



Appendix L  
**AB52 Tribal Consultation Correspondence**



4/17/2024

Doug Todd Welmas and/or Jacquelyn Barnum  
Cabazon Band of Mission Indians  
84-245 Indio Springs Parkway  
Indio, CA 92203

Re: NOTICE OF PROJECT - CASE PLAN24-00001 - A Site Plan with a proposed Mitigated Negative Declaration to allow for the development of a new approximately 2,900 sq. ft. drive thru restaurant on undeveloped property zoned C-2 located north of and abutting Roy Rogers Drive, approximately 260' west of Civic Drive.

Dear Tribal Government:

This letter is hereby formal notice of the above-mentioned project pursuant to Section 21080.3.0(d) of the Public Resource Code. The required informational documents are attached for your review within the cultural resources assessment.

The Public Resources Code process requires that the City make an attempt to contact you for the purpose of opening consultations between the City and your tribal government. Following legislation guidelines, you have 30 days to request a consultation with us (Public Resources Code § 21080.3.1(d)).

Should you request consultation on this project, please submit a written request by mail to the address listed above or emailing a request to [planning@victorvilleca.gov](mailto:planning@victorvilleca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Clark", written over a light gray rectangular background.

Travis Clark  
Case Planner

Attachment: Cultural Resource Assessment



4/17/2024

Raymond Huaute and/or Robert Martin  
Morongo Band of Mission Indians  
12700 Pumarra Road  
Banning, CA 92220

Re: NOTICE OF PROJECT - CASE PLAN24-00001 - A Site Plan with a proposed Mitigated Negative Declaration to allow for the development of a new approximately 2,900 sq. ft. drive thru restaurant on undeveloped property zoned C-2 located north of and abutting Roy Rogers Drive, approximately 260' west of Civic Drive.

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Sincerely,

Travis Clark  
Case Planner

Attachment: Cultural Resource Assessment



4/17/2024

Alexandra McCleary, Ph.D.  
Cultural Resources Management Department  
Yuhaaviatam of San Manuel Nation  
26569 Community Center Drive  
Highland, CA 92346

Re: NOTICE OF PROJECT - CASE PLAN24-00001 - A Site Plan with a proposed Mitigated Negative Declaration to allow for the development of a new approximately 2,900 sq. ft. drive thru restaurant on undeveloped property zoned C-2 located north of and abutting Roy Rogers Drive, approximately 260' west of Civic Drive.

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Sincerely,

Travis Clark  
Case Planner

Attachment: Cultural Resource Assessment



4/17/2024

Darrell Mike and/or Anthony Madrigal, Jr.  
Twenty-Nine Palms Band of Mission Indians  
46-200 Harrison Place  
Coachella, CA 92236

Re: NOTICE OF PROJECT - CASE PLAN24-00001 - A Site Plan with a proposed Mitigated Negative Declaration to allow for the development of a new approximately 2,900 sq. ft. drive thru restaurant on undeveloped property zoned C-2 located north of and abutting Roy Rogers Drive, approximately 260' west of Civic Drive.

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Travis Clark  
Case Planner

Attachment: Cultural Resource Assessment

## Travis Clark

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**From:** Planning Division  
**Sent:** Friday, April 26, 2024 7:56 AM  
**To:** Travis Clark  
**Subject:** FW: Case Plan 24-00001- Drive Thru Restaurant abutting Roy Rogers Drive, west of Civic Drive

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**From:** Jerry Howard <Jerry.Howard@sanmanuel-nsn.gov>  
**Sent:** Thursday, April 25, 2024 5:16 PM  
**To:** Planning Division <planning@victorvilleca.gov>  
**Subject:** Re: Case Plan 24-00001- Drive Thru Restaurant abutting Roy Rogers Drive, west of Civic Drive

[EXTERNAL EMAIL]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Clark,

Thank you for contacting the Yuhaaviatam of San Manuel Nation (formerly the San Manuel Band of Mission Indians) regarding the above referenced project. YSMN appreciates the opportunity to review the project documentation, which was received by our Cultural Resources Management Department on April 23, 2024, pursuant to CEQA (AB 52) and CA PRC 21080.3.1. The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM Department's present state of knowledge, YSMN does not have any concerns with the project's implementation, as planned, at this time. As a result, YSMN requests that the following language be made a part of the project/permit/plan conditions:

### CUL MMs

In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner

shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

#### TCR MMs

The Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

*Note: Yuhaaviatam of San Manuel Nation realizes that there may be additional tribes claiming cultural affiliation to the area; however, Yuhaaviatam of San Manuel Nation can only speak for itself. The Tribe has no objection if the agency, developer, and/or archaeologist wishes to consult with other tribes in addition to YSMN and if the Lead Agency wishes to revise the conditions to recognize additional tribes.*

Please provide the final copy of the project/permit/plan conditions so that YSMN may review the included language. If you should have any further questions with regard to this matter, please do not hesitate to contact me at your convenience, as I will be your Point of Contact (POC) for YSMN with respect to this project.

Regards,  
Dr. Jerry Howard, RPA  
Cultural Resource Manager  
Yuhaaviatam of San Manuel Nation

## Travis Clark

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**From:** Planning Division  
**Sent:** Wednesday, May 15, 2024 8:43 AM  
**To:** Travis Clark  
**Subject:** FW: CASE PLAN24-00001 San Manuel POC Change

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**From:** Kristen Tuosto <Kristen.Tuosto@sanmanuel-nsn.gov>  
**Sent:** Wednesday, May 15, 2024 8:41 AM  
**To:** Planning Division <planning@victorvilleca.gov>  
**Subject:** CASE PLAN24-00001 San Manuel POC Change

[EXTERNAL EMAIL]: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Travis,

I'm reaching out to inform you that I will be the Point of Contact (POC) for the Yuhaaviatam of San Manuel Nation Cultural Resources Management Department (YSMN) for the above mentioned project.

I was hoping I could make some minor formatting edits to the provided mitigation measures sent out on April 26, 2024, by the previous POC?

Edits below:

### CUL MMs

1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
2. If significant pre-contact cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

### TCR MMs

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2. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

YSMN also does not need to be notified of any historic-era cultural resources.

Thank you,  
Kristen

**Kristen Tuosto**

Tribal Archaeologist

[Kristen.Tuosto@sanmanuel-nsn.gov](mailto:Kristen.Tuosto@sanmanuel-nsn.gov)

O:(909) 864-8933 x 50-3421

M:(909) 725-1357

26569 Community Center Dr Highland, California 92346

