

Appendix F3 Tribal Consultation

Appendices

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NATIVE AMERICAN HERITAGE COMMISSION

October 19, 2023

Lexie Zimny
PLACEWORKS

Via Email to: lzimny@placeworks.com

Re: Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, Ontario Regional Sports Complex Project, San Bernardino County

Dear Ms. Zimny:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties or projects.

Government Codes §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

Public Resources Codes §21080.3.1 and §21080.3.2 requires public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to tribal cultural resources as defined, for California Environmental Quality Act (CEQA) projects.

The law does not preclude local governments and agencies from initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

Best practice for the AB52 process and in accordance with Public Resources Code §21080.3.1(d), is to do the following:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The NAHC also recommends, but does not require that lead agencies include in their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential affect (APE), such as:



CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

SECRETARY
Sara Dutschke
Miwok

PARLIAMENTARIAN
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COMMISSIONER
Reid Milanovich
Cahuilla

COMMISSIONER
Vacant

EXECUTIVE SECRETARY
**Raymond C.
Hitchcock**
Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE, such as known archaeological sites;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.

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 in accordance with Government Code Section 6254.10.
3. The result of the Sacred Lands File (SFL) check conducted through the Native American Heritage Commission was negative.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event, that they do, having the information beforehand well help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Cameron.vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

Attachment

From: [Thomas Grahn](#)
To: [Kimberly Ruddins](#); [Nicole Vermilion](#); [Lexie Zimny](#)
Subject: FW: ORSC Tribal Consultation Notice - SB18/AB52
Date: Tuesday, October 3, 2023 4:25:59 PM
Attachments: [image001.png](#)
[Christina Conley SB18 AB32 Letter.pdf](#)

From: Christina Marsden Conley <christina.marsden@alumni.usc.edu>
Sent: Friday, September 22, 2023 11:42 AM
To: Thomas Grahn <TGrahn@ontarioca.gov>
Subject: Re: ORSC Tribal Consultation Notice - SB18/AB52

Good afternoon Thomas,
We will defer comments to our sister tribe, Sandonne Goad
Tribal Council Chairwoman
Gabrielino/Tongva Nation

Take care
Christina

tehoovet taamet

C H R I S T I N A C O N L E Y

- Native American Monitor - Caretaker of our Ancestral Land and Water
- Cultural Resource Administrator Under Tribal Chair, Robert Dorame (Most Likely Descendant) of Pimugna (Catalina Island), Carson, Huntington Beach, Long Beach, Marina del Rey, Playa Vista, Studio City
- Native American Heritage Commission Contact
- Fully qualified as a California State Recognized Native American Tribe fulfilling SB18, AB52 Compliance Regulations
- HAZWOPER Certified
- 626.407.8761

G A B R I E L I N O T O N G V A I N D I A N S O F C A L I F O R N I A

The Gabrielino Tongva Indians of California tribe is traditionally and culturally recognized in the State of California Bill AJR96 as the aboriginal tribe to encompass the entire Los Angeles Basin area to Laguna Beach, extending to the Channel Islands of Santa Catalina, San Nicholas and San Clemente Islands

****I am presently on a field site with limited communication- please excuse any typos****

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. This e-mail may also contain CONFIDENTIAL AND PRIVILEGED INFORMATION AND/OR ATTORNEY WORK PRODUCT. This information is only for the intended recipient. If you have received this email in error please notify the system manager. If you are not the named addressee and intended recipient you may not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are hereby notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

On Sep 22, 2023, at 11:37 AM, Thomas Grahn <TGrahn@ontarioca.gov> wrote:

The City's SB 18 & AB 52 Notice for the Ontario Regional Sports Complex is attached. Please contact me should you have any questions.

Thomas Grahn

Senior Planner
City of Ontario Planning Department
303 East B Street
Ontario, CA 91764
(909) 395-2413
tgrahn@ontarioca.gov



Contact us by phone at 909.395.2036 or by email at PlanningCounter@ontarioca.gov for general Planning-related information.

To see the status of your permit, visit the Citizen Portal Access: <https://automation.ontarioca.gov/onlinePermits/Default.aspx>

From: [Thomas Grahn](#)
To: [Nicole Vermilion](#); [Lexie Zimny](#); [Kimberly Ruddins](#)
Subject: FW: Ontario Regional Sports Complex Project Follow Up
Date: Monday, October 2, 2023 4:53:16 PM

From: Lorrie Gregory <LGregory@cahuilla-nsn.gov>
Sent: Monday, October 2, 2023 2:35 PM
To: Thomas Grahn <TGrahn@ontarioca.gov>
Cc: BobbyRay Esparza <besparza@cahuilla-nsn.gov>
Subject: Ontario Regional Sports Complex Project Follow Up

Good Afternoon Mr. Grahn,

I am reaching out today to follow up on the consultation letter that we sent last month regarding the Ontario Regional Sports Complex Project. Due to the large ground disturbance and project vicinity being within traditional Cahuilla land use, we wish to consult on this project. We request that you send any cultural material reports associated with the project for review. Thank you for reaching out in regards to the project, have a good rest of your day.

Respectfully,

Lorrie Gregory
Cultural Resource Coordinator
Cahuilla Band of Indians
Phone: 1 (760) 315-6839
Email: lgregory@cahuilla-nsn.gov



Cahuilla Band of Indians Cultural Department

52701 CA-Highway 371 Anza, California 92539

September 15, 2023

Mr. Thomas Grahn
City of Ontario

RE: Ontario Regional Sports Complex

To Whom It May Concern:

Thank you for contacting the Cahuilla Band of Indians concerning the above referenced project.

On behalf of the Cahuilla Band of Indians the Cahuilla Cultural Department would like express the concern that the proposed project area may be sensitive for cultural resources, based on the maps provided and location, the proposed project is located in the Tribes Traditional Land Use Area. The Cahuilla Cultural Department believes that in order to mitigate the disturbance of known cultural resources and possible undiscovered resources that may be found during ground disturbances it would be best practice to have Cahuilla Tribal Monitor(s) on site for all ground disturbances. However, the heavy disturbances of the Project Area may have displaced cultural resources on the surface, it is possible that intact cultural resources exist at depth. Incorporation of Cahuilla Tribal Monitors would reduce impacts to known and unknown cultural resources to a level of less than significant. The Cahuilla Band of Indians would like to be consulted on this project. We request to setup a meeting to discuss the project at your earliest convenience. Please let us know a date and time that best fits your schedule.

Sincerely,

BobbyRay Esparza
Cultural Director
Cahuilla Band of Indians



TRIBAL HISTORIC PRESERVATION OFFICE
PALA BAND OF MISSION INDIANS
PMB 50, 35008 Pala Temecula Road | Pala, CA 92059
Phone 760-891-3510 | www.palatribe.com

October 13, 2023

Thomas Grahn
City of Ontario
303 East B Street
Ontario, CA 91764

Re: AB-52 Consultation; Ontario Regional Sports Complex

Dear Thomas Grahn:

The Pala 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 Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we decline AB-52 consultation at this time, but do not waive our right to request consultation under other applicable laws in the future. At this point 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. Pala is now offering tribal monitoring services. If you have questions or need additional information, please do not hesitate to contact Alexis Wallick by telephone at 760-891-3537 or by e-mail at THPO@palatribe.com.

Sincerely,

A handwritten signature in black ink that reads "Shasta C. Gaughen". The signature is written in a cursive style with a large, stylized initial "S".

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

From: Lorrie Gregory <LGregory@cahuilla-nsn.gov>
Sent: Monday, November 27, 2023 3:45 PM
To: Robert Morales <RMorales@ontarioca.gov>
Cc: Thomas Grahn <TGrahn@ontarioca.gov>; Kimberly Ruddins <Kruddins@ontarioca.gov>
Subject: Re: Consultation Request: Ontario Regional Sports Complex

Great,

Thank you very much for taking the time to meet with the Cahuilla Band today. We will review and let you know if we have any comments or concerns. We look forward working with your team on the following project. Have a great rest of your day.

Respectfully,

Lorrie Gregory
Cultural Resource Coordinator
Cahuilla Band of Indians

Phone: 1 (760) 315-6839
Email: lgregory@cahuilla-nsn.gov

From: Robert Morales <RMorales@ontarioca.gov>
Sent: Monday, November 27, 2023 3:37 PM
To: Lorrie Gregory <LGregory@cahuilla-nsn.gov>
Cc: Thomas Grahn <TGrahn@ontarioca.gov>; Kimberly Ruddins <Kruddins@ontarioca.gov>
Subject: RE: Consultation Request: Ontario Regional Sports Complex

Hi Lorrie,

Attached are today's meeting notes for your records. Below are the links to the Armstrong Ranch Specific Plan's EIR Appendix E Cultural Report and the digital copy of the existing EIR for the entire plan:

- Armstrong Ranch Specific Plan's EIR Appendix E Cultural Report: [Appendix E Link](#)
- Digital copy of the existing EIR for the entire specific plan: [Specific Plans Link](#)

Please feel free to reach out if you have any questions or need further clarification.

Best regards,

Robert Morales
Assistant Planner
City of Ontario | Planning Department
303 East B Street, Ontario CA 91764
P: (909) 395 – 2432 | E: Rmorales@ontarioca.gov



To see the status of your permit, visit the Citizen Portal
Access: <https://automation.ontarioca.gov/onlinePermits/Default.aspx>

- The Planning Department counter is open for appointments. [Click here to book your appointment.](#)
[\[booknow.appointment-plus.com\]](#)
- Contact us by phone at (909) 395-2036 or by email at PlanningCounterMail@ontarioca.gov for general Planning-related information.
- We appreciate your business and your patience.

From: Lorrie Gregory <LGregory@cahuilla-nsn.gov>
Sent: Friday, November 17, 2023 8:42 AM
To: Robert Morales <RMorales@ontarioca.gov>
Cc: Thomas Grahn <TGrahn@ontarioca.gov>; Kimberly Ruddins <Kruddins@ontarioca.gov>
Subject: Re: Consultation Request: Ontario Regional Sports Complex

Good morning,

The Cahuilla Band of Indians would be interested in consultation. The earliest dates available are **November 27 at 10:00 am**, OR **November 29, at 10:00 am**. We prefer to meet via Microsoft Teams, but any other platform is fine. Thank you for reaching out, and hope to hear from you soon! Happy Friday!

Respectfully,

Lorrie Gregory
Cultural Resource Coordinator
Cahuilla Band of Indians
Phone: 1 (760) 315-6839
Email: lgregory@cahuilla-nsn.gov

From: Robert Morales <RMorales@ontarioca.gov>
Sent: Friday, November 17, 2023 8:21 AM
To: Lorrie Gregory <LGregory@cahuilla-nsn.gov>
Cc: Thomas Grahn <TGrahn@ontarioca.gov>; Kimberly Ruddins <Kruddins@ontarioca.gov>
Subject: Consultation Request: Ontario Regional Sports Complex

You don't often get email from rmorales@ontarioca.gov. [Learn why this is important \[aka.ms\]](#)

Good Morning Ms. Gregory,

The City of Ontario seeks a consultation with the Cahuilla Band of Indians regarding the Ontario Regional Sports Complex within your Ancestral Tribal Territory. We propose a meeting at your earliest convenience, in person, by telephone, or via video conference. Your input is vital, and we're committed to an open dialogue that respects your knowledge and concerns. Please see the attached letter for your records and share your availability.

Best,

Robert Morales
Assistant Planner
City of Ontario | Planning Department
303 East B Street, Ontario CA 91764
P: (909) 395 – 2432 | E: Rmorales@ontarioca.gov



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[\[booknow.appointment-plus.com\]](http://booknow.appointment-plus.com)

- Contact us by phone at (909) 395-2036 or by email at PlanningCounterMail@ontarioca.gov for general Planning-related information.
- We appreciate your business and your patience.

AB 32 and SB 18 Consultation – Cahuila Tribe

11/27/23 | 10:00 am – 11:00 am

TEAMS Meeting

MEETING CALLED BY	Robert Morales	ATTENDEES (* AS NEEDED FOR AGENDA)		
MEETING PURPOSE	Tribal Consultation	CITY PMT	Cahuila	PLACEWORKS
PLEASE READ BEFORE		KR	LG	
PLEASE BRING		TG	BRE	
ATTACHMENTS ITEM REF#		RM		

AGENDA OUTLINE

ITEM	NOTES
NEW	
<ol style="list-style-type: none"> 1. Introductions 2. Items Discussed <ol style="list-style-type: none"> a. Kimberly Ruddins provided Project Overview. b. Estimated Timeline - Grading is scheduled to commence between September and October 2024, starting with the ballpark area. The grading process is expected to span a few months. c. Are there any archaeological items in the City that need to be reported? <ol style="list-style-type: none"> i. The City will share the existing Armstrong Ranch Specific Plan EIR information 	

- d. The City is currently updating the cultural report, anticipated to be completed within two weeks.
 - i. The City will forward the completed report once it's available.
- e. Is the City open to on-site moderation?
 - i. Yes
- f. The City will coordinate with the tribe to have monitors on the project site as needed, especially during any ground disturbance.
- g. The City will share with the tribe promptly when cultural materials are discovered.
- h. The City will share the Project schedule as identified within the EIR Project Description.

From: Robert Morales <RMorales@ontarioca.gov>
Sent: Friday, December 15, 2023 12:14 PM
To: Gabrieleno Administration <admin@gabrielenoindians.org>
Cc: Kimberly Ruddins <Kruddins@ontarioca.gov>; Thomas Grahn <TGrahn@ontarioca.gov>; Nicole Vermilion <nvermilion@placeworks.com>
Subject: RE: AB52- Ontario Regional Sports Complex Project

Good afternoon Brandy,

We appreciate your comments, and we will take it into consideration.

Best,

Robert Morales
Assistant Planner
City of Ontario | Planning Department
303 East B Street, Ontario CA 91764
P: (909) 395 – 2432 | E: Rmorales@ontarioca.gov



In observance of the holidays, City Hall will be closed from Monday, December 25, 2023, through Tuesday, January 2, 2024, resuming normal business hours on Wednesday, January 3, 2024.

I will be out of the office Thursday, December 21, 2023 – returning Monday, January 8, 2024.

To see the status of your permit, visit the Citizen Portal
Access: <https://automation.ontarioca.gov/onlinePermits/Default.aspx>

- The Planning Department counter is open for appointments. [Click here to book your appointment.](#)

- Contact us by phone at (909) 395-2036 or by email at PlanningCounterMail@ontarioca.gov for general Planning-related information.
- We appreciate your business and your patience.

From: Gabrieleno Administration <admin@gabrielenoindians.org>

Sent: Thursday, December 14, 2023 12:34 PM

To: Robert Morales <RMorales@ontarioca.gov>

Subject: Re: AB52- Ontario Regional Sports Complex Project

Hello Robert

I am just following up on my last email.

Brandy Salas

Admin Specialist

Gabrieleno Band of Mission Indians - Kizh Nation

PO Box 393

Covina, CA 91723

Office: 844-390-0787

website: www.gabrielenoindians.org [gabrielenoindians.org]



The region where Gabrieleño culture thrived for more than eight centuries encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the labor of the Gabrieleño who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing of herds of livestock. “The Gabrieleño are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area “. “That’s a contribution that Los Angeles has not recognized--the fact that in its early decades, without the Gabrieleño, the community simply would not have survived.”

On Tue, Nov 21, 2023 at 3:43 PM Gabrieleno Administration <admin@gabrielenoindians.org> wrote:

Hello Robert,

. In order to enable the AB52 process to continue without delay we are providing our concerns in written form for this project in lieu of the in-person meeting. The information provided herein is to be kept confidential as part of AB52 which requires that any information – not just documents – submitted by a California Native American tribe during the environmental review process to not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency or to the public consistent with Gov. Code Sections 6254, subd.(r) and 6254.10. (Pub. Resources Code § 21082.3, subd. (c)(1)). We ask that the information be included



