

**Appendix J:
AB52 Consultation**

Pennsylvania Street Commercial Project Tribal Consultation Summary

The City of Beaumont

CHAMBERS GROUP

September 29, 2020
21219

On March 2, 2020, the City of Beaumont submitted AB 52 notification letters to 24 Native American tribal governments or designated tribal representatives via certified mail. Of the 24 tribes or tribal representatives (in some cases multiple letters were sent to representatives of the same tribe), the City received four responses.

Responses and consultation requests were received from the following tribes:

- Agua Caliente Band of Cahuilla Indians (March 27, 2020): The Tribe stated that the project area is not located within the boundaries of the ACBCI Reservation but is within the Tribe's Traditional Use Area. The Tribe requested a copy of the records search and associated reports and site records from the information center, a cultural resources inventory by a qualified archaeologist, copies of any cultural resource documentation, and requested an Agua Caliente Native American Cultural Resource Monitor(s) be present during any ground disturbing activities (including archaeological testing and surveys). Chambers Group provided a copy of the Cultural Resources Report and requested the Tribe's availability to schedule consultation with the City. No additional request or response was received.
- Rincon Band of Luiseño Indians (March 9, 2020): The Tribe stated that the project area is not within the Luiseño Aboriginal Territory.
- San Pasqual Band of Mission Indians (March 19, 2020): The Tribe stated that the project area is not within the boundaries of the recognized San Pasqual Indian Reservation and is beyond the territory that the Tribe considers as a Traditional Use Area (TUA).
- Morongo Band of Mission Indians (March 13, 2020): The Tribe stated that the project is within the ancestral territory and traditional use area of the Cahuilla and Serrano people of the Morongo Band of Mission Indians. The Tribe requested a copy of the record search from the appropriate California Historical Resources Information System (CHRIS) center, and requested participation during survey and testing if the fieldwork has not taken place. If the fieldwork has been completed, the Tribe requests a copy of a Phase I study or other cultural assessments. Chambers Group provided a copy of the Cultural Resources Report and requested the Tribe's availability to schedule consultation with the City. No additional request or response was received.

Pursuant to PRC 21080.3.1(d), each tribal government or representative was given 30 days upon receipt of the AB 52 notification letter to provide a request for consultation on the Project. Four of the 24 tribal representatives responded to the initial notification letter, with two requesting consultation and additional reports. No additional responses or requests were received. The City of Beaumont, as lead agency, has fulfilled its obligations under AB 52 to engage in tribal consultation with all other tribal governments.





03-036-2020-001

October 08, 2020

[VIA EMAIL TO:spentney@chambersgroupinc.com]
Chambers Group, Inc
Ms. Sandra Pentney
5 Hutton Centre Drive, Suite 750
Santa Ana, California 92707

Re: Pennsylvania Street Commercial Center

Dear Ms. Sandra Pentney,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Pennsylvania Street Commercial Center project. We have reviewed the documents and have the following comments:

*At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resources. This letter shall conclude our AB52 consultation efforts.

*Should human remains be discovered during construction of the proposed project, the project contractor would be subject to either the State law regarding the discovery and disturbance of human remains or the Tribal burial protocol. In either circumstance all destructive activity in the immediate vicinity shall halt and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5. If the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) shall be contacted. The NAHC will make a determination of the Most Likely Descendent (MLD). The City and Developer will work with the designated MLD to determine the final disposition of the remains.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6907. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Patricia Garcia-Peterson

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-036-2020-001

Pattie Garcia-Plotkin
Director
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

Rincon Band of Luiseño Indians

One Government Center Lane | Valley Center | CA 92082
(760) 749-1051 | Fax: (760) 749-8901 | rincon-nsn.gov



March 9, 2020

Sandra Pentney
Chambers Group, Inc.
5 Hutton Centre Drive, Suite 750
Santa Ana, CA 92707

Re: Beaumont Pennsylvania Street Commercial Center Project

Dear Ms. Pentney:

This letter is written on behalf of the Rincon Band of Luiseño Indians. Thank you for inviting us to submit comments on the above mention project. Rincon is submitting these comments concerning your projects potential impact on Luiseño cultural resources.

The Rincon Band has concerns for the impacts to historic and cultural resources and the finding of items of significant cultural value that could be disturbed or destroyed and are considered culturally significant to the Luiseño people. This is to inform you; your identified location is not within the Luiseño Aboriginal Territory. We recommend that you locate a tribe within the project area to receive direction on how to handle any inadvertent findings according to their customs and traditions.

If you would like information on tribes within your project area, please contact the Native American Heritage Commission and they will assist with a referral.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Deneen Pelton, Administrative Assistant for
Cheryl Madrigal, M.A.
Cultural Resources Manager
Cultural Resources Department
Office: 760-297-2635 ext. 318|Cell: 760-648-3000
Email: cmadrigal@rincon-nsn.gov

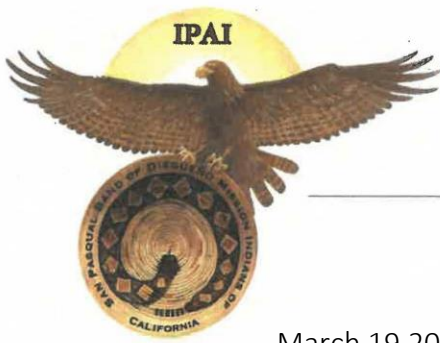
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Council Member

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Council Member



SAN PASQUAL BAND OF MISSION INDIANS

SAN PASQUAL RESERVATION

March 19, 2020

Sandra Pentney
Cultural Resources Specialist/ Project Manager

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Councilman

RE: Beaumont Pennsylvania Street Commercial Center Project

Dear Mis. Pentney,

The San Pasqual Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of David L. Toler THPO Officer and San Pasqual Band of Mission Indians.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized San Pasqual Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone 760-651-5142 or by e-mail at THPO@sanpasqualtribe.org.

Respectfully,

Angelina Gutierrez
Tribal Historic Preservation Office, Monitor Supervisor
San Pasqual Band of Mission Indians