

STATE OF CALIFORNIA Governor's Office of Planning and Research State Clearinghouse and Planning Unit



Memorandum

Date: January 17, 2020

To: All Reviewing Agencies

From: Scott Morgan, Director

Re: SCH # 2019049004

Sunrise Specific Plan

The Lead Agency has <u>corrected</u> some information regarding the above-mentioned project. Please see the attached materials for more specific information. All other project information remains the same.

cc: Susan Vandrew Rodriguez
City of San Marcos
1 Civic Center Drive

San Marcos, CA 92069

Appendix E

Cultural Resources Inventory Report

DUDEK

May 6, 2019

Mr. Greg Waite Sunrise Gardens Project Owner, LLC 2235 Encinitas Blvd, Suite 216 Encinitas, California 92024

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project,

City of San Marcos, California

Dear Mr. Waite:

This letter documents the negative cultural resources inventory conducted by Dudek for the Sunrise Specific Plan Project (Project), located in the City of San Marcos, San Diego County, California (Figure 1). The City of San Marcos (City) is the Lead Agency for compliance with the California Environmental Quality Act (CEQA). This report was prepared by Dudek archaeologist Matthew DeCarlo, M.A., who meets the Secretary of the Interior's Standards for archaeology.

Dudek previously completed a cultural resources constraints analysis for the Project (Comeau 2017), the results of which were used to construct this cultural resources inventory. A South Coastal Information Center (SCIC) records search (August 2017) confirms that no previously recorded cultural resources have been recorded within the Project's area of potential effect (APE). Neither a Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search nor Native American outreach letters indicate the presence of any Tribal Cultural Resources (TCR) or sacred sites within the Project APE. An intensive pedestrian survey of the Project (2018) did not identify any cultural resources within the Project APE.

The approximately 14.4-acre Project APE is currently unused and heavily vegetated with little ground visibility. Though undeveloped, the Project APE is immediately adjacent to residential and commercial development. Due to the previous disturbances and the negative archival search, Native American outreach, and survey results, Dudek does not recommend cultural resources monitoring for the proposed Project. Ground disturbance is unlikely to impact cultural resources; however, if cultural resources are encountered during exposure of subsurface soils, ground-disturbing work should be immediately halted in the area and a qualified archaeologist should be retained to evaluate this resource.

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San

Marcos, California

PROJECT DESCRIPTION AND LOCATION

The Project proposes the development of an approximately 14.4-acre property into approximately 192 multi-family dwelling units and open space. The Project site is located in the cities of San Marcos, County of San Diego (but within the City's General Plan Sphere of Influence), and Escondido near the juncture of Barham Drive and Meyers Avenue. The boundaries of the Project are delineated by existing commercial and residential developments. The property is mapped on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18. The 14.4 acre property comprises the entire APE.

REGULATORY BACKGROUND

The City of San Marcos (City) is the Lead Agency for compliance with the California Environmental Quality Act (CEQA). This study is compliant with cultural resource regulations that apply to the Project APE including provisions for the California Register of Historic Resources (CRHR), the California Native American Graves Protection and Repatriation Act, CEQA, California Health and Safety Code section 7050.5, Assembly Bill Number 52 (AB 52), and the City's General Plan.

State Level Regulations

The California Register of Historic Resources (Public Resources Code section 5020 et seq.)

In California, the term "historical resource" includes but is not limited to "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California Public Resources Code section 5020.1(j)). In 1992, the California legislature established CRHR "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (California Public Resources Code section 5024.1(a)). A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following National Register of Historic Places (NRHP) criteria (California Public Resources Code section 5024.1(c).):

1. Associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

- 2. Associated with the lives of persons important in our past.
- 3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- 4. Has yielded, or may be likely to yield, information important in prehistory or history.

Resources less than 50 years old are not considered for listing in the CRHR, but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (see 14 CCR, section 4852(d)(2)).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed on the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys. The State Historic Preservation Officer (SHPO) maintains the CRHR.

Native American Historic Cultural Sites (California Public Resources Code section 5097 et seq.)

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the Native American Heritage Commission (NAHC) to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy Native American historic or cultural site that is listed or may be eligible for listing in the CRHR.

California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological and historic resources:

- 1. California Public Resources Code section 21083.2(g): Defines "unique archaeological resource."
- 2. California Public Resources Code section 21084.1 and CEQA Guidelines section 15064.5(a): Define historical resources. In addition, CEQA Guidelines section

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

15064.5(b) defines the phrase "substantial adverse change in the significance of an historical resource;" it also defines the circumstances when a project would materially impair the significance of a historical resource.

- 3. California Public Resources Code section 5097.98 and CEQA Guidelines section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- 4. California Public Resources Code sections 21083.2(b)-(c) and CEQA Guidelines section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

Under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource" (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of California Public Resources Code section 5024.1(q)), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(a)).

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines section 15064.5(b)(1); California Public Resources Code section 5020.1(q)). In turn, the significance of a historical resource is materially impaired when a project:

- 1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
- 2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

California Health and Safety Code section 7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (section 7050.5c). The NAHC will notify the Most Likely Descendant. With the permission of the landowner, the Most Likely Descendant may inspect the site of discovery. The inspection must be completed within 24 hours of notification of the Most Likely Descendant by the NAHC. The Most Likely Descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Assembly Bill 52

California Assembly Bill 52, which took effect July 1, 2015, establishes a consultation process between California Native American Tribes and lead agencies in order to address tribal concerns regarding project impacts and mitigation to "tribal cultural resources" (TCR). Public Resources Code section 21074(a) defines TCRs and states that a project that has the potential to cause a substantial adverse change to a TCR is a project that may have an adverse effect on the environment. A TCR is defined as a site, feature, place, cultural landscape, sacred place, and object with cultural value to a California Native American tribe that is either:

- 1. listed or eligible for listing in the CRHR or a local register of historical resources, or
- 2. determined by a lead agency to be a TCR.

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San

Marcos, California

Traditional Cultural Properties

Native American Heritage Values

Federal and state laws mandate that consideration be given to the concerns of contemporary Native Americans with regard to potentially ancestral human remains associated funerary objects, and items of cultural patrimony. Consequently, an important element in assessing the significance of the study site has been to evaluate the likelihood that these classes of items are present in areas that would be affected by the proposed Project.

Also potentially relevant to prehistoric archaeological sites is the category termed Traditional Cultural Properties in discussions of cultural resource management (CRM) performed under federal auspices. According to Patricia L. Parker and Thomas F. King (1998), "Traditional" in this context refers to those beliefs, customs, and practices of a living community of people that have been passed down through the generations, usually orally or through practice. The traditional cultural significance of a historic property, then, is significance derived from the role the property plays in a community's historically rooted beliefs, customs, and practices. Examples of properties possessing such significance include:

- 1. A location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world;
- 2. A rural community whose organization, buildings and structures, or patterns of land use reflect the cultural traditions valued by its long-term residents;
- 3. An urban neighborhood that is the traditional home of a particular cultural group, and that reflects its beliefs and practices;
- 4. A location where Native American religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice; and
- 5. A location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity.

Guidelines for Determining Significance

According to CEQA (§15064.5b), a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. CEQA defines a substantial adverse change:

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

The significance of an historical resource is materially impaired when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR; or
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.

Section 15064.5(c) of CEQA applies to effects on archaeological sites and contains the following additional provisions regarding archaeological sites:

- When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subsection (a).
- If a lead agency determines that the archaeological site is a historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
- If an archaeological site does not meet the criteria defined in subsection (a), but does meet the definition of a unique archaeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

• If an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or Environmental Impact Report (EIR), if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

Section 15064.5(d) and (e) contain additional provisions regarding human remains. Regarding Native American human remains, paragraph (d) provides:

When an initial study identifies the existence of, or the probable likelihood of, Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code SS5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:

- 1. The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5); and
- 2. The requirement of CEQA and the Coastal Act.

Under CEQA, an EIR is required to evaluate any impacts on unique archaeological resources (California Public Resources Code section 21083.2.) A "unique archaeological resource" is defined as:

[A]n archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- 1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- 2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- 3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

(California Public Resources Code section 21083.2(g)). An impact to a non-unique archaeological resource is not considered a significant environmental impact and such non-unique resources need not be further addressed in the EIR (Public Resources Code section 21083.2(a); CEQA Guidelines section 15064.5(c)(4)).

As stated above, CEQA contains rules for mitigation of "unique archaeological resources." For example, "[i]f it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Examples of that treatment, in no order of preference, may include, but are not limited to, any of the following:

- 1. Planning construction to avoid archaeological sites.
- 2. Deeding archaeological sites into permanent conservation easements.
- 3. Capping or covering archaeological sites with a layer of soil before building on the sites.
- 4. Planning parks, greenspace, or other open space to incorporate archaeological sites." (Pub. Resources Code section 21083.2(b)(1)-(4).)

Public Resources Code section 21083.2(d) states that "[e]xcavation as mitigation shall be restricted to those parts of the unique archaeological resource that would be damaged or destroyed by the project. Excavation as mitigation shall not be required for a unique archaeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, if this determination is documented in the environmental impact report."

The rules for mitigating impacts to archaeological resources to qualify as "historic resources" are slightly different. According to CEQA Guidelines section 15126.4(b), "[p]ublic agencies should, whenever feasible, seek to avoid damaging effects on any historic resource of an archaeological nature. The following factors shall be considered and discussed in an EIR for a project involving such an archaeological site:

- A. Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.
- B. Preservation in place may be accomplished by, but is not limited to, the following:
 - 1. Planning construction to avoid archaeological sites;

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

- 2. Incorporation of sites within parks, greenspace, or other open space;
- 3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site[; and]
- 4. Deeding the site into a permanent conservation easement.

Thus, although section 21083.2 of the Public Resources Code, in addressing "unique archaeological sites," provides for specific mitigation options "in no order of preference," CEQA Guidelines section 15126.4(b), in addressing "historical resources of an archaeological nature," provides that "[p]reservation in place is the preferred manner of mitigating impacts to archaeological sites."

Under CEQA, "[w]hen data recovery through excavation is the only feasible mitigation," the lead agency may cause to be prepared and adopt a "data recovery plan," prior to any excavation being undertaken. The data recovery plan must make "provision for adequately recovering the scientifically consequential information from and about the historic resource." (CEQA Guidelines section 15126.4(b)(3)(C).) The data recovery plan also "must be deposited with the California Historical Resources Regional Information Center." (*Ibid.*) Further, "[i]f an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation." (*Ibid.*)

However, "[d]ata recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historic resource, provided that determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center." (CEQA Guidelines section 15126.4(b)(3)(D).)

City of San Marcos Guidelines

Chapter 4 of the City's General Plan (adopted in 2012 and updated in 2013) describes the City's cultural and paleontological resources, regulatory framework, and policies and plans to protect such resources (City of San Marcos 2013). The planning goals and policies are described below.

The City's General Plan Open Space and Conservation Element identifies goals and policies aimed at preserving cultural and historic resources. The City's goal is to "continue to identify and evaluate cultural, historical, archaeological, paleontological, and architectural resources for protection from demolition and inappropriate actions" in compliance with CEQA guidelines (City of San Marcos 2013).

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San

Marcos, California

SCIC RECORDS SEARCH

Dudek conducted a records search of SCIC files for the Project and a one-mile buffer on August 1, 2017. The records search revealed that four previous cultural resources studies have been completed within the Project APE. Three of these studies (Chace 1986, Brandman 1989, and Gallegos 2003) specifically address portions of the current Project APE but did not identify any cultural resources or historic addresses within the Project APE. The fourth cultural study (Affinis 2003) is a broader overview study of cultural resources in the Vallecitos Water District and also identified no cultural resources in the Project APE. Sixty-six (66) other investigations have been completed within 1-mile of the Project APE (Confidential Appendix A – SCIC Record Search Results).

The SCIC records search also revealed that no cultural resources have been recorded within the Project APE. The records search did identify 32 cultural resources and five historic addresses within 1-mile of the Project APE (Confidential Appendix A – SCIC Records Search Results). The closest resources to the Project APE are three historic addresses located on the opposite side of Barham Drive. Two of these historic addresses (1412 and 1414) have been evaluated and were determined to be not eligible for inclusion in the National Register of Historic Places at the time of recordation.

ARCHIVAL RESEARCH

In addition to the SCIC records search, Dudek conducted an on-line review of historic aerial images on the Project APE and general vicinity, to help determine the possible development and land use of the Project APE in the past. The historic aerial imagery available from the website HistoricAerials.com by Nationwide Environmental Title Research, LLC (NETR), demonstrates that the Project APE was cleared and partially leveled in 1953 (NETR 2017). The only development of the property to date was the construction and operation of an orchard, first documented in the mid-1960s (NETR 2017). This orchard was first photographed in a 1964 aerial image, already showing the early stages of orchard trees staged in even and consistent rows, which continue to grow over the subsequent years of aerial imagery. A small building appears in the southeast corner of the Project APE in 1980 (NETR 2017). Dirt roads were established connecting the building to the orchard and adjacent paved roads. The 1994 aerial suggest that the orchard is being neglected (NETR 2017). In the 1994 image, the growth of the trees has stopped, some trees have already died. By 1994, the building, possibly a mobile home, has been removed and the established dirt access roads have been covered with grasses and surrounding vegetation (NETR 2017).

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

The review of the historic aerial images and topographic maps demonstrate that, besides the orchard and temporary residence, there has been no other development of the Project APE.

Dudek also conducted a separate agricultural study for the current Project (Dudek 2018). The study revealed that the Project APE consists entirely of Vista coarse sandy loam and Fallbrook sandy loam. The typical stratigraphy for Vista coarse sandy loam includes eroded bedrock at 35 to 45 inches below surface, while bedrock is typically encountered between 12 and 28 inches in Fallbrook sandy loam. The presence of the knoll within the Project APE increases the likelihood that bedrock will be encountered near the ground surface. Considering the likely shallow depths of the soils and the previous grading observed on the 1953 aerial photograph, it is unlikely that intact archaeological deposits will be encountered during Project ground disturbance.

NAHC AND NATIVE AMERICAN OUTREACH LETTERS

Dudek requested a NAHC search of the SLF on July 27, 2017 for the proposed Project APE and a 1-mile buffer. The SLF consists of a database of known Native American resources. These resources may not be included in SCIC database. The NAHC replied on August 4, 2017 and reported that the SLF did not identify any known Native American cultural resources within the Project APE or the surrounding one-mile buffer (Appendix B – Tribal Correspondence). The NAHC additionally provided a list of Native American tribes and individuals/organizations with traditional geographic associations that might have knowledge of cultural resources in this area.

Outreach letters were mailed on August 4, 2017 to all Native American group representatives included on the NAHC contact list (Appendix B - Tribal Correspondence). These letters attempted to solicit additional information relating to Native American resources that may be impacted by the Project. Native American representatives were requested to define a general area where known resources intersect the Project APE. Ray Teran, Resource Manager with the Viejas Band of Kumeyaay Indians, responded on August 21, 2017 stating that the Project site has cultural significance or ties to Viejas. He requested that a Kumeyaay cultural monitor be on site for ground disturbing activities. David Toler, Councilman for the San Pasqual Band of Mission Indians, responded on August 30, 2017 and stated that they know of no particular cultural resources within the Project APE, but think that the potential for resources exists. Mr. Toler did not make any specific request but did state that the Band is concerned that cultural resources may be disturbed. Chris Devers, Cultural Liaison for the Pauma Band of Luiseno Indians, responded on August 31, 2017 and stated that the Band is unaware of any specific cultural resources within the Project APE. Mr. Devers did request copies of the current study when completed. Merri Lopez-Keifer, Chief Legal Counsel to San Luis Rey Band of Mission Indians, responded on October 4, 2017 and requested that all cultural resource surveys completed in the Project APE be

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San

Marcos, California

emailed to Cami Mojado. Dudek emailed copies of the four previously conducted cultural resource studies conducted within the Project APE to Cami Mojado on October 5, 2017. No other communications between Dudek and the tribes has occurred since then.

In compliance with Assembly Bill 52, the City, as lead agency, is responsible for conducting government to government consultation with pertinent tribal entities. This letter will be revised to include information obtained through consultation, as it is available.

INTENSIVE PEDESTRIAN SURVEY

Dudek archaeologist Matthew DeCarlo conducted a survey of the proposed Project APE on June 27, 2018. Native American monitor Mario Herrera from Saving Sacred Sites, Inc., a Luiseño owned company, participated in the pedestrian survey. The Project consists of a vacant lot delineated by existing residential and commercial developments. The Project APE has been previously disturbed as evidenced by graded terraces and rows of tree stumps. A graded pad is the only remnant of the temporary building that was located in the southeast corner of the property. Existing dirt paths already exist for both proposed access roads for the Project. An earthen knoll is located in the south central portion of the Project APE. North of the knoll, the terrain slopes gently downhill to the north which is covered in grass and was easily surveyed. The knoll and the area to its south is more steeply sloped and covered in dense brush. The brush was so dense that regular survey was not possible. Instead, the survey team had to follow trails within the brush and survey the ground where visible. Ground visibility varied greatly between the northern and southern portions of the Project APE. Though currently undeveloped, the Project is immediately adjacent to residential and commercial development and has been subjected to illicit dumping activities. Pedestrian survey was conducted utilizing formal transects at 15-meter intervals, except as noted above. Deviations from transects also occurred to inspect animal burrows and other locations of exposed sediments. No cultural resources were identified within the Project.

SUMMARY AND MANAGEMENT CONSIDERATIONS

Dudek's cultural resources inventory for the Project did not identify any cultural resources within the Project APE. Ray Teran, Resources Manager with the Viejas Band of Kumeyaay Indians requested that a Kumeyaay cultural monitor be on site for ground disturbing activities but did not indicate that there were known TCR's located within the APE. David Toler, Councilman for the San Pasqual Band of Mission Indians knew of no TCRs within the Project APE, but believes the potential for resources exists. However, due to the negative results of the SCIC records search, NAHC SLF Search, Native American outreach, and intensive-level survey, Dudek anticipates that no known cultural resources will

Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San

Marcos, California

be impacted by the proposed Project. These negative results, the previous disturbance of the area, and the shallow bedrock suggest that there is a low probability for impacting unknown cultural resources during construction. Dudek does not recommend cultural resources monitoring or any other cultural resource efforts for the Project; however, in the unlikely event that archaeological materials are identified during earth moving activities, work should be temporary halted in the vicinity of the discovery. A qualified archaeologist should be notified to review the unanticipated find and evaluate the resource for CRHR listing. Should human remains be discovered, work will halt in that area and procedures set forth in the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5) will be followed, beginning with notification to the County Coroner. If Native American remains are present, the County Coroner will contact the NAHC to designate a Most Likely Descendent, who will provided recommendations for the dignified disposition and treatment of the remains.

Should you have any questions relating to this report and its findings please do not hesitate to contact Dudek directly.

Respectfully Submitted,

Matthew DeCarlo, MA

Archaeologist

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Email: mdecarlo@dudek.com

Hatte H. De Carlo

cc: Brad Comeau, Dudek

Att: Figure 1. Project Location Map

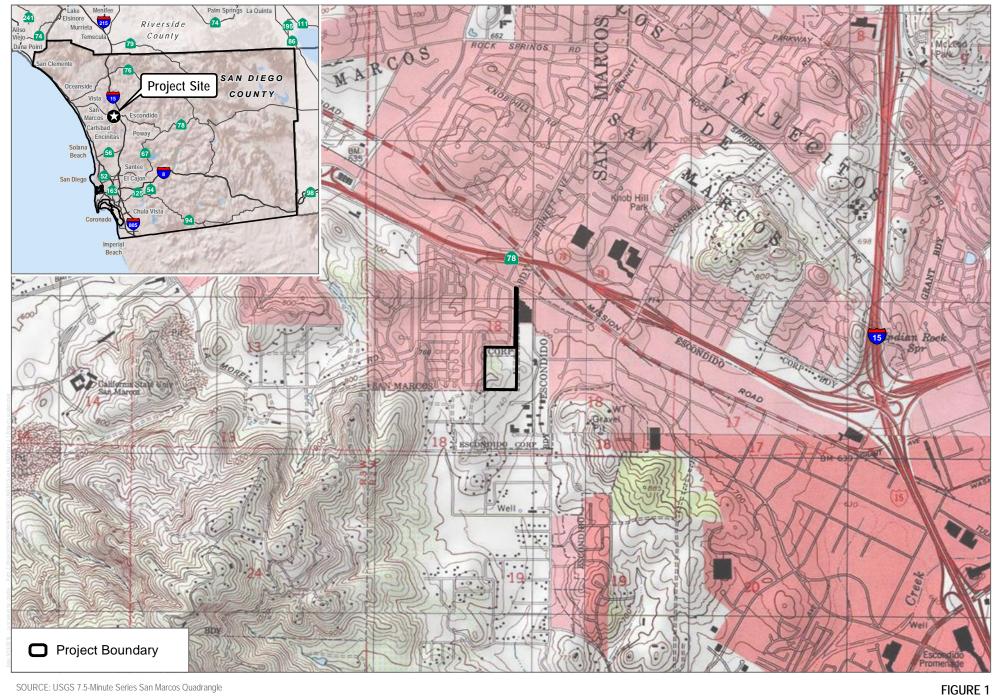
Confidential Appendix A: SCIC Record Search Results Appendix B: Native American Correspondence Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

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Subject: Cultural Resource Inventory Report for the Sunrise Specific Plan Project, City of San Marcos, California

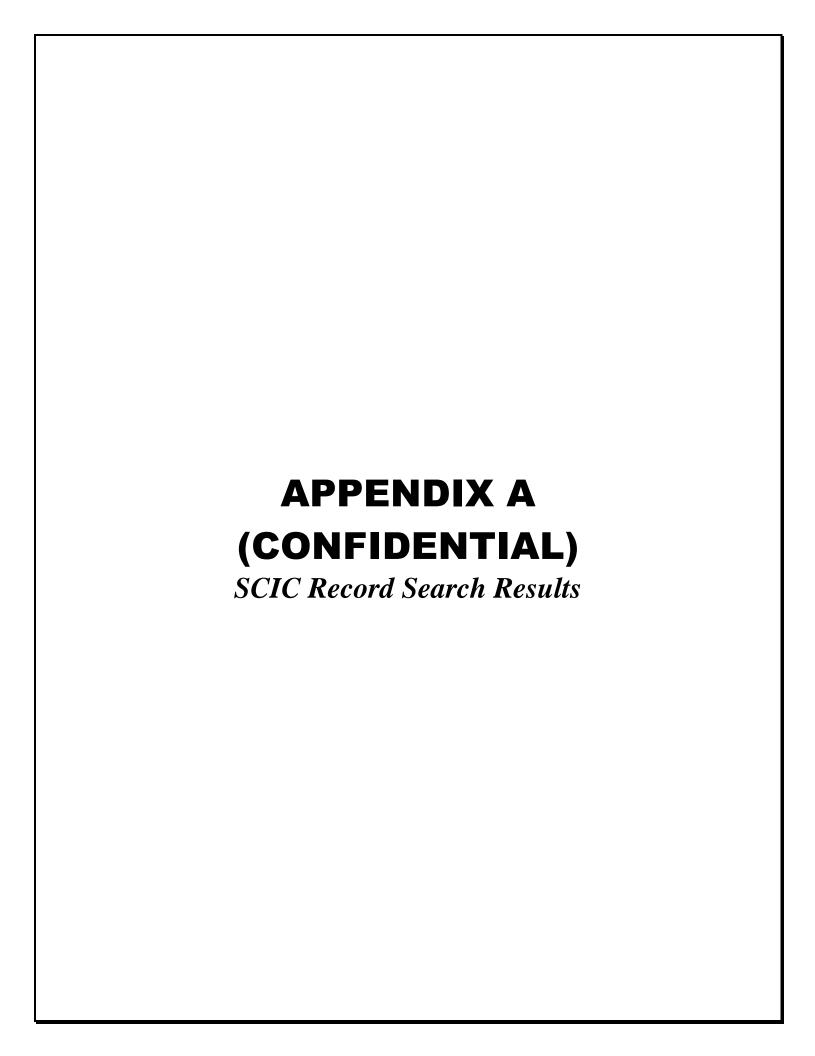
Parker, Patricia L. and Thomas F. King. 1998. National Register Bulletin 38: Guidelines for the Evaluation and Documentation of Traditional Cultural Properties. National Register of Historic Places, U.S. National Park Service.

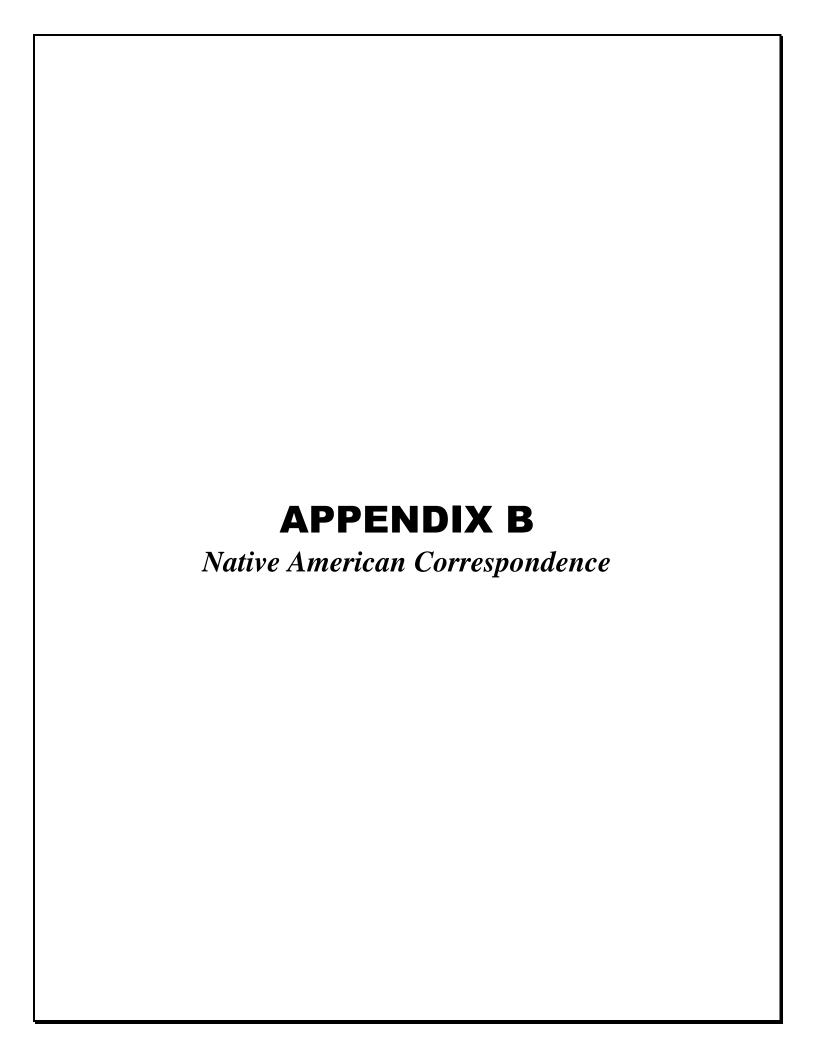


SOURCE: USGS 7.5-Minute Series San Marcos Quadrangle

Project Location

DUDEK & -2,000







MAIN OFFICE 605 THIRD STREET ENGINITAS, CALIFORNIA 92024 T 760.942.5147 T 800.450.1818 F 760.632.0164

July 27, 2017

Katy Sanchez Associate Government Program Analyst Native American Heritage Commission

Subject: NAHC Sacred Lands Records Search Request for the Orix-Sunrise Cultural Constraints Survey Project, City of Carlsbad, California

Dear Ms. Sanchez,

Dudek is contracted to conduct a cultural resource constraints survey for the Orix-Sunrise project (Project), City of Carlsbad, California. The Project site is 14 acres and is located in the cities of San Marcos and Escondido and the County of San Diego, California. The Project extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18. Integral Communities is conducting a due diligence evaluation of the project site.

The scope of services outlined in this proposal focuses on identifying potential cultural resource constraints that may be present on the site and includes a field reconnaissance survey. Dudek assumes that, although the project is located within the County and cities of San Marcos and Escondido, the lead agency will be either one of the cities and not the County. This scope of work does not include the full extent of surveys and environmental evaluation that would be necessary to process a proposed development project with either city.

Dudek is requesting a NAHC search for any sacred sites, traditional cultural properties, or other Native American cultural resources that may fall within a one-mile buffer of the proposed project location (Figure 1). Please provide contact information for all Native American tribal representatives that should be consulted regarding these project activities.

If you have any questions about this investigation, please contact me directly by email or phone.

Regards,

Scott Wolf Archaeologist

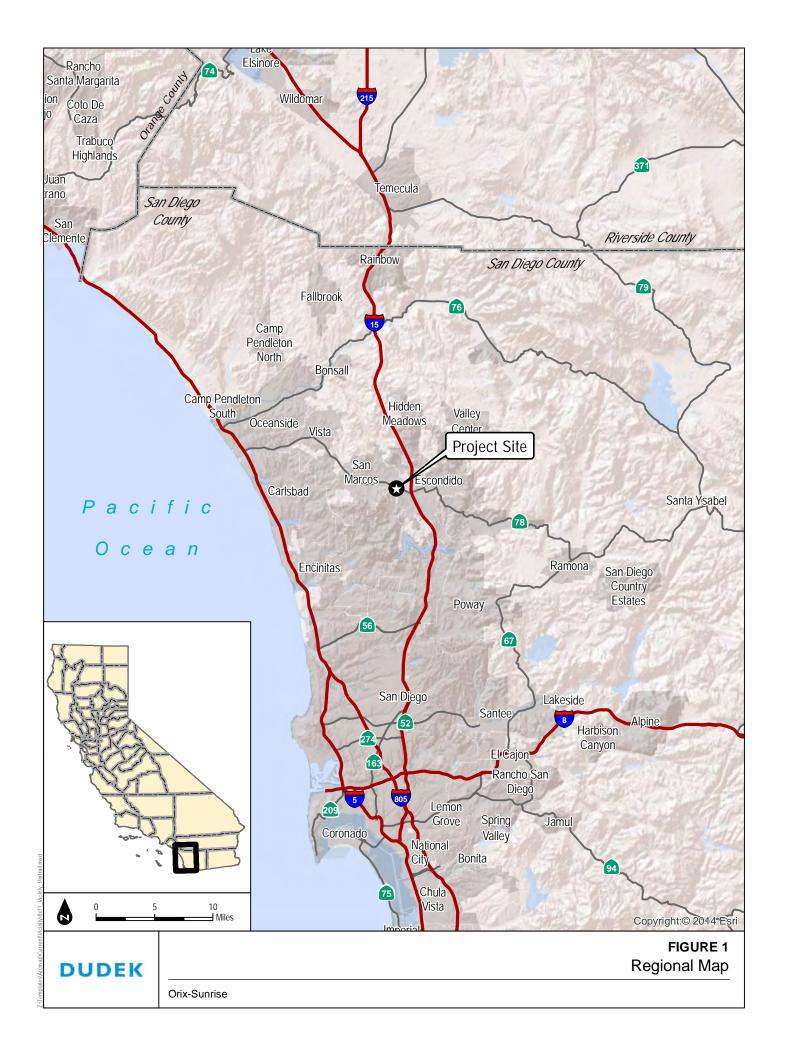
DUDEK

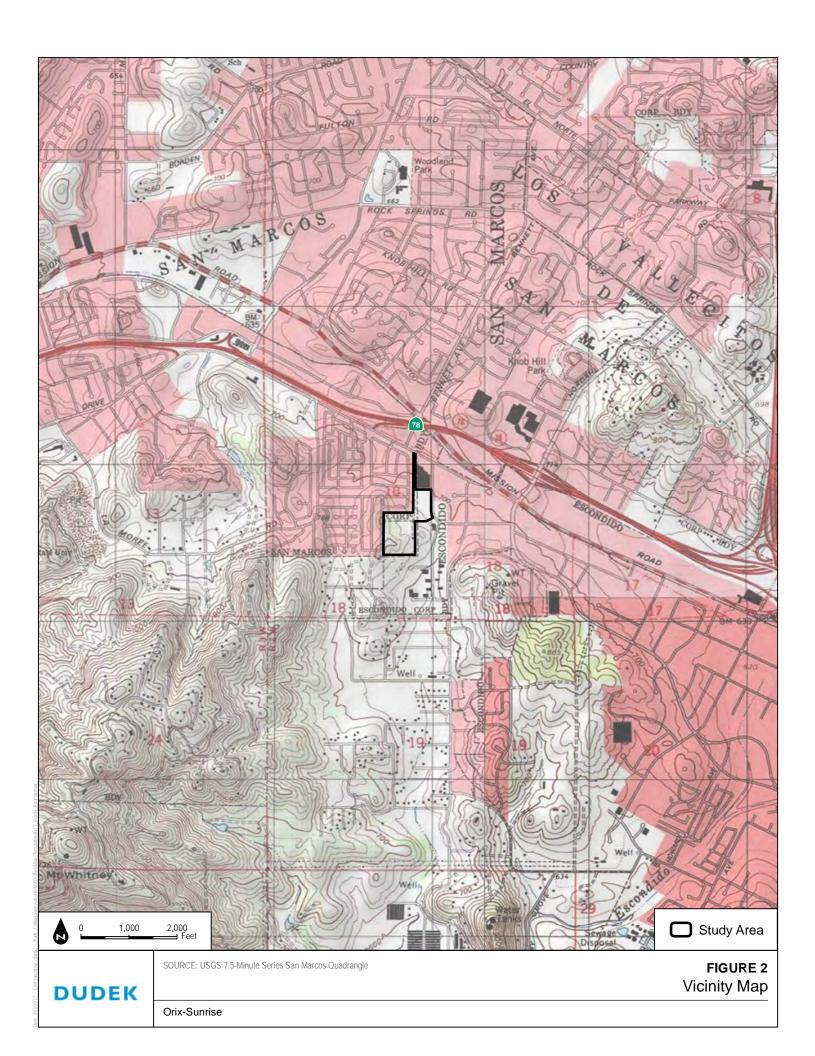
Phone: (760) 479-3814 Cell: (858) 775-9028 Email: swolf@dudek.com

Attachments:

Figure 1. Regional location map Figure 2. Project location map







NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department 1550 Harbor Blvd., Suite 100 West Sacramento, CA 95691 (916) 373-3710



August 4, 2017

Scott Wolf Dudek

Sent by E-mail: swolf@dudek.com

RE: Proposed Orix-Sunrise Cultural Constraints Survey Project, City of Carlsbad; San Marcos USGS Quadrangle, San Diego County, California

Dear Mr. Wolf:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File was completed for the area of potential project effect (APE) referenced above with <u>negative</u> results. Please note that the absence of specific site information in the Sacred Lands File does not indicate the absence of Native American cultural resources in any APE.

Attached is a list of tribes culturally affiliated to the project area. I suggest you contact all of the listed Tribes. If they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton, M.A., PhD.

Associate Governmental Program Analyst

Agua Caliente Band of Cahuilla Indians

Jeff Grubbe, Chairperson 5401 Dinah Shore Drive Palm Springs, CA, 92264

Cahuilla Luiseno

Cahuilla

Luiseno

Kumeyaay

Kumeyaay

Kumeyaay

Phone: (760) 699 - 6800 Fax: (760) 699-6919

Agua Caliente Band of Cahuilla Indians

Patricia Garcia-Plotkin, Director 5401 Dinah Shore Drive

Palm Springs, CA, 92264 Phone: (760) 699 - 6907 Fax: (760) 699-6924

ACBCI-THPO@aguacaliente.net

Barona Group of the Capitan Grande

Edwin Romero, Chairperson 1095 Barona Road

Lakeside, CA, 92040 Phone: (619) 443 - 6612 Fax: (619) 443-0681 clloyd@barona-nsn.gov

Campo Band of Mission Indians

Ralph Goff, Chairperson 36190 Church Road, Suite 1

Campo, CA, 91906 Phone: (619) 478 - 9046 Fax: (619) 478-5818 rgoff@campo-nsn.gov

Ewijaapaayp Tribal Office

Michael Garcia, Vice Chairperson

4054 Willows Road Alpine, CA, 91901 Phone: (619) 445 - 6315

Fax: (619) 445-9126 michaelg@leaningrock.net

Ewilaapaayp Tribal Office

Robert Pinto, Chairperson 4054 Willows Road

Alpine, CA, 91901 Phone: (619) 445 - 6315 Fax: (619) 445-9126

Willows Road Kumeyaay ne, CA, 91901 lipay Nation of Santa Ysabel

Virgil Perez, Chairperson P.O. Box 130

Santa Ysabel, CA, 92070

Santa Ysabel, CA, 92070 Phone: (760) 765 - 0845 Fax: (760) 765-0320

lipay Nation of Santa Ysabel

Clint Linton, Director of Cultural

Resources P.O. Box 507 Santa Ysabel, CA, 92070

Santa Ysabel, CA, 92070 Phone: (760) 803 - 5694 cjlinton73@aol.com

Inaja Band of Mission Indians

Rebecca Osuna, Chairperson 2005 S. Escondido Blvd. Escondido, CA, 92025 Phone: (760) 737 - 7629

Phone: (760) 737 - 7628 Fax: (760) 747-8568

Jamul Indian Village

Erica Pinto, Chairperson P.O. Box 612

Jamul, CA, 91935 Phone: (619) 669 - 4785 Fax: (619) 669-4817

Kwaaymii Laguna Band of Mission Indians

Carmen Lucas, P.O. Box 775

Pine Valley, CA, 91962 Phone: (619) 709 - 4207

La Jolla Band of Luiseno Indians

Thomas Rodriguez, Chairperson 22000 Highway 76

Pauma Valley, CA, 92061 Phone: (760) 742 - 3771

Kumeyaay

Kumeyaay

Kumeyaay

Kumeyaay

Kumeyaay

son Luiseno

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 Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Orix-Sunrise Project, San Diego County.

La Posta Band of Mission Indians

Javaughn Miller, Tribal Administrator 8 Crestwood Road Boulevard, CA, 91905

Kumeyaay

Phone: (619) 478 - 2113 Fax: (619) 478-2125 imiller@LPtribe.net

La Posta Band of Mission Indians

Gwendolyn Parada, Chairperson 8 Crestwood Road

Boulevard, CA, 91905 Phone: (619) 478 - 2113 Fax: (619) 478-2125 LP13boots@aol.com

Kumeyaay

Kumeyaay

Kumeyaay

Manzanita Band of Kumeyaay Nation

Angela Elliott Santos, Chairperson P.O. Box 1302 Kumeyaay

Boulevard, CA, 91905 Phone: (619) 766 - 4930 Fax: (619) 766-4957

Manzanita Band of Kumevaav Nation

Nick Elliott, Cultural Resources Coordinator

P. O. Box 1302 Boulevard, CA, 91905 Phone: (619) 766 - 4930 Fax: (619) 766-4957

nickmepa@yahoo.com Mesa Grande Band of Mission

Indians Virgil Oyos, Chairperson

P.O Box 270 Santa Ysabel, CA, 92070 Phone: (760) 782 - 3818

Fax: (760) 782-9092 mesagrandeband@msn.com Mesa Grande Band of Mission Indians

Mario Morales, Cultural Resources Representative

PMB 366 35008 Pala Temecula Kumeyaay

Rd.

Pala, CA, 92059

Phone: (760) 622 - 1336

Pala Band of Mission Indians

Shasta Gaughen, Tribal Historic Preservation Officer

PMB 50, 35008 Pala Temecula Rd.

Pala, CA, 92059 Phone: (760) 891 - 3515 Fax: (760) 742-3189

sgaughen@palatribe.com

Pauma Band of Luiseno Indians - Pauma & Yuima Reservation

Temet Aguilar, Chairperson P.O. Box 369, Ext. 303 Pauma Valley, CA, 92061

Phone: (760) 742 - 1289 Fax: (760) 742-3422

Pechanga Band of Mission Indians

Mark Macarro, Chairperson P.O. Box 1477

Temecula, CA, 92593 Phone: (951) 770 - 6000 Fax: (951) 695-1778

epreston@pechanga-nsn.gov

Pechanga Band of Mission Indians

Paul Macarro, Cultural Resources Coordinator P.O. Box 1477

Temecula, CA, 92593 Phone: (951) 770 - 6306

Fax: (951) 506-9491

Luiseno

Cupeno

Luiseno

Luiseno

Luiseno

pmacarro@pechanga-nsn.gov

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Rincon Band of Mission Indians

Luiseno

Luiseno

Luiseno

Luiseno

Kumeyaay

Bo Mazzetti, Chairperson

1 West Tribal Road

Valley Center, CA, 92082

Phone: (760) 749 - 1051 Fax: (760) 749-5144

bomazzetti@aol.com

Rincon Band of Mission Indians

Jim McPherson, Tribal Historic

Preservation Officer

1 West Tribal Road

Valley Center, CA, 92082

Phone: (760) 749 - 1051

Fax: (760) 749-5144 vwhipple@rincontribe.org

San Luis Rey Band of Mission

Indians

1889 Sunset Drive Vista, CA, 92081

Phone: (760) 724 - 8505

Fax: (760) 724-2172

cjmojado@slrmissionindians.org

San Luis Rey Band of Mission

Indians

San Luis Rey, Tribal Council

1889 Sunset Drive

Vista, CA, 92081 Phone: (760) 724 - 8505

Fax: (760) 724-2172

cimojado@slrmissionindians.org

San Pasqual Band of Mission

Indians

John Flores, Environmental

Coordinator

P. O. Box 365

Valley Center, CA, 92082 Phone: (760) 749 - 3200

Fax: (760) 749-3876

iohnf@sanpasqualtribe.org

San Pasqual Band of Mission

Kumeyaay

Cahuilla

Luiseno

Cahuilla

Luiseno

Cahuilla

Luiseno

Kumevaav

Indians

Allen E. Lawson, Chairperson

P.O. Box 365

Vailey Center, CA, 92082

Phone: (760) 749 - 3200

Fax: (760) 749-3876

alleni@sanpasqualtribe.org

Soboba Band of Luiseno

Indians

Rosemary Morillo, Chairperson

P. O. Box 487

San Jacinto, CA, 92583

Phone: (951) 654 - 2765

Fax: (951) 654-4198

rmorillo@soboba-nsn.gov

Soboba Band of Luiseno

Indians

Carrie Garcia, Cultural Resources

Manager

P. O. Box 487

San Jacinto, CA, 92583

Phone: (951) 654 - 2765 Fax: (951) 654-4198

carrieg@soboba-nsn.gov

Soboba Band of Luiseno

Indians

Joseph Ontiveros, Cultural

Resource Department

P.O. BOX 487

San Jacinto, CA, 92581 Phone: (951) 663 - 5279

Fax: (951) 654-4198

jontiveros@soboba-nsn.gov

Sycuan Band of the Kumeyaay

Nation

Cody J. Martinez, Chairperson

1 Kwaaypaay Court

El Cajon, CA, 92019

Phone: (619) 445 - 2613

Fax: (619) 445-1927 ssilva@sycuan-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 Resource Section 5097.98 of the Public Resources Code.

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Sycuan Band of the Kumeyaay Nation

Lisa Haws, Cultural Resources

Manager

1 Kwaaypaay Court El Cajon, CA, 92019

Phone: (619) 312 - 1935 lhaws@sycuan-nsn.gov

Kumeyaay

Viejas Band of Kumeyaay Indians

Julie Hagen,

1 Viejas Grade Road

Alpine, CA, 91901

Kumeyaay

Kumeyaay

Phone: (619) 445 - 3810

Fax: (619) 445-5337 jhagen@viejas-nsn.gov

Viejas Band of Kumeyaay Indians

Robert Welch, Chairperson 1 Viejas Grade Road Alpine, CA, 91901

Phone: (619) 445 - 3810 Fax: (619) 445-5337 jhagen@viejas-nsn.gov

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MAIN OFFICE 605 THIRD STREET ENCINITAS, CALIFORNIA 92024 T 760.942.5147 T 800.450.1818 F 760.632.0164

August 04, 2017

Mr. Temet Aguilar, Chairperson Pauma & Yuima Reservation P.O. Box 369 Pauma Valley, CA 92061

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Aguilar,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

The scope of services performed by Dudek focuses on identifying potential cultural resource constraints that may be present on the site and includes a field reconnaissance survey. Dudek assumes that, although the project is located within the County and cities of San Marcos and Escondido, the lead agency will be either one of the cities and not the County. This scope of Dudek's work does not include the full extent of surveys and environmental evaluation that would be necessary to process a proposed development project with either city.

The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).

If you have any knowledge of cultural resources that may exist within or near the project area, please contact me directly at (760) 429-8404 or swolf@dudek.com at your earliest convenience.

Temet Aguilar

Re: Orix-Sunrise Cultural Constraints Study Project

Thank you for your assistance.

Sincerely,

Scott Wolf

Dudek Archaeologist

Attachments: Figure 1. Regional project map Figure 2. Project vicinity map

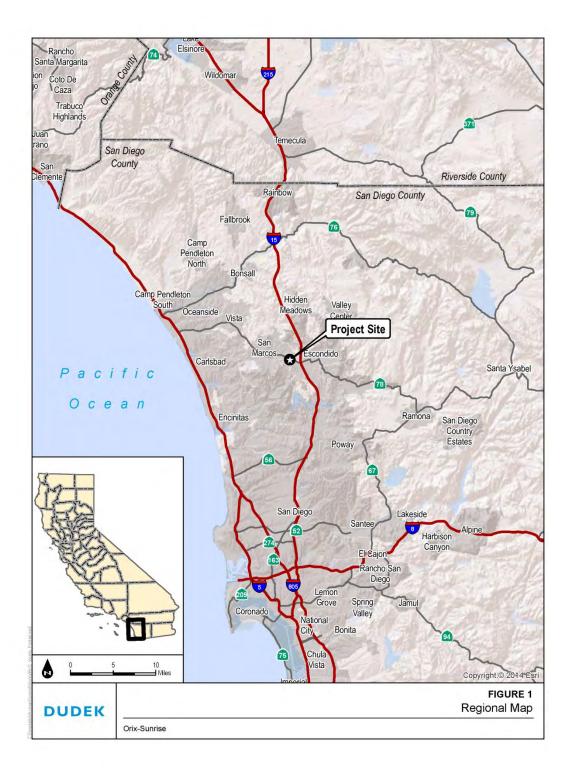


Figure 1. Regional project map

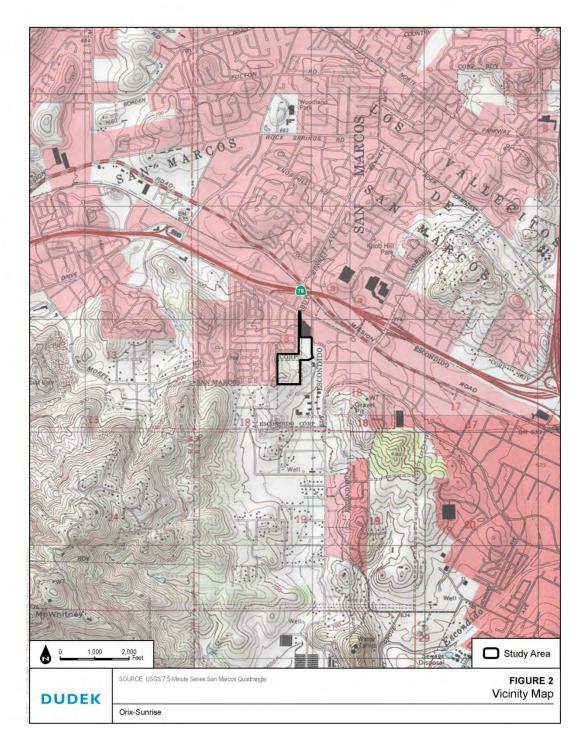


Figure 2. Project Vicinity map



MAIN OFFICE 605 THIRD STREET ENCINITAS, CALIFORNIA 92024 T 760.942.5147 T 800.450.1818 F 760.632.0164

August 04, 2017

Mr. Nick Elliott, Cultural Resources Coordinator Manzanita Band of Kumeyaay Nation P.O. Box 1302 Boulevard, CA 91905

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Elliott,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Mr. John Flores, Environmental Coordinator San Pasqual Band of Indians P.O. Box 365 Valley Center, CA 92082

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Flores,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Ms. Carrie Garcia, Cultural Resources Manager Soboba Band of Luiseno Indians P.O. Box 487 San Jacinto, CA 92581

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Garcia,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Mr. Michael Garcia, Vice Chairperson Ewiiaapaayp Tribal Office 4054 Willows Road Alpine, CA 91901

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Garcia,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Ms. Patricia Garcia, Tribal Historic Preservation Officer Agua Caliente Band of Cahuilla Indians 5401 Dinah Shore Drive Palm Springs, CA 92262

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Garcia,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

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

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Gaughen,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

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

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Goff,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Mr. Jeff Grubbe, Chairperson Agua Caliente Band of Cahuilla Indians 5401 Dinah Shore Drive Palm Springs, CA 92262

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Grubbe,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Ms. Julie Hagen, Cultural Resources Viejas Band of Kumeyaay Indians P.O. Box 908 Alpine, CA 91903

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Hagen,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Ms. Lisa Haws, Cultural Resource Manager Sycuan Band of the Kumeyaay Nation 1 Kwaaypaay Court El Cajon, CA 92019

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Haws,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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August 04, 2017

Mr. Allen E. Lawson, Chairperson San Pasqual Band of Mission Indians P.O. Box 365 Valley Center, CA 92082

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Lawson,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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August 04, 2017

Mr. Clint Linton, Director of Cultural Resources Ipay Nation of Santa Ysabel P.O. Box 507 Santa Ysabel, CA 92070

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Linton,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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August 04, 2017

Ms. Carmen Lucas, Kwaaymii Laguna Band of Mission Indians P.O. Box 775 Pine Valley, CA 91962

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Lucas,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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August 04, 2017

Mr. Mark Macarro, Chairperson Pechanga Band of Mission Indians P.O. Box 1477 Temecula, CA 92593

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Macarro,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

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August 04, 2017

Mr. Paul Macarro, Cultural Resources Manager Pechanga Band of Mission Indians P.O. Box 1477 Temecula, CA 92593

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Macarro,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

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

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Martinez,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Mr. Bo Mazzetti, Tribal Chairman Rincon Band of Mission Indians 1 W. Tribal Road Valley Center, CA 92082

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Mazzetti,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Mr. Jim McPherson, Tribal Historic Pres. Officer Rincon Band of Mission Indians 1 W. Tribal Road Valley Center, CA 92082

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. McPherson,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Ms. Javaughn Miller, La Posta Band of Mission Indians 8 Crestwood Rd. Boulevard, CA 91905

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Miller,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Mr. Mario Morales, Cultural Resources Rep Mesa Grande Band of Mission Indians 35008 Pala Temecula Rd. #366 Pala, CA 92059

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Morales,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Ms. Rosemary Morillo, Chairperson Soboba Band of Mission Indians P.O. Box 487 San Jacinto, CA 92581

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Morillo,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Mr. Joseph Ontiveros, Cultural Resource Department Soboba Band of Luiseno Indians P.O. Box 487 San Jacinto, CA 92581

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Ontiveros,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Ms. Rebecca Osuna, Chairman Inaja Band of Mission Indians 2005 S. Escondido Blvd. Escondido, CA 92025

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Osuna,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Mr. Virgil Oyos, Chairperson Mesa Grande Band of Mission Indians P.O. Box 270 Santa Ysabel, CA 92070

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Oyos,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Ms. Gwendolyn Parada, Chairperson La Posta Band of Mission Indians 8 Crestwood Rd. Boulevard, CA 91905

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Parada,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

The scope of services performed by Dudek focuses on identifying potential cultural resource constraints that may be present on the site and includes a field reconnaissance survey. Dudek assumes that, although the project is located within the County and cities of San Marcos and Escondido, the lead agency will be either one of the cities and not the County. This scope of Dudek's work does not include the full extent of surveys and environmental evaluation that would be necessary to process a proposed development project with either city.

The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Mr. Virgil Perez, Chairperson Iipay Nation of Santa Ysabel P.O. Box 130 Santa Ysabel, CA 92070

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Perez,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

The scope of services performed by Dudek focuses on identifying potential cultural resource constraints that may be present on the site and includes a field reconnaissance survey. Dudek assumes that, although the project is located within the County and cities of San Marcos and Escondido, the lead agency will be either one of the cities and not the County. This scope of Dudek's work does not include the full extent of surveys and environmental evaluation that would be necessary to process a proposed development project with either city.

The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Ms. Erica Pinto, Chairperson Jamul Indian Village P.O. Box 612 Jamul, CA 91935

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Pinto,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

The scope of services performed by Dudek focuses on identifying potential cultural resource constraints that may be present on the site and includes a field reconnaissance survey. Dudek assumes that, although the project is located within the County and cities of San Marcos and Escondido, the lead agency will be either one of the cities and not the County. This scope of Dudek's work does not include the full extent of surveys and environmental evaluation that would be necessary to process a proposed development project with either city.

The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Mr. Robert Pinto, Sr., Chairperson Ewiaapaayp Tribal Office 4054 Willow Rd. Alpine, CA 91901

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Pinto, Sr.,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

The scope of services performed by Dudek focuses on identifying potential cultural resource constraints that may be present on the site and includes a field reconnaissance survey. Dudek assumes that, although the project is located within the County and cities of San Marcos and Escondido, the lead agency will be either one of the cities and not the County. This scope of Dudek's work does not include the full extent of surveys and environmental evaluation that would be necessary to process a proposed development project with either city.

The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Mr. Thomas Rodrigues, Chairperson La Jolla Band of Mission Indians 22000 Highway 76 Pauma Valley, CA 92061

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Rodrigues,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Mr. Edwin Romero, Chairperson Barona Group of the Capitan Grande 1095 Barona Road Lakeside, CA 92040

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Romero,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Ms. Angela Elliott Santos, Chairperson Manzanita Band of Kumeyaay Nation P.O. Box 1302 Boulevard, CA 91905

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Ms. Santos,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Mr. Robert J. Welch, Jr., Chairperson Viejas Band of Kumeyaay Indians 1 Viejas Grade Rd. Alpine, CA 91901

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Welch, Jr.,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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The California Native American Heritage Commission conducted a Sacred Lands File search of the property and surrounding area. As a result, no Native American cultural resources were identified. However, the NAHC recommended that we contact you regarding your knowledge of the presence of cultural resources that may be impacted by this project.

Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Mr. Robert Welch, Sr., Chairperson Viejas Band of Kumeyaay Indians 1 Viejas Grade Rd. Alpine, CA 91901

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Mr. Welch, Sr.,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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August 04, 2017

Cultural Department , San Luis Rey Band of Mission Indians 1889 Sunset Dr. Vista, CA 92081

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

Dear Cultural Department,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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Please note that this letter does <u>not</u> constitute Assembly Bill (AB) 52 notification or initiation of consultation. AB 52 is a process between the lead agency and California Native American Tribes concerning potential impacts to tribal cultural resources. Tribes that wish to be notified of projects for the purposes of AB 52 must contact the lead agency in writing (pursuant to Public Resources Code Section 21080.3.1(b)).



August 04, 2017

Tribal Council, San Luis Rey Band of Mission Indians 1889 Sunset Dr. Vista, CA 92081

Subject: Information Request for the Orix-Sunrise Cultural Constraints Study Project, City of San Marcos, California

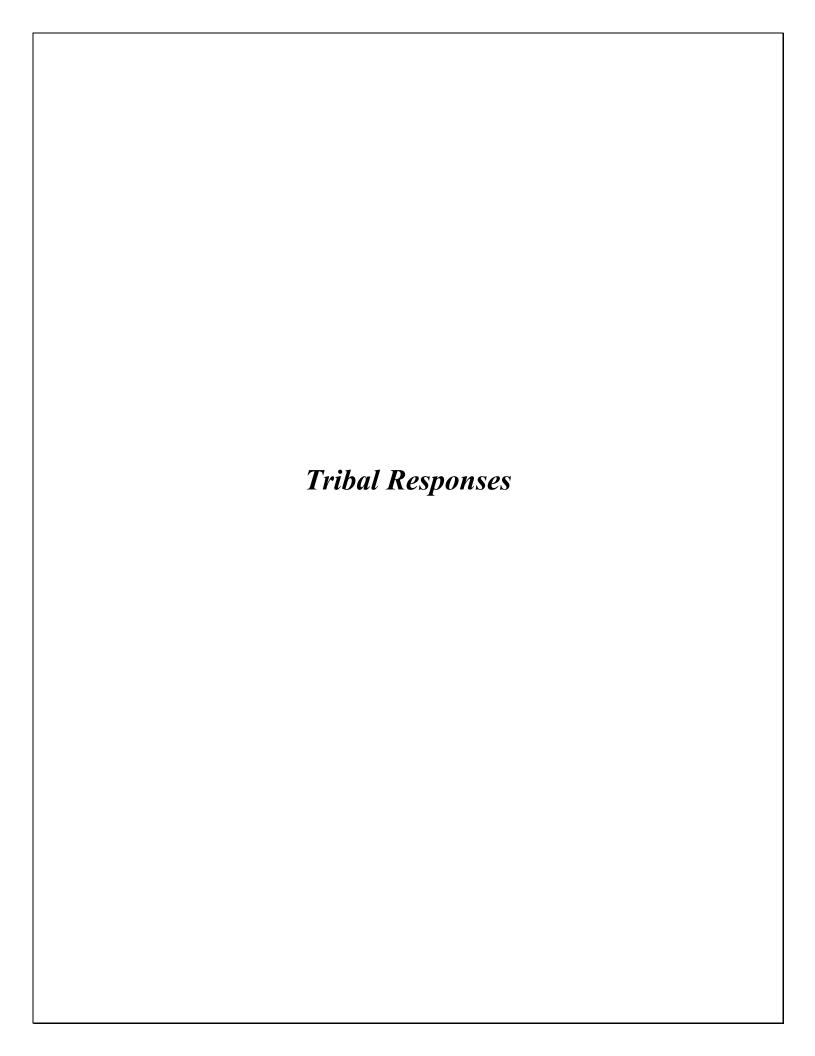
Dear Tribal Council,

Dudek is contracted to conduct a cultural constraints resource survey of the Orix-Sunrise Due Diligence project, located in the cities of San Marcos and Escondido and the County of San Diego, California (Figure 1). The project site extends south from Barham Drive along a narrow strip of land while the main portion of the property is bordered on the west by Grande Vista and to the north by Alta Vista. The property is located on the United States Geological Survey (USGS) 7.5' San Marcos Quadrangle, Township 12 South, Range 2 West, central portion of Section 18 (Figure 2).

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MEMORANDUM

To: Scott Wolf (SWolf@dudek.com)

From: Chris Devers

Subject: Orix-Sunrise Cultural Constraints Tribal Response

Date: 08/31/2017

cc: <u>pdixon@palomar.edu</u>; Jeremy Zagarella

Attachment(s): None

Email received on 08/31/2017:

"Mr. Wolf,

The Cultural Office of the Pauma Band of Luiseno Indians has received your August 4 request for the Orix-Sunrise Cultural Restraints Project in San Marcos. We are unaware of any site specific cultural resources on the proposed project property. Please provide us with copies of your cultural studies one they are completed. Please contact us if there are any questions.

Thank you,

Mr. Chris Devers
Cultural Liaison
Pauma Band of Luiseno Indians"



SAN PASQUAL BAND OF MISSION INDIANS

SAN PASQUAL RESERVATION

TRIBAL COUNCIL

August 30, 2017

Allen E. Lawson Chairman

Victoria Diaz Vice-Chairman

Tilda Green Secretary-Treasurer

David L. Toler Councilman

Stephen W. Cope Councilman Mr. Scott Wolf

Dudek

605 Third Street

Encinitas, California 92024

Subject: Orix-Sunrise Study Project

Dear Mr. Wolf:

As this proposed project is located in Kumeyaay-Ipai ancestor territory we become concerned that cultural resources may be disturbed. At this time we know of no particular cultural resources, but concerning the location we think the potential is there.

We hope this is of help as project is evaluated.

blail h. John

Sincerely,

David L. Toler Councilman

San Pasqual Band of Mission Indians



P.O Box 908 Alpine, CA 91903 #1 Viejas Grade Road Alpine, CA 91901

Phone: 619.445.3810 Fax: 619.445.5337

viejas.com

August 21, 2017

Scott Wolf Archaeologist Dudek 605 Third Street Encinitas, CA 92024

RE: Orix-Sunrise Cultural Constraints Study Project

Dear Mr. Wolf,

The Viejas Band of Kumeyaay Indians ("Viejas") has reviewed the proposed project and at this time we have determined that the project site is has cultural significance or ties to Viejas.

Viejas Band request that a Kumeyaay Cultural Monitor be on site for ground disturbing activities to inform us of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains.

Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314 or email, rteran@viejas-nsn.gov or epingleton@viejas-nsn.gov, for scheduling. Thank you.

Sincerely,

Ray Teran, Resource Management

VIEJAS BAND OF KUMEYAAY INDIANS

SAN LUIS REY BAND OF MISSION INDIANS

1889 Sunset Drive • Vista, California 92081 760-724-8505 • FAX 760-724-2172 www.slrmissionindians.org

October 4, 2017

Scott Wolf Archaeologist DUDEK 605 Third Street Encinitas, CA 92024

VIA ELECTRONIC MAIL swolf@dudek.com

RE: SLR RESPONSE REGARDING THE PROPOSED ORIX-SUNRISE DUE DILIGENCE PROJECT IN SAN MARCOS, CA AND ITS POTENTIAL IMPACTS TO NATIVE AMERICAN TRIBAL CULTURAL RESOURCES

Dear Mr. Wolf:

We, the San Luis Rey Band of Mission Indians ("Tribe") have received and reviewed your letter dated August 4, 2017 (and inclusive map) regarding the proposed Orix-Sunrise Due Diligence Project in northern San Diego County, CA ("Project" and "Project Area"). We further understand from your letter that you are inquiring whether the Tribe possesses any information and/or concerns regarding tribal cultural resources and/or Sacred Lands in the Project Area.

At this time, prior to the Tribe providing Dudek and/or its client with the requested information, the Tribe respectfully requests that any and all cultural resource surveys completed in the Project Area and/or for the benefit of this Project be provided to the Tribe's Cultural Department at 1889 Sunset Drive, Vista, CA 92081 as your earliest convenience. If digital copies are available, please send them directly to cjmojado@slrmissionindians.org.

We thank you for your assistance in protecting our invaluable Luiseño tribal cultural resources.

Sincerely,

Merri Lopez-Keifer Chief Legal Counsel

San Luis Rey Band of Mission Indians

Mi Lory Kuf



MAIN OFFICE 605 THIRD STREET ENCINITAS, CALIFORNIA 92024 T 760.942.5147 T 800.450.1818 F 760.632.0164

ORIX-SUNRISE PROJECT TRIBAL CORRESPONDENCE PREVIOUS REPORTS MEMORANDUM

To: Cami Mojado **From:** Scott Wolf, Dudek

Subject: Previous Reports within Orix-Sunrise Project APE

Date: 10/05/2017

cc: Merri Lopez-Keifer, Chief Legal Counsel, San Luis Rey Band of Mission

Indians

Attachment(s): Reports: SD-00562, SD-02043, SD-09585 & SD-14140

Good afternoon,

As per your correspondence associated with the Orix-Sunrise Due Diligence Project (Project) Dudek PN 9996, I have included, with this memo, the four reports that were identified partially within the Orix-Sunrise Project APE: reports SD-00562, SD-02043, SD-09585 and SD-14140.

From the SCIC archival record search we identified four (04) previous cultural resources studies have been completed within the Project APE. Three of these studies (Chace 1986; Brandman 1989 and Gallegos 2003) provide analysis of cultural resources within various project sites that have overlapped with portions of the current Project APE. None of these studies identified any cultural resources or historic addresses within the Project APE. The fourth cultural study (Affinis 2003) is a broader overview study of cultural resources in the Vallecitos Water District and also identified no cultural resources in the Project APE.

Please let me know if you require any additional information or have any questions.

Thank you very

Scott Wolf

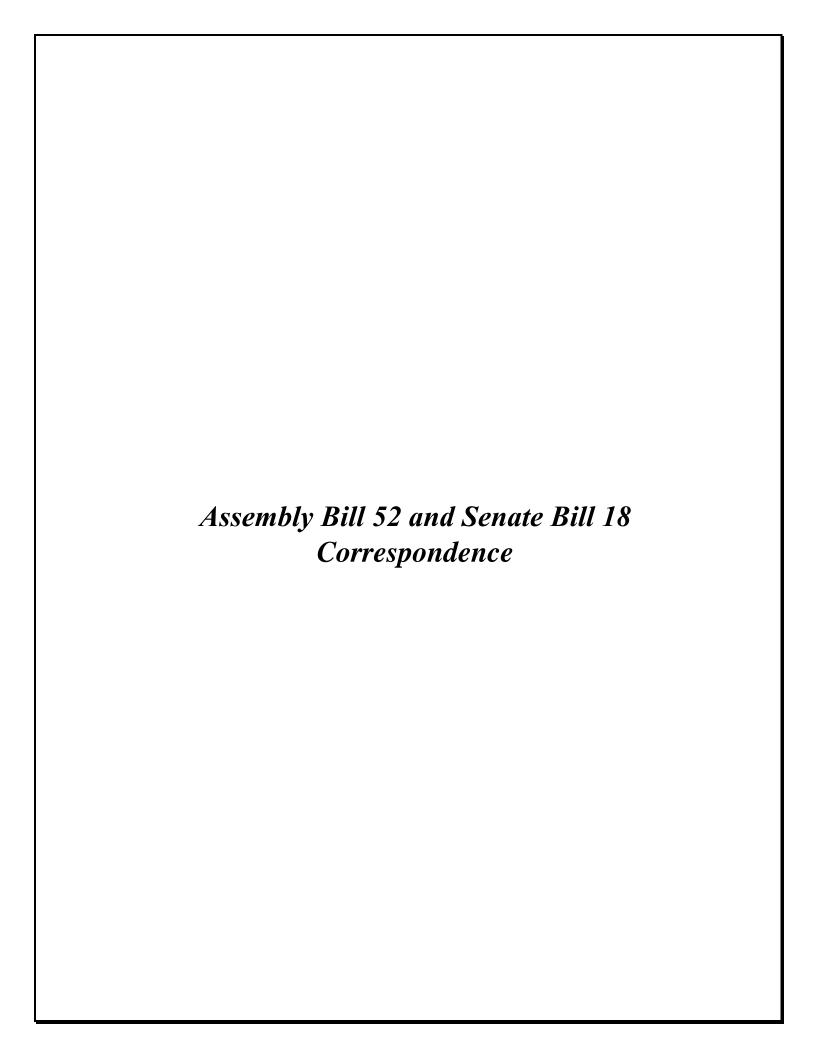
Archaeologist

Dudek

swolf@Dudek.com

760-479-4164 office

760-429-8404; 858-775-9028 cells





March 18, 2019

Sent Via USPS and E-Mail

Cami Mojado, Cultural Resources Manager San Luis Rey Band of Mission Indians 1889 Sunset Drive Vista, CA 92081 cjmojado@slrmissionindians.org

Subject: Sunrise Gardens LLC, 0 Barham Drive; 33.128577,-117.130866

Assessor Parcel Numbers 228-312-09-00 and 228-312-10-00

Project Numbers: SP18-0002; R18-0002; TSM 18-0001; PZ18-00001; MFS18-0001, GV18-0001; and GPA18-0002; and CUP18-0006

Dear Ms. Mojado:

The City of San Marcos ("City") hereby provides notice that it is processing an application for a private development project described below.

The entitlement application includes a request for a Pre-Zone, General Plan Amendment, Multi-Family Site Development Plan, Tentative Subdivision Map, Specific Plan, Conditional Use Permit, and Grading Variance to allow construction of 193 multi-family dwelling units with passive and recreational open space on 14.4-acres situated at the City of San Marcos' southeastern limits. The project area is currently within portions of two jurisdictions; the City of San Marcos and the County of San Diego, however the entirety of the project resides within the City of San Marcos' Sphere of Influence.

Pursuant to state law, the project is subject to the California Environmental Quality Act (CEQA) and the City may have to prepare an environmental document consisting of a negative declaration (ND), a mitigated negative declaration (MND), or an environmental impact report (EIR). State Assembly Bill 52 (Public Resources Code Section 21080.3.1) allows California Native American tribes, who have formally requested notification, up to thirty (30) days to request consultation regarding possible significant effects that implementation of the proposed project may have on tribal cultural resources. The request must be submitted in writing to the City and must identify a lead contact person. The City will begin the consultation process within thirty (30) days of receiving the tribe's written request for consultation. The consultation may include a discussion concerning the type of environmental review necessary for the project, the significance of tribal cultural resources discovered, the significance of the project's impacts on tribal cultural resources and, if necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend.

The consultation does not limit the ability of the tribe to submit information to the City regarding the significance of the tribal cultural resources, the significance of the project's impact on tribal cultural

www.san-marcos.net

resources, or any appropriate measures to mitigate the potential impacts. If you wish to informally submit information, written comments may be sent to me at the address indicated on this letterhead, svandrew@san-marocs.net or (760) 744-1050, ext. 3237. Transmittal of confidential information, such as the specific location of a cultural resource, is not recommended via email. In such instances, you should notify the City via formal letter, in person, or over the phone as the confidentiality of information transmitted via email cannot be ensured.

Please feel free to contact me as the Project Planner if you have any additional questions concerning this proposed project or letter. Thank you.

Sincerely,

Susan Vandrew Rodriguez, Associate Planner City of San Marcos Native American Liaison

Enclosure(s): Vicinity Map

Mandrews



March 18, 2019

Sent Via USPS and E-Mail

Vincent Whipple Rincon Band of Luiseno Indians One Government Center Lane Valley Center, CA 92082

Subject: Sunrise Gardens LLC, 0 Barham Drive; 33.128577,-117.130866

Assessor Parcel Numbers 228-312-09-00 and 228-312-10-00

Project Numbers: SP18-0002; R18-0002; TSM 18-0001; PZ18-00001; MFS18-0001, GV18-0001; and GPA18-0002; and CUP18-0006

Dear Mr. Whipple,

The City of San Marcos ("City") hereby provides notice that it is processing an application for a private development project described below.

The entitlement application includes a request for a Pre-Zone, General Plan Amendment, Multi-Family Site Development Plan, Tentative Subdivision Map, Specific Plan, Conditional Use Permit, and Grading Variance to allow construction of 193 multi-family dwelling units with passive and recreational open space on 14.4-acres situated at the City of San Marcos' southeastern limits. The project area is currently within portions of two jurisdictions; the City of San Marcos and the County of San Diego, however the entirety of the project resides within the City of San Marcos' Sphere of Influence.

Pursuant to state law, the project is subject to the California Environmental Quality Act (CEQA) and the City may have to prepare an environmental document consisting of a negative declaration (ND), a mitigated negative declaration (MND), or an environmental impact report (EIR). State Assembly Bill 52 (Public Resources Code Section 21080.3.1) allows California Native American tribes, who have formally requested notification, up to thirty (30) days to request consultation regarding possible significant effects that implementation of the proposed project may have on tribal cultural resources. The request must be submitted in writing to the City and must identify a lead contact person. The City will begin the consultation process within thirty (30) days of receiving the tribe's written request for consultation. The consultation may include a discussion concerning the type of environmental review necessary for the project, the significance of tribal cultural resources discovered, the significance of the project's impacts on tribal cultural resources and, if necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend.

The consultation does not limit the ability of the tribe to submit information to the City regarding the significance of the tribal cultural resources, the significance of the project's impact on tribal cultural resources, or any appropriate measures to mitigate the potential impacts. If you wish to informally

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submit information, written comments may be sent to me at the address indicated on this letterhead, svandrew@san-marocs.net or (760) 744-1050, ext. 3237. Transmittal of confidential information, such as the specific location of a cultural resource, is not recommended via email. In such instances, you should notify the City via formal letter, in person, or over the phone as the confidentiality of information transmitted via email cannot be ensured.

Please feel free to contact me as the Project Planner if you have any additional questions concerning this proposed project or letter. Thank you.

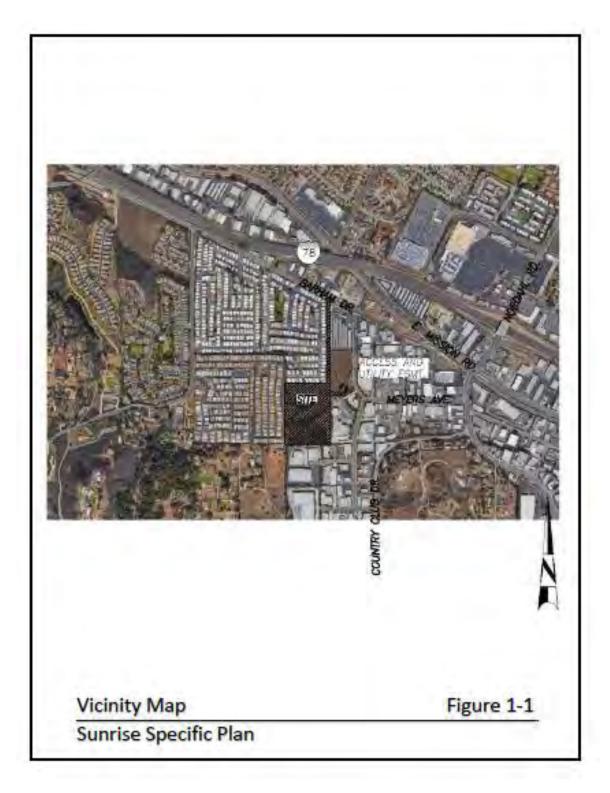
Sincerely,

Susan Vandrew Rodriguez, Associate Planner City of San Marcos Native American Liaison

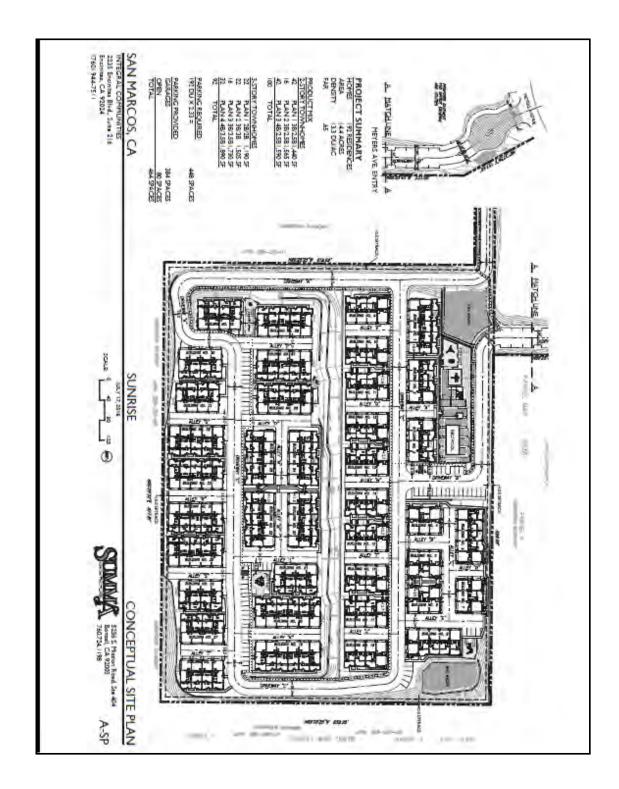
Enclosure(s): Vicinity Map

Standrews











March 18, 2019

Sent Via USPS and E-Mail

Mario Morales Mesa Grande Band of Mission Indians PMB 366 35008 Pala Temecula Rd Pala, 92059

Subject: Sunrise Gardens LLC, 0 Barham Drive; 33.128577,-117.130866

Assessor Parcel Numbers 228-312-09-00 and 228-312-10-00

Project Numbers: SP18-0002; R18-0002; TSM 18-0001; PZ18-00001; MFS18-0001, GV18-0001; and GPA18-0002; and CUP18-0006

Dear Mr. Morales,

The City of San Marcos ("City") hereby provides notice that it is processing an application for a private development project described below.

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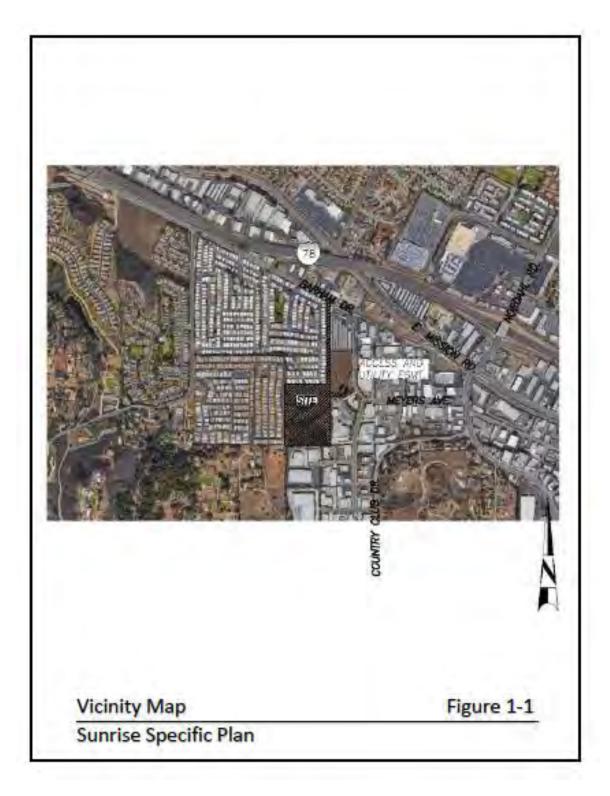
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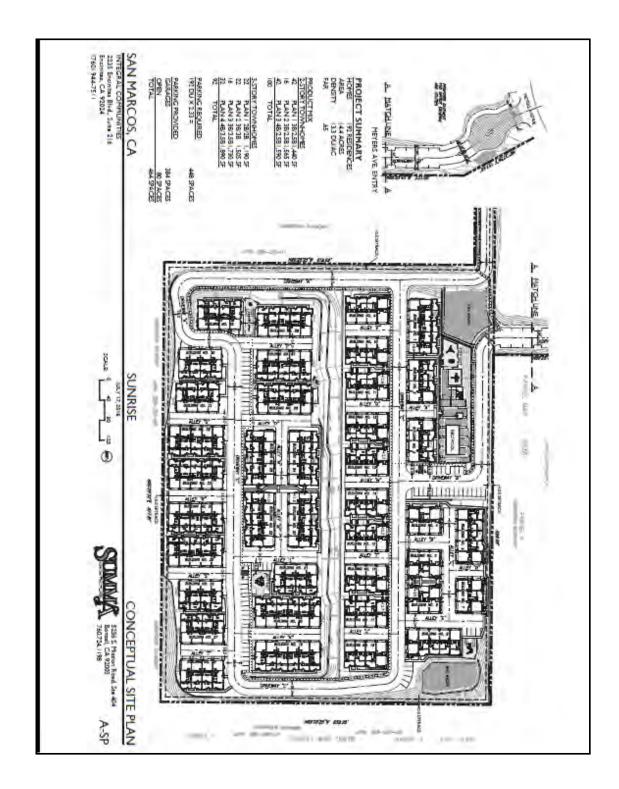
Enclosure(s): Vicinity Map

Mandrews











Robert Smith
Pala Band of Mission Indians
12196 Pala Temecula Rd.
Pala. CA 92059

Subject: SP18-0002, Sunrise Gardens, LLC; 0 Barham Drive; APN: 228-312-09-00/228-312-10-00

This letter serves as an invitation to participate in consultation with the City per Senate Bill 18 for the above referenced project. Under Section 65352.3 of the Government Code you have 90 days to request participation.

The project site is located in the City of San Marcos, Barham Discovery Community, along Barham Drive, between La Moree Road and Meyers Avenue (enclosed Vicinity Map). The site is currently undeveloped.

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Sincerely,

Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Mark Macarro
Pechanga Band of Mission Indians
P.O. Box 1477
Temecula. CA 92593

Subject: SP18-0002, Sunrise Gardens, LLC; 0 Barham Drive; APN: 228-312-09-00/228-312-10-00

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Sincerely,

Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Temet Aguilar
Pauma Band of Luiseno Indians-Pauma & Yuima Resevervation
P.O. Box 369
Pauma Valley, CA 92061

Subject: SP18-0002, Sunrise Gardens, LLC; 0 Barham Drive; APN: 228-312-09-00/228-312-10-00

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Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Bo Mazzetti Rincon Band of Mission Indians 1 West Tribal Road Valley Center, CA 92082

Subject: SP18-0002, Sunrise Gardens, LLC; 0 Barham Drive; APN: 228-312-09-00/228-312-10-00

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Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Scott Cozart
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA 92583

Subject: SP18-0002, Sunrise Gardens, LLC; 0 Barham Drive; APN: 228-312-09-00/228-312-10-00

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Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Thomas Rodriguez La Jolla Band of Luiseno Indians 22000 Highway 76 Pauma Valley, CA 92061

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Susan Vandrew Rodriguez

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Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



San Luis Rey Tribal Council
San Luis Rey Band of Mission Indians
1889 Sunset Drive
Vista. CA 92081

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Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Edwin Romero Barona Group of the Capitan Grande 1095 Barona Road Lakeside, CA 92040

Subject: SP18-0002, Sunrise Gardens, LLC; 0 Barham Drive; APN: 228-312-09-00/228-312-10-00

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Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Robert Pinto Ewiiaapaayp Tribal Office 4054 Willows Road Alpine, CA 91901

Subject: SP18-0002, Sunrise Gardens, LLC; 0 Barham Drive; APN: 228-312-09-00/228-312-10-00

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Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Allen Lawson
San Pasqual Band of Mission Indians
PO Box 365
Valley Center, CA 92082

Subject: SP18-0002, Sunrise Gardens, LLC; 0 Barham Drive; APN: 228-312-09-00/228-312-10-00

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Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Virgil Oyos Mesa Grande Band of Mission Indians PO Box 270 Santa Ysabel, CA 92070

Subject: SP18-0002, Sunrise Gardens, LLC; 0 Barham Drive; APN: 228-312-09-00/228-312-10-00

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Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Mario Morales Mesa Grande Band of Mission Indians PO Box 270 Santa Ysabel, CA 92070

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Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Jim McPherson Rincon Band of Mission Indians 1 West Tribal Road Valley Center, CA 92082

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Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Jeff Grubbe Aqua Caliente Band of Cahuilla Indians 5401 Dinah Shore Drive Palm Springs, CA 92264

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Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Ralph Goff Campo Band of Mission Indians 36190 Church Road, #1 Campo, CA 91906

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Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Virgil Perez Iipay Nation of Santa Ysabel PO Box 130 Santa Ysabel, CA 92070

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If you have any information, including any relevant sacred land search data, that would be relevant to our analysis of the proposed project's potential effect on cultural resources, please provide a written response to the address given below or via email at svandrew@san-marcos.net. If you have any questions, please feel free to contact me at 760-744-1050 extension 3237. Thank you for taking the time to consider this request.

Sincerely,

Susan Vandrew Rodriguez

Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



Rebecca Osuna Inaja Band of Mission Indians 2005 S. Escondido Blvd. Escondido. CA 92025

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Mandrew P

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Enclosures (2): Vicinity Map



Erica Pinto Jamul Indian Village PO Box 612 Jamul, CA 91935

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Enclosures (2): Vicinity Map



Carmen Lucas Kwaaymii Laguna Band of Mission Indians PO Box 775 Pine Valley, CA 91962

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Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



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

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Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



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

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Mandrew P

Associate Planner

City of San Marcos Native American Liaison

Enclosures (2): Vicinity Map



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

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City of San Marcos Native American Liaison

Project Site Plan

Enclosures (2): Vicinity Map



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

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Enclosures (2): Vicinity Map



Robert Welch Viejas Band of Kumeyaay Indians 1 Viejas Grade Road Alpine, CA 91901

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Enclosures (2): Vicinity Map



Michael Garcia Ewiiaapaayp Tribal Office 4054 Willows Road Alpine, CA 91901

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