

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-057-2017-001

February 02, 2017

[VIA EMAIL TO:rfowler@cityofmenifee.us]
City of Menifee
Mr. Ryan Fowler
29714 Haun Road
Menifee, CA 92586

Re: AB-52, Rockport Ranch

Dear Mr. Ryan Fowler,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Rockport Ranch project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area (TUA). For this reason, the ACBCI THPO requests the following:

- *A cultural resources inventory of the project area by a qualified archaeologist prior to any development activities in this area.
- *A copy of the records search with associated survey reports and site records from the information center.
- *Copies of any cultural resource documentation (report and site records) generated in connection with this project.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6829. You may also email me at acbc-thpo@aguacaliente.net.

Cordially,

Katie Croft
Archaeologist
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS



PECHANGA CULTURAL RESOURCES
Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

January 26, 2017

Chairperson:
Neal Ibanez

Vice Chairperson:
Bridgett Barcello

Committee Members:
Evie Gerber
Darlene Miranda
Richard B. Searce, III
Michael Vasquez

Director:
Gary DuBois

Coordinator:
Paul Macarro

Planning Specialist:
Tuba Ebru Ozdil

Cultural Analyst:
Anna Hoover

VIA E-MAIL and USPS

Ryan Fowler
Senior Planner
City of Menifee
Community Development Department
29714 Haun Road
Menifee, CA 92586

Re: PECHANGA TRIBE REQUEST FOR CONSULTATION PURSUANT TO AB 52 FOR ROCKPORT RANCH; TR 2016-285; SP 2016-286; GPA 2016-287; CZ 2016-288

Dear Mr. Fowler;

This letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, “the Tribe”) a federally recognized Indian tribe and sovereign government in response to the AB 52 notice provided by the City of Menifee dated January 5, 2017 and received in our office January 12, 2017.

This letter serves as the Tribe’s formal request to begin consultation under AB 52 for this Project. Per AB 52, we intend to assist the City in determining the type of environmental document that should be prepared for this Project (i.e. EIR, MND, ND); with identifying potential tribal cultural resources (TCRs); determining whether potential substantial adverse effects will occur to them; and to develop appropriate preservation, avoidance and/or mitigation measures, as appropriate. Preferred TCR mitigation is always avoidance and the Tribe requests that all efforts to preserve sensitive TCRs be made as early in the development process as possible.

Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archaeological reports, development plans, conceptual grading plans (if available), and all other applicable documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project, and that these comments be incorporated into the record of approval for this Project.

The Pechanga Tribe asserts that the Project area is part of ‘*Atáaxum* (Luiseño), and therefore the Tribe’s, aboriginal territory as evidenced by the existence of cultural resources,

named places, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive 'Atáaxum artifact record in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area as well as our extensive history with the City and other projects within the area. During our consultation we will provide more specific, confidential information on potential TCRs that may be impacted by the proposed Project.

As you know, the AB 52 consultation process is ongoing and continues until appropriate mitigation has been agreed upon for the TCRs that may be impacted by the Project. As such, under both AB 52 and CEQA, we look forward to working closely with the City on ensuring that a full, comprehensive environmental review of the Project's impacts is completed, including addressing the culturally appropriate and respectful treatment of human remains and inadvertent discoveries.

In addition to those rights granted to the Tribe under AB 52, the Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts.

The Pechanga Tribe looks forward to working together with the City of Menifee in protecting the invaluable Pechanga cultural resources found in the Project area. The formal contact person for this Project will be Ebru Ozdil. Please contact her at 951-770-8113 or at eozdil@pechanga-nsn.gov within 30 days of receiving these comments so that we can begin the consultation process. Thank you.

Sincerely,



Ebru Ozdil
Planning Specialist

Cc Pechanga Office of the General Counsel

From: Ryan Fowler
To: ["Joseph Ontiveros"](mailto:Joseph.Ontiveros)
Subject: RE: TR 2016-285 - Rockport Ranch - Disturbed Site
Date: Tuesday, March 14, 2017 5:07:00 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)

Ok, I will not require the Phase I report in that case and will just require the treatment and disposition COA and no Soboba monitoring.

From: Joseph Ontiveros [mailto:jontiveros@soboba-nsn.gov]
Sent: Tuesday, March 14, 2017 5:04 PM
To: Ryan Fowler
Subject: RE: TR 2016-285 - Rockport Ranch - Disturbed Site

Ryan,

The standard conditions for treatment and disposition would be fine for any possible discoveries. I would rather be covered by the precautionary language. I am not so worried about the monitoring.

Joe

Joseph Ontiveros

Cultural Resource Director
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, Ca 92581
P (951) 654-2765 ext.4137
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Soboba_ñ



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From: Ryan Fowler [<mailto:rfowler@cityofmenifee.us>]

Sent: Tuesday, March 14, 2017 4:11 PM

To: Joseph Ontiveros <jontiveros@soboba-nsn.gov>

Subject: TR 2016-285 - Rockport Ranch - Disturbed Site

Joseph,

I just want to confirm that you do want to request the pedestrian survey. I just went back and looked at the site more closely. It looks pretty heavily disturbed and/or developed. It doesn't appear to have any native or untouched portions. I have a meeting scheduled with this applicant Thursday afternoon. If you need to see the site in the field first before making a decision regarding the ped survey, let me know and I can arrange for them to contact you to set this up. Or if you are positive that a ped survey will be required, do you have an idea of which portions this will be limited to?

Thanks,
Ryan.