



APPENDIX J

AB 52 CONSULTATION CORRESPONDENCE



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NATIVE AMERICAN HERITAGE COMMISSION

April 23, 2021

Alicia Velasco
City of Cypress

Via Email to: avelasco@cypressca.org

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Citrus Square Project, Orange County

Dear Ms. Velasco:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

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 AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

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

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:



CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

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

- A listing of any and all known cultural resources that 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 any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are 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 will 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: Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
Orange County
4/23/2021**

**Campo Band of Diegueno
Mission Indians**

Ralph Goff, Chairperson
36190 Church Road, Suite 1 Diegueno
Campo, CA, 91906
Phone: (619) 478 - 9046
Fax: (619) 478-5818
rgoff@campo-nsn.gov

**Gabrielino Tongva Indians of
California Tribal Council**

Robert Dorame, Chairperson
P.O. Box 490 Gabrielino
Bellflower, CA, 90707
Phone: (562) 761 - 6417
Fax: (562) 761-6417
gtongva@gmail.com

**Ewiiapaayp Band of Kumeyaay
Indians**

Michael Garcia, Vice Chairperson
4054 Willows Road Diegueno
Alpine, CA, 91901
Phone: (619) 445 - 6315
Fax: (619) 445-9126
michaelg@leaningrock.net

Gabrielino-Tongva Tribe

Charles Alvarez,
23454 Vanowen Street Gabrielino
West Hills, CA, 91307
Phone: (310) 403 - 6048
roadkingcharles@aol.com

**Ewiiapaayp Band of Kumeyaay
Indians**

Robert Pinto, Chairperson
4054 Willows Road Diegueno
Alpine, CA, 91901
Phone: (619) 445 - 6315
Fax: (619) 445-9126
wmicklin@leaningrock.net

**Juaneno Band of Mission
Indians Acjachemen Nation -
Belardes**

Matias Belardes, Chairperson
32161 Avenida Los Amigos Juaneno
San Juan Capistrano, CA, 92675
Phone: (949) 293 - 8522
kaamalam@gmail.com

**Gabrieleno Band of Mission
Indians - Kizh Nation**

Andrew Salas, Chairperson
P.O. Box 393 Gabrieleno
Covina, CA, 91723
Phone: (626) 926 - 4131
admin@gabrielenoindians.org

**La Posta Band of Diegueno
Mission Indians**

Gwendolyn Parada, Chairperson
8 Crestwood Road Diegueno
Boulevard, CA, 91905
Phone: (619) 478 - 2113
Fax: (619) 478-2125
LP13boots@aol.com

**Gabrieleno/Tongva San Gabriel
Band of Mission Indians**

Anthony Morales, Chairperson
P.O. Box 693 Gabrieleno
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626) 286-1262
GTTribalcouncil@aol.com

**La Posta Band of Diegueno
Mission Indians**

Javaughn Miller, Tribal
Administrator
8 Crestwood Road Diegueno
Boulevard, CA, 91905
Phone: (619) 478 - 2113
Fax: (619) 478-2125
jmiller@LPtribe.net

Gabrielino /Tongva Nation

Sandone Goad, Chairperson
106 1/2 Judge John Aiso St., Gabrielino
#231
Los Angeles, CA, 90012
Phone: (951) 807 - 0479
sgoad@gabrielino-tongva.com

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 consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Citrus Square Project, Orange County.

Native American Heritage Commission
Tribal Consultation List
Orange County
4/23/2021

**Manzanita Band of Kumeyaay
Nation**

Angela Elliott Santos, Chairperson
P.O. Box 1302 Diegueno
Boulevard, CA, 91905
Phone: (619) 766 - 4930
Fax: (619) 766-4957

**Sycuan Band of the Kumeyaay
Nation**

Cody Martinez, Chairperson
1 Kwaaypaay Court Kumeyaay
El Cajon, CA, 92019
Phone: (619) 445 - 2613
Fax: (619) 445-1927
ssilva@sycuan-nsn.gov

**Mesa Grande Band of Diegueno
Mission Indians**

Michael Linton, Chairperson
P.O Box 270 Diegueno
Santa Ysabel, CA, 92070
Phone: (760) 782 - 3818
Fax: (760) 782-9092
mesagrandeband@msn.com

Pala Band of Mission Indians

Shasta Gaughen, Tribal Historic
Preservation Officer
PMB 50, 35008 Pala Temecula Cupeno
Rd. Luiseno
Pala, CA, 92059
Phone: (760) 891 - 3515
Fax: (760) 742-3189
sgaughen@palatribe.com

**Santa Rosa Band of Cahuilla
Indians**

Lovina Redner, Tribal Chair
P.O. Box 391820 Cahuilla
Anza, CA, 92539
Phone: (951) 659 - 2700
Fax: (951) 659-2228
lsaul@santarosa-nsn.gov

**Soboba Band of Luiseno
Indians**

Isaiah Vivanco, Chairperson
P. O. Box 487 Cahuilla
San Jacinto, CA, 92581 Luiseno
Phone: (951) 654 - 5544
Fax: (951) 654-4198
ivivanco@soboba-nsn.gov

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 consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Citrus Square Project, Orange County.



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Gabrielino-Tongva Tribe
Charles Alvarez
23454 Vanowen Street
West Hills, CA 91307

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Mr. Alvarez:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

A search of the Sacred Lands Files conducted by the Native American Heritage Commission (NAHC) was negative for the presence of tribal cultural resources within the project site. Pursuant to PRC Section 21080.3.1(d), you have 30 days from receipt of this letter to respond in writing if you would like to consult on this proposed project. If you do not wish to consult for the proposed project, a written response indicating your declination to consult would be appreciated. Please provide a designated lead contact person if you have not provided that information to us already.

If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Juaneno Band of Mission Indians
Acjachemen Nation Belardes
Matias Belardes, Chairperson
32161 Avenida Los Amigos
San Juan Capistrano, CA 92675

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Belardes:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Gabrielino Tongva Tribe
Sam Dunlap
TongvaTCR@gmail.com

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Mr. Dunlap:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

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Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Gabrieleno/Tongva Indians of California
Tribal Council
Robert Dorame, Chairperson
PO Box 490
Bellflower, CA 90707

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Dorame:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Ewiiapaayp Band of Kumeyaay Indians
Michael Garcia, Vice Chairperson
4054 Willows Road
Alpine, CA 91901

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Vice Chairperson Garcia:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Gabrieleno/Tongva Nation
Sandonne Goad, Chairperson
106 ½ Judge John Aiso Street, #231
Los Angeles, CA 90012

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Goad:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

A search of the Sacred Lands Files conducted by the Native American Heritage Commission (NAHC) was negative for the presence of tribal cultural resources within the project site. Pursuant to PRC Section 21080.3.1(d), you have 30 days from receipt of this letter to respond in writing if you would like to consult on this proposed project. If you do not wish to consult for the proposed project, a written response indicating your declination to consult would be appreciated. Please provide a designated lead contact person if you have not provided that information to us already.

If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Pala Band of Mission Indians
Shasta Gaughen, Tribal Historic Preservation Officer
PMB 50, 35008 Pala Temecula Rd.
Pala, CA 92059

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Preservation Officer Gaughen:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Campo Band of Diegueno
Mission Indians
Ralph Goff, Chairperson
36190 Church Road, Suite 1
Campo, CA 91906

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Goff:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Sycuan Band of the Kumeyaay Nation
Cody Martinez, Chairperson
1 Kwaaypaay Court
El Cajon, CA 92019

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Chairperson Martinez:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

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CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Mesa Grande Band of Diegueno
Mission Indians
Michael Linton, Chairperson
PO Box 270
Santa Ysabel, CA 92070

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Linton:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

A search of the Sacred Lands Files conducted by the Native American Heritage Commission (NAHC) was negative for the presence of tribal cultural resources within the project site. Pursuant to PRC Section 21080.3.1(d), you have 30 days from receipt of this letter to respond in writing if you would like to consult on this proposed project. If you do not wish to consult for the proposed project, a written response indicating your declination to consult would be appreciated. Please provide a designated lead contact person if you have not provided that information to us already.

If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

La Posta Band of Diegueno
Mission Indians
Javaughn Miller, Tribal Administrator
8 Crestwood Road
Boulevard, CA 91905

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Administrator Miller:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Gabrieleno/Tongva San Gabriel
Band of Mission Indians
Anthony Morales, Chairperson
PO Box 693
San Gabriel, CA 91778

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Morales:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Soboba Band of Luiseno Indians
Joseph Ontiveros, Cultural Resource Director
PO Box 487
San Jacinto, CA 92581

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Director Ontiveros:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

La Posta Band of Diegueno
Mission Indians
Gwendolyn Parada, Chairperson
8 Crestwood Road
Boulevard, CA 91905

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Parada:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

A search of the Sacred Lands Files conducted by the Native American Heritage Commission (NAHC) was negative for the presence of tribal cultural resources within the project site. Pursuant to PRC Section 21080.3.1(d), you have 30 days from receipt of this letter to respond in writing if you would like to consult on this proposed project. If you do not wish to consult for the proposed project, a written response indicating your declination to consult would be appreciated. Please provide a designated lead contact person if you have not provided that information to us already.

If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Santa Rosa Band of Cahuilla Indians
Lovina Redner, Tribal Chair
PO Box 391820
Anza, CA 92539

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Chair Redner:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Ewiiapaayp Band of Kumeyaay Indians
Robert Pinto, Chairperson
4054 Willows Road
Alpine, CA 91901

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Pinto:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Gabrieleno Band of Mission Indians
Kizh Nation
Andrew Salas, Chairperson
PO Box 393
Covina, CA 91723

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Salas:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Manzanita Band of Kumeyaay Nation
Angela Elliott Santos, Chairperson
PO Box 1302
Boulevard, CA 91905

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Honorable Chairperson Santos:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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If you have any general questions or concerns about the project, please contact me via email at avelasco@cypressca.org or by phone at (714) 229-6720.

Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



CITY of CYPRESS

5275 Orange Avenue, Cypress, California 90630

Phone 714-229-6700 www.cypressca.org

May 6, 2021

Soboba Band of Luiseno Indians
Isaiah Vivanco, Chairperson
PO Box 487
San Jacinto, CA 92581

Subject: Assembly Bill 52 Notification for the Citrus Square Project

Dear Chairperson Vivanco:

Please consider this letter as formal notification of a proposed project as required under the California Environmental Quality Act (CEQA), specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52).

Melia Homes is proposing the Citrus Square Project (proposed project). The proposed project includes the subdivision and redevelopment of an approximately 6.3-acre property at the northeast corner of Moody Street and Orange Avenue in the City of Cypress. The subject property is currently the site of the Cypress School District's administrative and maintenance operations (refer to Figure 1). The proposed project includes the construction of 50 affordable condominium units and 48 market-rate condominium units. Occupancy of all 98 of the units would be restricted to households with at least one member 62 years of age or older. The proposed project would require approval of a tentative tract map, and a conditional use permit for Senior Housing – Affordable by the City of Cypress.

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Sincerely,

City of Cypress

Alicia Velasco
Planning Director

Enclosure: Figure 1 – Project Location

Jon E. Peat, Mayor

Stacy Berry, Mayor Pro Tem

Anne Hertz, Council Member

Frances Marquez, Ph.D., Council Member

Paulo M. Morales, Council Member



GABRIELENO BAND OF MISSION INDIANS - KIZH NATION
Historically known as The Gabrielino Tribal Council - San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

May 19, 2021

Project Name: Citrus Square Project, City of Cypress

Dear Alicia Velasco

Thank you for your letter dated May 6, 2021 regarding AB52 consultation. The above proposed project location is within our Ancestral Tribal Territory; therefore, our Tribal Government requests to schedule a consultation with you as the lead agency, to discuss the project and the surrounding location in further detail.

Please contact us at your earliest convenience. ***Please Note: AB 52, "consultation" shall have the same meaning as provided in SB 18 (Govt. Code Section 65352.4).***

Thank you for your time,

Andrew Salas, Chairman
Gabrieleno Band of Mission Indians – Kizh Nation
1(844)390-0787

Andrew Salas, Chairman

Albert Perez, treasurer I

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer II

Dr. Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the council of Elders

Kerrie Collison

From: Alicia Velasco <avelasco@cypressca.org>
Sent: Wednesday, July 14, 2021 1:56 PM
To: Ryan Bensley; Deborah Pracilio; Kerrie Collison
Cc: Laura Vander Neut; 'Chad Brown'
Subject: FW: AB52 Consultation- Cypress Square Project at 9470 Moody St in the City of Cypress

From: Alicia Velasco
Sent: Wednesday, July 14, 2021 1:48 PM
To: 'Gabrieleno Administration' <admin@gabrielenoindians.org>
Cc: Andy Salas <chairman@gabrielenoindians.org>
Subject: RE: AB52 Consultation- Cypress Square Project at 9470 Moody St in the City of Cypress

Dear Chair Salas

The Planning Division has reviewed the requested mitigation measures and generally agree with TCR-1 but have the following comments:

- The City would like to remove the requirement to conduct tribal monitoring during “pavement removal, potholing or auguring, grubbing, and tree removals.” These activities are unlikely to expose cultural resources.
- 30 day notice to schedule a monitor prior to any ground disturbing activities is not practical for an active construction site. The City recommends 14 days.
- The City recommends the pre-construction sensitivity meeting be conducted the morning that ground disturbing work that requires monitoring commences. This would be most effective as it will be fresh in their memory.
- The City would like to revise TCR-1.F to instead state that tribal monitoring will conclude after initial ground disturbance is completed (i.e., no monitoring required during landscaping activities if that soil was already monitored during initial grading and/or trenching activities). Here is the proposed revision:
Tribal monitoring shall be conducted through the initial project soil excavation (i.e., no tribal monitoring shall be required for landscaping activities occurring after completion of project grading and trenching, as this soil will have been previously monitored). On-site tribal monitoring shall be considered complete after project grading and trenching are completed, and only disturbance to previously monitored soil is anticipated.

In regards to TCR-2, it is lengthy and generally unnecessary because the MND already includes language that addresses the discovery of human remains as a regulatory compliance measure within the cultural resources section of the MND. The City also believes that TCR-3 is unnecessary at this time, it would only be applicable if human remains are found and the Kizh Nation is the MLD. As such, it does not need to be included in the mitigation measures for the project.

Please let me know your thoughts.

Best,
Alicia

From: Gabrieleno Administration <admin@gabrielenoindians.org>
Sent: Thursday, July 8, 2021 1:27 PM
To: Alicia Velasco <avelasco@cypressca.org>
Cc: Andy Salas <chairman@gabrielenoindians.org>
Subject: AB52 Consultation- Cypress Square Project at 9470 Moody St in the City of Cypress

Dear Alicia,

Thank you for your time during the AB52 consultation for the Cypress Square Project at 9470 Moody St in the City of Cypress.

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 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 and kept in a confidential appendix to be mentioned in the public document but not included. This confidential appendix shall be available for use to those associated to the project but no entity outside of the project.

As stated in the Public Resource Code section 21080.3.1. (a) The Legislature finds and declares that California Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources and an area that has cultural value. We are a California Native American tribe with an ancestral connection (higher degree of connection than traditionally and culturally affiliated) to the project area as we are lineal descendants to the village(s) within and around the project area.

[Redacted]

[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Therefore, to avoid impacting or destroying Tribal Cultural Resources that may be inadvertently unearthed during the project's ground disturbing activities and pursuant to our consultation, we have provided to the Lead Agency substantial evidence that the proposed project may have a significant impact on our TCRs. . . "tribal cultural resources" are defined as (1) "sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe" that are included in the state or local register of historical resources or that are determined to be eligible for inclusion in the state register; and (2) resources determined by the lead agency, in its discretion, to be significant on the basis of criteria for listing in the state register of historical resources. Pub Res C §21074(a). A lead agency's determination whether a resource meets the criteria for listing in the state register must be supported by substantial evidence and must consider the significance of the resource to the tribe. Pub Res C §21074(a)(2). A "cultural landscape" may qualify as a tribal cultural resource to the extent it is "geographically defined in terms of the size and scope of the landscape." Pub Res C §21074(b) Moreover, Public Resources Code ("PRC") Section 21084.2 states that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." A project that may have a significant effect on the environment requires appropriate mitigation. (PRC § 21082.3(b).) Through the consultation process, AB 52 authorized California Native American tribes to assist lead agencies in identifying, interpreting, and determining the significance of TCRs. (See AB 52, Legislative Digest.) Unless the environmental document includes protective measures agreed on during the consultation process, "if substantial evidence demonstrates" the project "will cause" a significant effect to a TCR, the agency must "consider" feasible mitigation measures "pursuant to" Pub Res C §21084.3(b).

As well, Consultation is not deemed concluded for purposes of CEQA until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource, or when a party concludes, after a reasonable effort, that mutual agreement cannot be reached. (PRC §21080.3.2(b).) Any mitigation measures agreed on during the consultation process must be recommended by lead agency staff for inclusion in the environmental document and the mitigation monitoring and reporting program for the project pursuant to section 21082.3(a) of the PRC. Moreover, now that consultation has begun, as the lead agency, you may certify an EIR or adopt a mitigated negative declaration for the subject project (which may have a significant impact on a tribal cultural resource) only after consultation has concluded. (PRC §21082.3(d).)

As part of the consultation, we have requested any and all information that the lead agency may possess or has access to attain regarding the history of the subsurface soils that will be impacted as part this project's ground disturbance activities. The key information we are requesting is information about whether the "original" soils of the project location have been "removed" and "replaced" by new soils (e.g. engineered, cleaned, imported) or have the original soils just been excavated, placed onsite and then "backfilled" into the same location. If documents exists about the original soils having been removed from the project's footprint and all new construction will be within soils that do not contain the

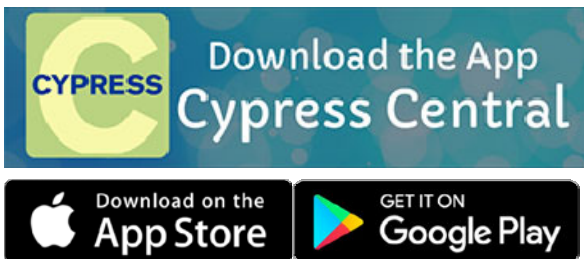
original soils, our concerns for ground disturbance activities are reduced. In the absence of documentation or if it is known the original soils are still present within the project footprint, protective measures shall be created and implemented.

Please find attached the proposed mitigation measures for the subject project. Once you have reviewed them, please provide written notification to the Tribe stating whether and to what extent you will include and require the proposed mitigations for TCR for the subject project so that we may conclude our consultation, and if you do not agree with the mitigations as proposed, so that we may continue our consultation discussions in an effort to reach an agreement.

Admin Specialist
Gabrieleno Band of Mission Indians - Kizh Nation
PO Box 393
Covina, CA 91723
Office: 844-390-0787
website: www.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.”





GABRIELENO BAND OF MISSION INDIANS - KIZH NATION

Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

July 15, 2021

RE: Cypress Square Project at 9470 Moody St in the City of Cypress

The city contacted up to make three revisions:

First, re TCR-1 the city requested to remove the requirement to conduct tribal monitoring during all pavement removal, potholing or auguring, grubbing, and tree removals and stating that “these activities are unlikely to expose cultural resources.” We strongly disagree based on our experience. We routinely discover tribal cultural resources immediately below pavement, trees, and during demolition and grubbing activities. Resources can be found in native soil, in native fill (where the soils are turned and compacted, but still contain TCR) and in non-native fill (resources have been imported onto the site in fill soils). While resources that are not “in situ” have little value to archaeologists, TCRs are important resources to the tribe, regardless of whether they have been previously disturbed. In recent years, in the City of Tustin, CA during the construction of the demolition for the Vintage Lofts Project, our monitors found artifacts and manos and immediately under the pavement during demolition. In garden Grove we found artifacts in fill soils. In Newport Beach, CA, they found jewelry inf fill soils and in Huntington Beach on the Orange County Water District, we found bowls. In Downtown Los Angeles on the LADOT project, a burial site right under the railroad tracks.

For these reasons, tribal monitoring during the initial clearing and demolition activities described above is very important and we **do not consent** to the proposed revision.

Second, related to changing the notice from 30 days to schedule a monitor to 14-day notice is **acceptable**.

Finally, changes to TCR-1.F limiting monitoring to soils that have already been monitored is also **acceptable**.

Sincerely,

Andrew Salas, Chairman

Andrew Salas

Andrew Salas, Chairman

Albert Perez, treasurer I

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer II

Dr. Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the council of Elders

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Kerrie Collison

From: Ryan Bensley
Sent: Friday, July 30, 2021 12:52 PM
To: Alicia Velasco; Deborah Pracilio
Cc: Laura Vander Neut; Chad Brown; Marlene Watanabe; Kerrie Collison
Subject: RE: AB52 Consultation- Cypress Square Project at 9470 Moody St in the City of Cypress

Importance: High

From: Gabrieleno Administration <admin@gabrielenoindians.org>
Date: July 21, 2021 at 11:45:01 PM PDT
To: Alicia Velasco <avelasco@cypressca.org>
Cc: Kara Grant <kara@grant-law.net>, Andy Salas <chairman@gabrielenoindians.org>
Subject: Re: AB52 Consultation- Cypress Square Project at 9470 Moody St in the City of Cypress

Hello Alicia

Feel free to remove it because of your statement of "being lengthy and generally unnecessary" because the MND already includes language of that addresses the discovery of human remains. However please note TCR2 and TCR3 are protocol. On behalf of our Tribe thank you for your time and consideration.

Admin Specialist
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PO Box 393
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Office: 844-390-0787
website: www.gabrielenoindians.org



The region where Gabrieleno 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 Gabrieleno 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 Gabrieleno 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 Gabrieleno, the community simply would not have survived."

On Mon, Jul 19, 2021 at 2:20 PM Alicia Velasco <avelasco@cypressca.org> wrote:

Hi Chair Salas

Thank you for your email. We will keep the proposed tribal language in mitigation measure TCR-1 as requested.

To clarify though, the letter did not address the City's comments regarding TCR-2 and TCR 3. We would like to delete those mitigation measures as noted below:

In regards to TCR-2, it is lengthy and generally unnecessary because the MND already includes language that addresses the discovery of human remains as a regulatory compliance measure within the cultural resources section of the MND. The City also believes that TCR-3 is unnecessary at this time, it would only be applicable if human remains are found and the Kizh Nation is the MLD. As such, it does not need to be included in the mitigation measures for the project.

Do you concur with this deletion?

Thanks

Alicia

From: Gabrieleno Administration <admin@gabrielenoindians.org>
Sent: Thursday, July 15, 2021 3:28 PM
To: Alicia Velasco <avelasco@cypressca.org>
Cc: Andy Salas <chairman@gabrielenoindians.org>; Kara Grant <kara@grant-law.net>
Subject: Re: AB52 Consultation- Cypress Square Project at 9470 Moody St in the City of Cypress

Hello Alicia

Please see the attachment below.

Thank you

Here are examples of local and national finds immediately beneath the surface as well:

<https://www.chicagotribune.com/suburbs/lake-county-news-sun/ct-lns-ancient-native-american-bones-st-1117-story.html>

<https://ktla.com/news/local-news/human-bones-found-beneath-sidewalk-in-santa-ana-homicide-detectives-investigating/>

<https://www.capitalgazette.com/news/ac-cn-annapolis-burial-site-vg-20210421-iqfczzlorjauleldpcr5u5o2li-photogallery.html>

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On Wed, Jul 14, 2021 at 1:47 PM Alicia Velasco <avelasco@cypressca.org> wrote:

Dear Chair Salas

The Planning Division has reviewed the requested mitigation measures and generally agree with TCR-1 but have the following comments:

- The City would like to remove the requirement to conduct tribal monitoring during “pavement removal, potholing or auguring, grubbing, and tree removals.” These activities are unlikely to expose cultural resources.
- 30 day notice to schedule a monitor prior to any ground disturbing activities is not practical for an active construction site. The City recommends 14 days.
- The City recommends the pre-construction sensitivity meeting be conducted the morning that ground disturbing work that requires monitoring commences. This would be most effective as it will be fresh in their memory.
- The City would like to revise TCR-1.F to instead state that tribal monitoring will conclude after initial ground disturbance is completed (i.e., no monitoring required during landscaping activities if that soil was already monitored during initial grading and/or trenching activities). Here is the proposed revision:

Tribal monitoring shall be conducted through the initial project soil excavation (i.e., no tribal monitoring shall be required for landscaping activities occurring after completion of project grading and trenching, as this soil will have been previously monitored). On-site tribal monitoring shall be considered complete after project grading and trenching are completed, and only disturbance to previously monitored soil is anticipated.

In regards to TCR-2, it is lengthy and generally unnecessary because the MND already includes language that addresses the discovery of human remains as a regulatory compliance measure within the cultural resources section of the MND. The City also believes that TCR-3 is unnecessary at this time, it would only be applicable if human remains are found and the Kizh Nation is the MLD. As such, it does not need to be included in the mitigation measures for the project.

Please let me know your thoughts.

Best,

Alicia

From: Gabrieleno Administration <admin@gabrielenoindians.org>

Sent: Thursday, July 8, 2021 1:27 PM

To: Alicia Velasco <avelasco@cypressca.org>

Cc: Andy Salas <chairman@gabrielenoindians.org>

Subject: AB52 Consultation- Cypress Square Project at 9470 Moody St in the City of Cypress

Dear Alicia,

Thank you for your time during the AB52 consultation for the Cypress Square Project at 9470 Moody St in the City of Cypress.

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 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 and kept in a confidential appendix to be mentioned in the public document but not included. This confidential appendix shall be available for use to those associated to the project but no entity outside of the project.

As stated in the Public Resource Code section 21080.3.1. (a) The Legislature finds and declares that California Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources and an area that has cultural value. We are a California Native American tribe with an ancestral connection (higher degree of connection than traditionally and culturally affiliated) to the project area as we are lineal descendants to the village(s) within and around the project area.

Since subsurface activities are planned to occur for this project that have potential to impact TCRs, we are providing tribal archive information to your agency to identify the high cultural sensitivity of the project location and to explain our concerns with specific subsurface ground disturbance activities that have impacted and destroyed our tribal cultural resources in the past. Attached are documents from historic books, screenshots of historic maps and some explanatory text that was also verbally explained in the phone consultation for your project location to explain the cultural significance of the area and the high amount of pre-historic human activity that occurred there.

This 9470 Moody St_1938 map indicates the project location within the Gabrieleno community of Puvungna which is now known as the city of Cypress. All of our mainland villages (sans our island villages) overlapped each other to help facilitate the movement of tribal cultural resources throughout the landscape and also to our sister tribes outside of our traditional ancestral territory. Village use areas were usually shared between village areas and were commonly used by two or more adjoining villages depending on the type, quantity, quality, and availability of natural resources in the area. Therefore, human activity can be pronounced within the shared use areas due to the combined use by multiple villages and TCR's may be present in the soil layers from the thousands of years of human activity within that landscape.

The 9470 Moody St_1881, 9470 Moody St_1898, 9470 Moody St_1901, and the 9470 Moody St_1938 maps show the many trade routes around the project area. Trade routes were heavily used by our Tribe for movement of trade items, visiting of family, going to ceremony, accessing recreation areas, and accessing foraging areas. Within and around these routes contained seasonal or permanent ramadas or trade depots, seasonal and permanent habitation areas, and often still contain isolated burials and cremations from folks who died along the trail. These isolated burials are not associated with a village community burial site or ceremonial burial site, rather the location is simply where the person died and was buried where they died. Therefore, isolated burials are more concentrated and likely to occur in proximity to our trade routes, especially the major trade routes. Trade routes are considered a "cultural landscape", as stated in section 21074. (a) and are protected under AB52 as a tribal cultural resource.

The 9470 Moody St_1901 and the 9470 Moody St_1938 maps indicate the hydrography or waterways that existed around the project area. All water sources were used by our Tribe for life sustenance. Along these watercourses and water bodies occurred seasonal or permanent hamlets, seasonal or permanent trade depots, ceremonial and religious prayer sites, and burials and cremation sites of our ancestors. These activities occurred around water, both inland and coastal, because these water areas create unique habitats and riparian corridors that provide an abundance of food and medicine resources along with aesthetically peaceful areas with running water, shade trees, and shelter. Larger water bodies were high attractants for human activity and the banks and shores of these water bodies have a higher than average potential for encountering Tribal Cultural Resources of artifacts and human remains during ground disturbing activities. Waterways are a "cultural landscape", as stated in section 21074. (a) and are protected under AB52 as a tribal cultural resource.

Due to the project site being located within and around a sacred Community (Puvungna), adjacent to sacred water courses and major traditional trade routes, there is a high potential to impact Tribal Cultural Resources still present within the soil from the thousands of years of prehistoric activities that occurred within and around these Tribal Cultural landscapes. Therefore, to avoid impacting or destroying Tribal Cultural Resources that may be inadvertently unearthed during the project's ground disturbing activities and pursuant to our consultation, we have provided to the Lead Agency substantial evidence that the proposed project may have a significant impact on our TCRs. . . "tribal cultural resources" are defined as (1) "sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe" that are included in the state or local register of historical resources or that are determined to be eligible for inclusion in the state register; and (2) resources determined by the lead agency, in its discretion, to be significant on the basis of criteria for listing in the state register of historical resources. Pub Res C §21074(a). A lead agency's determination whether a resource meets the criteria for listing in the state register must be supported by substantial evidence and must consider the significance of the resource to the tribe. Pub Res C §21074(a)(2). A "cultural landscape" may qualify as a tribal cultural resource to the extent it is "geographically defined in terms of the size and scope of the landscape." Pub Res C §21074(b) Moreover, Public Resources Code ("PRC") Section 21084.2 states that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." A project that may have a significant effect on the environment requires appropriate mitigation. (PRC § 21082.3(b).) Through the consultation process, AB 52 authorized California Native American tribes to assist lead agencies in identifying, interpreting, and determining the significance of TCRs. (See AB 52, Legislative Digest.) Unless the environmental document includes protective measures agreed on during the consultation process, "if substantial evidence demonstrates" the project "will cause" a significant effect to a TCR, the agency must "consider" feasible mitigation measures "pursuant to" Pub Res C §21084.3(b).

As well, Consultation is not deemed concluded for purposes of CEQA until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource, or when a party concludes, after a reasonable effort, that mutual agreement cannot be reached. (PRC §21080.3.2(b).) Any mitigation measures agreed on during the consultation process must be recommended by lead agency staff for inclusion in the environmental document and the mitigation monitoring and reporting program for the project pursuant to section 21082.3(a) of the PRC. Moreover, now that consultation has begun, as the lead agency, you may certify an EIR or adopt a mitigated negative declaration for the subject project (which may have a significant impact on a tribal cultural resource) only after consultation has concluded. (PRC §21082.3(d).)

As part of the consultation, we have requested any and all information that the lead agency may possess or has access to attain regarding the history of the subsurface soils that will be impacted as part this project's ground disturbance activities. The key information we are requesting is information about whether the "original" soils of the project location have been "removed" and "replaced" by new soils (e.g. engineered, cleaned, imported) or have the original soils just been excavated, placed onsite and then "backfilled" into the same location. If documents exists about the original soils having been removed from the project's footprint and all new construction will be within soils that do not contain the original soils, our concerns for ground disturbance activities are reduced. In the absence of documentation or if it is known the original soils are still present within the project footprint, protective measures shall be created and implemented.

Please find attached the proposed mitigation measures for the subject project. Once you have reviewed them, please provide written notification to the Tribe stating whether and to what extent you will include and require the proposed mitigations for TCR for the subject project so that we may conclude our consultation, and if you do not agree with the mitigations as proposed, so that we may continue our consultation discussions in an effort to reach an agreement.

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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."





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