Indians of Graton Rancheria  
Gene Buvelot

6400 Redwood Drive, Ste      Coast Miwok  
Rohnert Park, CA 94928      Southern Pomo  
coastmiwok@aol.com

(415) 895-1163 Home  
(415) 259-7819 Cell

Ya-Ka-Ama

7465 Steve Olson Lane      Pomo  
Forestville, CA 95436      Coast Miwok  
info@yakaama.org      Wappo

(707) 887-1541

The Federated Indians of Graton Rancheria  
Greg Sarris, Chairperson

6400 Redwood Drive, Ste      Coast Miwok  
Rohnert Park, CA 94928      Southern Pomo  
coastmiwok@aol.com

707-566-2288

707-566-2291 - fax

The Federated Indians of Graton Rancheria  
Frank Ross

100 Cielo Lane, Apt 102      Coast Miwok  
Novato, CA 94949      Southern Pomo  
miwokone@yahoo.com

(415) 269-6075

This list is current only as of the date of this document.

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 and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2008112004 Sir Francis Drake boulevard Rehabilitation Project Draft EIR; Marin County.

## **The Marin County Equestrian Trail Guide**

Sandy Greenblat, Publisher

105 Bay Way

San Rafael CA 94901

Tel: 415/307-3351

Website: [MarinTrailGuide@comcast.net](mailto:MarinTrailGuide@comcast.net)

email: [sandygreenblat@comcast.net](mailto:sandygreenblat@comcast.net)

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MAY 24 2010

MARIN COUNTY PUBLIC WORKS

May 19, 2010

Ernest Klock, Principal Civil Engineer

**Marin County Dept. of Public Works**

3501 Civic Center Drive, Room 404

San Rafael CA 94903

Subject: Sir Francis Drake Boulevard Rehabilitation Project  
Remarks re: Environmental Impact Report

Dear Mr. Klock,

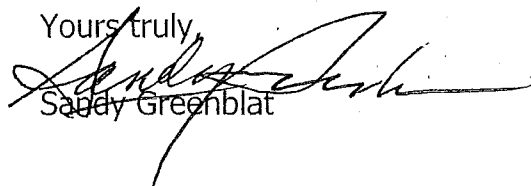
I wish to provide my comments addressing specific areas of the EIR, mostly relative to Section 6, Transportation and Circulation.

I believe the EIR is adequate in its scope and I compliment the authors. Thanks also to Dave Bernardi and all the various staff members who have worked diligently on this long overdue project.

I understand the issues addressed below are constrained by the actual, physical setting of that section of roadway beginning at the Shafter Bridge and continuing westward to the end of the California State Park (Taylor Park) property where it joins the Lands of GGNRA, approximately four miles in length.

If there is any need to contact me, please call the phone number or use the email address, both of which are shown on the letterhead.

Yours truly,

  
Sandy Greenblat

## **Turnouts, Passing Areas, Cyclist Safety, Traffic Counts, Signage and Traffic Delay**

### **Turnouts:**

The EIR suggest several strategically placed turnouts up to 300' in length to provide pull-out space for slower vehicles and safe passing areas for faster traffic. While physical limitations have much to do with the length of turnouts, 300' is actually a minimum requirement when one looks closely at the traffic.

### Supporting Data:

A truck, truck and trailer, tour bus or similar vehicle, slowing down to at least 15mph to move into the turnout will cover that length of space in 13 seconds. Add additional time if the vehicle pulling into the turnout actually comes to a full stop. This is a minimal requirement.

### **Turnout/Shoulder Construction:**

*The turnout must be level with the roadway.* Present turnouts all over this county's two lane roads, and in scores of other areas, require the driver's vehicle to drop off the roadway edge onto an unpaved, rough and potholed turnout or shoulder, running over broken pieces of asphalt in the process. After a driver spends enough money repairing broken undercarriage, flat tires, bent rims, damaged trailers and so forth, the use of such badly designed and maintained turnouts will halt. I for one will no longer subject my equipment to such turnouts or shoulders. Also, as an afterthought, the trees overhead need to be trimmed to allow tall vehicles (semi-trailers, busses, trucks with tall trailers) to use the turnout without damage to their top line. Several turnouts have tree overhang that prevents their use except by the automobile.

Using permeable asphalt is a great idea, eliminating standing water and unwanted sheeting of water off the roadway.

### **Size of Vehicles:**

Vehicles that would normally access turnouts are delivery trucks ranging in length for 20' to 65', trucks with horse trailers ranging from 30' to over 50' in length, tour busses of various size measuring up to and beyond 50' in length, plus cement trucks and all the other typical daily delivery truck traffic that is generally big, long and heavy. Add to that the commute buses that now traverse this roadway on a regular basis. It is important to note that a great majority of the commercial deliveries to Olema, Point Reyes Station and Point Reyes National Seashore access SFD Blvd.

**Passing Cyclists/Traffic Delay:** At present, assuming a driver will not risk an accident or injury to a cyclist, any of the vehicles named in the above paragraphs will follow cyclists all four miles, until reaching the open roadway west of the GGNRA boundary.

If cyclists are to be encouraged to use turnouts, as well they should be, they should understand there may be times when they simply have to stop and allow the traffic to pass. This is not a common practice now. I travel this roadway west and east at least seventy five times a year with a truck and trailer and occasionally in my car. I follow the cyclists until it is safe to pass. That is to say, I hardly ever pass, and that annoys those behind me.

**Traffic Implications:** I have no real issue with the conclusions of the study. I do wish to provide the following data as I fear some of the content may not have been included in the study traffic counts.

Trucks with Horse Trailers:

Addressing the number of day use trips: An assumption: Twenty such rigs come through Taylor Park on their way to Point Reyes (Bear Valley, Five Brooks, Bayview Trailhead, Muddy Hollow Trailhead, Estero Trailhead, Limantour Trailhead to name the most popular destinations) daily. Let's say the travel averages 300 days a year allowing for bad weather days. The reasonable total is 6,000 annual trips *each way*, east and west, over this route just for the day users. Twelve thousand trips. I understand some but very few arrive via SR1 from the south; Lucas Valley Road and SR1 from the north. The impact is certainly less than five percent of the total. My personal belief is closer to one percent.

Stewart Horse Camp:

Stewart Horse Camp is open May to October each year. The camp averages approximately 9,000 users per season. Each user is one truck and trailer. Of the total, 95% of the visitors travel Sir Francis Drake Blvd. through Taylor Park on their way to *and from* the Stewart Horse Camp. That totals 18,000 trips @ 95% = 17,100 trips in addition to day use travelers as outlined above.

Samuel P. Taylor Park:

Equestrian use in Taylor Park is not counted and recorded. The assumption is twenty five units arrive in the park each week plus overnight horse camping at Devils Gulch, generally occupied all spring, summer and fall. One can only assume the net add-on to the traffic count is above one thousand trips annually, each way, east and west, even allowing for bad winter days.

Impact Days:

For the most part, the heaviest traffic occurs Wednesday through Sunday although some truck and horse trailer traffic is evident Monday-Tuesday. The Stewart Horse Camp traffic westbound occurs Wednesday-Friday for the most part, and eastbound late Saturday and all day Sunday.

**Traffic Study Understated:**

If my assumption the study is understated, then support for numerous and properly constructed turnouts gains further support. Add the above to the resident traffic counts, the visitor and vacationer counts (4,000,000+ annually to the Point Reyes National Seashore alone!) and I believe the total count will be higher than anticipated.

Table 4.8.A, Page 281, and the adjacent explanation addressing the Marin Countywide Plan conclusions are correct. The LOS at Butterfield Road and Sir Francis Drake Blvd. and west through Fairfax, is certainly Level E or F, especially on weekends and during commute hours. These areas and levels of service do not address the subject area properly. Your study is certainly more reliable.

**Speed Limit:**

I understand there is a 30mph speed limit at and near the entrance to Samuel P. Taylor Park. Maintain that speed limit and reduce the speed limit on the balance of the roadway under study, from Shafter Bridge to the GHNRA boundary, to 35 mph and 40 mph from the GGNRA boundary to Platform Bridge Road. Of course, enforcement is the major issue.

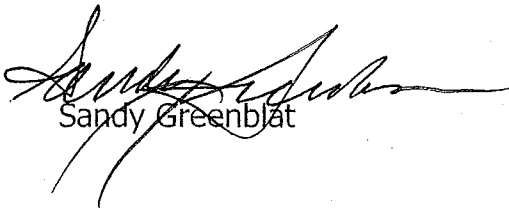
**Signage:**

Signage advising cyclists they can use the turnouts to allow vehicles to pass is critical. Signage should also prohibit parking in turnouts. Marin County Sheriff and CHP officers should enforce this law.

Signage advising motorists they cannot pass cyclists when there is a sight line of less than \_\_\_\_\_ feet is critical. I do not know the correct number, so I will leave that to you. Even 30 mph traffic will take 5-7 seconds to pass a cyclist (or another vehicle) and cover close to 300' to pass at that rate of speed.

Add signage advising "Be patient. This is a narrow road."

Signage advising "No Dumping" is continuously required.



Sandy Greenblatt



**Federated Indians of Graton Rancheria**  
**Sacred Sites Protection Committee**  
**6400 Redwood Drive Suite 300**  
**Rohnert Park, CA 94928**

June 1, 2010

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JUN 03 2010

MARIN COUNTY PUBLIC WORKS

Ernest Klock  
Marin Dept. of Public Works  
3501 Civic Center Drive, Rm. 404  
San Rafael, CA 94903

RE: Comments for Sir Francis Drake Blvd. DEIR

Dear Mr. Klock:

The Federated Indians of Graton Rancheria (FIGR), a federally recognized Tribe and sovereign government, has received the report you have provided regarding the Sir Francis Drake Blvd. rehabilitation project. We have several concerns about the impacts to our cultural resources by this project.

It is our understanding this project must comply with the National Historic Preservation Act, Section 106 and 36 CFR Part 800 due to the permits that must be obtained from the federal agencies of the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service and NOAA. Please notify the representatives of these agencies that the Tribe requests official "government to government" consultation begin regarding the impacts of this project.

Respectfully,

Nick Tipon  
Chairman: Sacred Sites Protection Committee

Cc: Andrew Pulcheon  
Associate/Cultural Resources Manager  
LSA Associates  
andrew.pulcheon@lsa-assoc.com