
APPENDIX K

NATIVE AMERICAN CONSULTATION

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32400 PASEO ADELANTO
SAN JUAN CAPISTRANO, CA 92675
(949) 493-1171
(949) 493-1053 FAX
www.sanjuancapistrano.org



MEMBERS OF THE CITY COUNCIL

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JOHN TAYLOR

May 1, 2019

Joseph Ontiveros, Director
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, California 92581

Subject: Invitation to Consult Pursuant to Assembly Bill 52 for the Ganahl Lumber Development Project, City of San Juan Capistrano, Orange County, California

Dear Mr. Ontiveros:

Per the requirements of Assembly Bill (AB) 52 (Gatto 2014) as part of compliance for the California Environmental Quality Act, this letter serves as initial consultation and notification of a proposed project within the City of San Juan Capistrano (City), California. Per Public Resources Code Section 21080.1, 21080.3.1, and 21080.3.2, the City of San Juan Capistrano (City) is initiating consultation with potentially interested California Native American tribes in order to mitigate potential impacts to tribal cultural resources.

AB 52 became effective on July 1, 2015, and when a tribe requests in writing that an agency inform it of proposed projects, the agency must notify the tribe within 14 days of determining that a project application is complete or deciding to undertake a project. If the tribe responds within 30 days and requests consultation, the lead agency must begin the consultation process within 30 days of receiving the request.

The proposed project, described below, has entered the City's review process and the City's Environmental Administrator has determined that the project will require the preparation of an Environmental Impact Report, and is therefore subject to the requirements of AB 52.

The proposed project includes the development of two restaurants, a hardware store and lumber yard, and a vehicle storage area within an approximately 17-acre site. The project area is immediately north of Stonehill Drive between the San Juan Creek Channel/Trail and the BNSF Railway within the City limits. Specifically, the project is within an unsectioned portion of the Boca de Playa Land Grant, as shown on the United States Geological Survey 7.5-minute *Dana Point, California* quadrangle. Please see the attached map.

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The project will include the construction of two drive-through restaurants within a 2-acre area, the Ganahl Lumber hardware store and lumber yard within a 10.6-acre area, and a crushed-rock gravel area for long-term vehicle storage in a 4.4-acre area. The total building area includes 164,643 square feet, the majority of which will be for the hardware store and lumber yard.

The intent of consultation is to provide an opportunity for local governments and interested tribes to work together early in the project planning process toward the protection of tribal cultural resources. A Request for Consultation for this project must be made in writing within thirty (30) days of the date of this notice. Please direct your correspondence to Sergio Klotz, at the address in the letterhead, by fax at (949) 202-5383 or by e-mail at sklotz@sanjuancapistrano.org. Should you prefer not to consult on the proposed project, please inform the City in writing.

A preliminary cultural resources records search in 2017 indicated that, although no cultural resources are within the project site, 14 resources have been recorded within a 0.5-mile radius of the site.

The City is respectfully requesting any information you may have regarding tribal cultural resources within the project area, if present. Any sensitive information regarding cultural resources shared with the City will be kept strictly confidential.

Respectfully,



Sergio Klotz, AICP
Development Services Department
Assistant Director

Attachment: Figure 1 Project Location

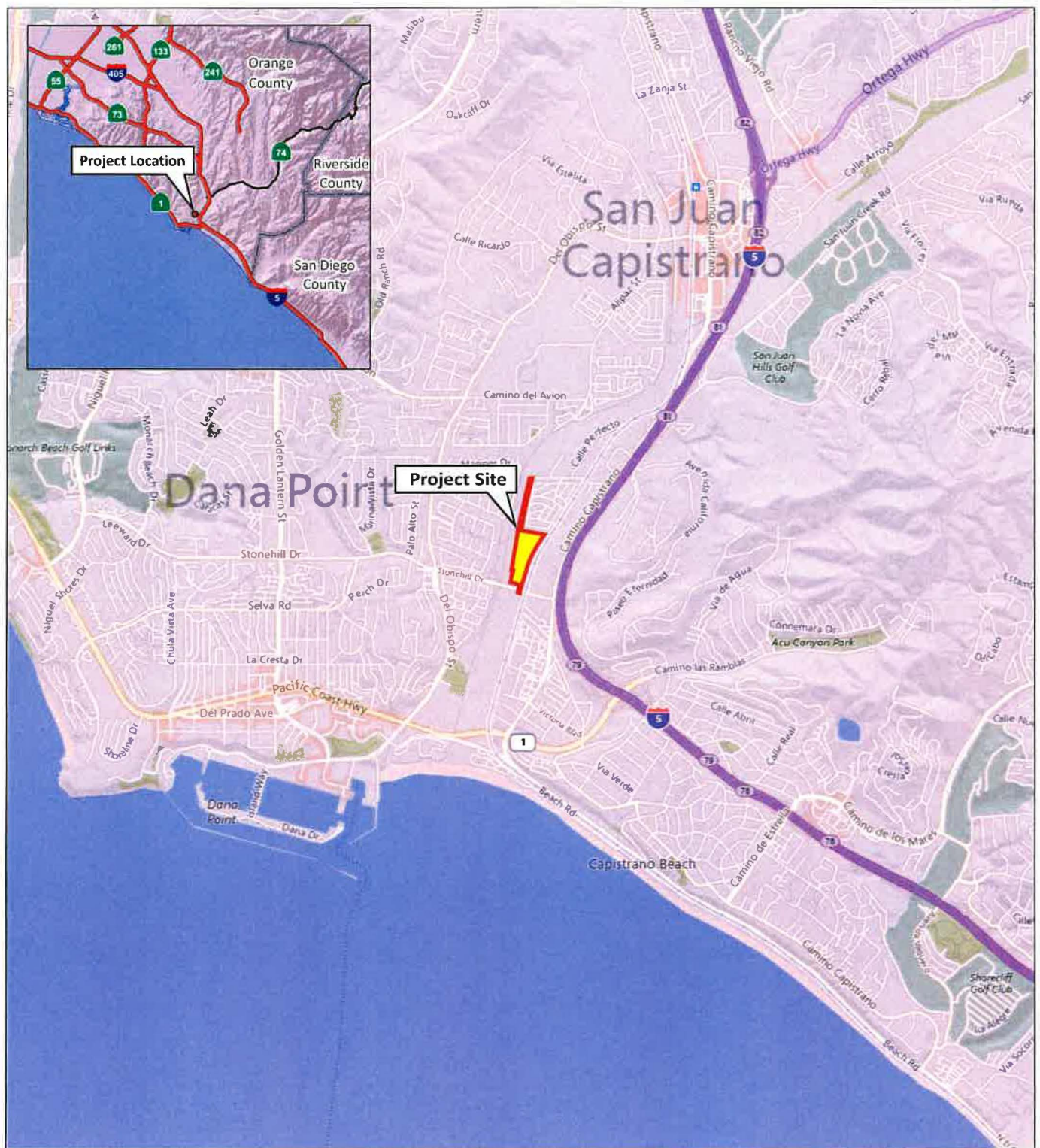
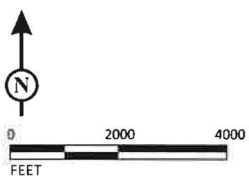


FIGURE 1

LSA



SOURCE: Bing Maps, 2019

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Ganahl Lumber Development Project
Regional Project Location

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JOHN TAYLOR

May 1, 2019

Joyce Stanfield Perry, Tribal Manager
Juaneno Band of Mission Indians
4955 Paseo Segovia
Irvine, California 92603

Subject: Invitation to Consult Pursuant to Assembly Bill 52 for the Ganahl Lumber Development Project, City of San Juan Capistrano, Orange County, California

Dear Ms. Perry:

Per the requirements of Assembly Bill (AB) 52 (Gatto 2014) as part of compliance for the California Environmental Quality Act, this letter serves as initial consultation and notification of a proposed project within the City of San Juan Capistrano (City), California. Per Public Resources Code Section 21080.1, 21080.3.1, and 21080.3.2, the City of San Juan Capistrano (City) is initiating consultation with potentially interested California Native American tribes in order to mitigate potential impacts to tribal cultural resources.

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The proposed project, described below, has entered the City's review process and the City's Environmental Administrator has determined that the project will require the preparation of an Environmental Impact Report, and is therefore subject to the requirements of AB 52.

The proposed project includes the development of two restaurants, a hardware store and lumber yard, and a vehicle storage area within an approximately 17-acre site. The project area is immediately north of Stonehill Drive between the San Juan Creek Channel/Trail and the BNSF Railway within the City limits. Specifically, the project is within an unsectioned portion of the Boca de Playa Land Grant, as shown on the United States Geological Survey 7.5-minute *Dana Point, California* quadrangle. Please see the attached map.

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The project will include the construction of two drive-through restaurants within a 2-acre area, the Ganahl Lumber hardware store and lumber yard within a 10.6-acre area, and a crushed-rock gravel area for long-term vehicle storage in a 4.4-acre area. The total building area includes 164,643 square feet, the majority of which will be for the hardware store and lumber yard.

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A preliminary cultural resources records search in 2017 indicated that, although no cultural resources are within the project site, 14 resources have been recorded within a 0.5-mile radius of the site.

The City is respectfully requesting any information you may have regarding tribal cultural resources within the project area, if present. Any sensitive information regarding cultural resources shared with the City will be kept strictly confidential.

Respectfully,



Sergio Klotz, AICP
Development Services Department
Assistant Director

Attachment: Figure 1 Project Location

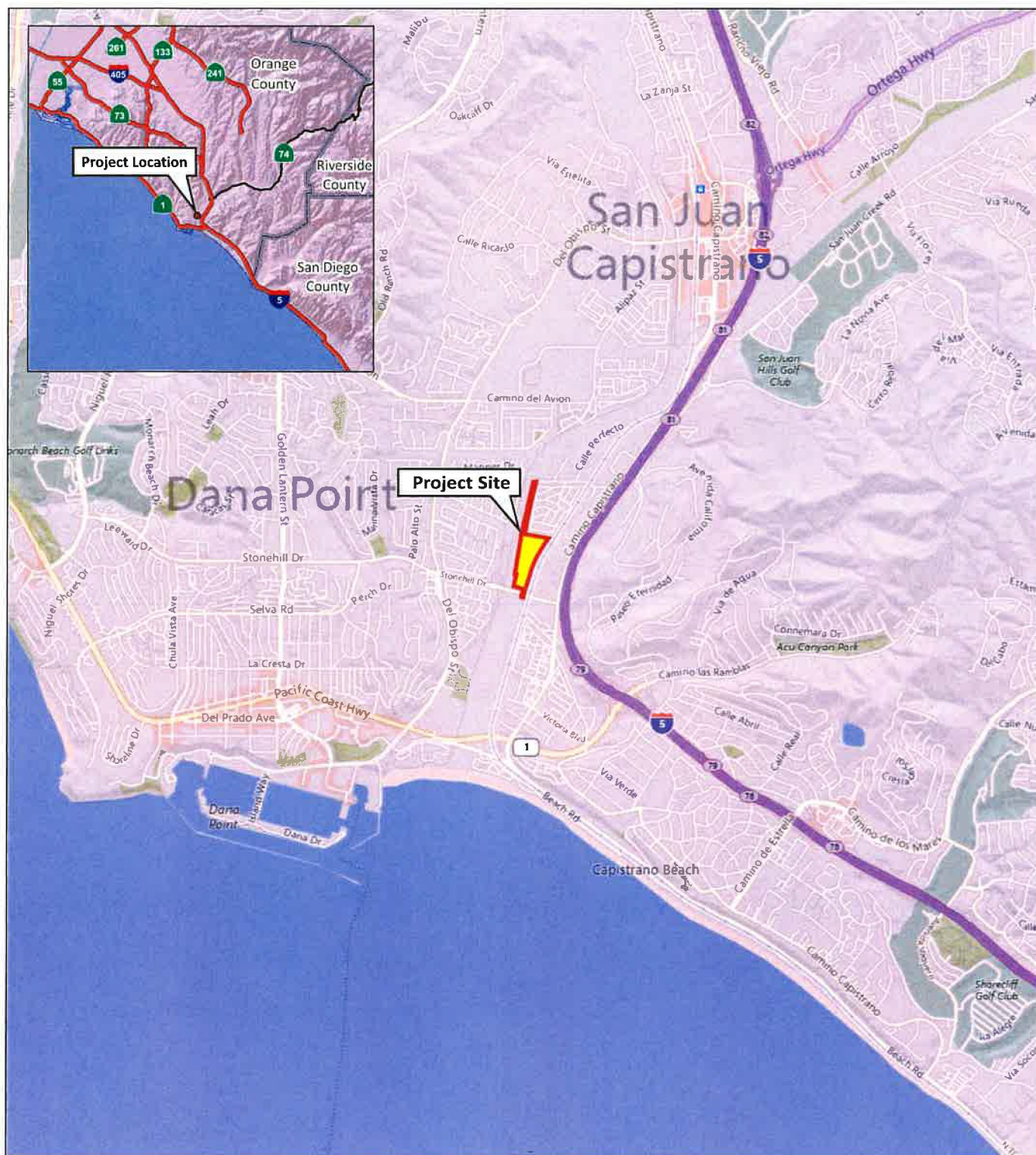
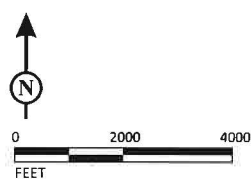


FIGURE 1

LSA



SOURCE: Bing Maps, 2019

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Ganahl Lumber Development Project
Regional Project Location

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DEREK REEVE
JOHN TAYLOR

May 1, 2019

Michael Martinez Mirelez, Cultural Resource Coordinator
Torres Martinez Desert Cahuilla Indians
P.O. Box 1160
Thermal, California 92274

Subject: Invitation to Consult Pursuant to Assembly Bill 52 for the Ganahl Lumber Development Project, City of San Juan Capistrano, Orange County, California

Dear Mr. Michael Martinez:

Per the requirements of Assembly Bill (AB) 52 (Gatto 2014) as part of compliance for the California Environmental Quality Act, this letter serves as initial consultation and notification of a proposed project within the City of San Juan Capistrano (City), California. Per Public Resources Code Section 21080.1, 21080.3.1, and 21080.3.2, the City of San Juan Capistrano (City) is initiating consultation with potentially interested California Native American tribes in order to mitigate potential impacts to tribal cultural resources.

AB 52 became effective on July 1, 2015, and when a tribe requests in writing that an agency inform it of proposed projects, the agency must notify the tribe within 14 days of determining that a project application is complete or deciding to undertake a project. If the tribe responds within 30 days and requests consultation, the lead agency must begin the consultation process within 30 days of receiving the request.

The proposed project, described below, has entered the City's review process and the City's Environmental Administrator has determined that the project will require the preparation of an Environmental Impact Report, and is therefore subject to the requirements of AB 52.

The proposed project includes the development of two restaurants, a hardware store and lumber yard, and a vehicle storage area within an approximately 17-acre site. The project area is immediately north of Stonehill Drive between the San Juan Creek Channel/Trail and the BNSF Railway within the City limits. Specifically, the project is within an unsectioned portion of the Boca de Playa Land Grant, as shown on the United States Geological Survey 7.5-minute *Dana Point, California* quadrangle. Please see the attached map.

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The project will include the construction of two drive-through restaurants within a 2-acre area, the Ganahl Lumber hardware store and lumber yard within a 10.6-acre area, and a crushed-rock gravel area for long-term vehicle storage in a 4.4-acre area. The total building area includes 164,643 square feet, the majority of which will be for the hardware store and lumber yard.

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A preliminary cultural resources records search in 2017 indicated that, although no cultural resources are within the project site, 14 resources have been recorded within a 0.5-mile radius of the site.

The City is respectfully requesting any information you may have regarding tribal cultural resources within the project area, if present. Any sensitive information regarding cultural resources shared with the City will be kept strictly confidential.

Respectfully,



Sergio Klotz, AICP
Development Services Department
Assistant Director

Attachment: Figure 1 Project Location



FIGURE 1

LSA



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FEET

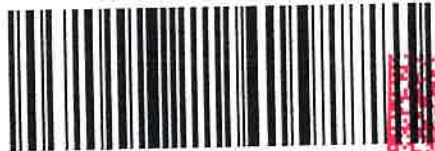
SOURCE: Bing Maps, 2019

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Ganahl Lumber Development Project
Regional Project Location



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Torres Martinez Desert Cahuilla Indians
Michael Martinez Mirelez, Cultural Resource Coordinator
P.O. Box 1160
Thermal, California 92274



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Joseph Ontiveros, Director
P.O. Box 487
San Jacinto, California 92581

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Juaneno Band of Mission Indians
Joyce Stanfield Perry, Tribal Manager
4955 Paseo Segovia
Irvine, California 92603





TORRES MARTINEZ DESERT CAHUILLA INDIANS

P.O. Box 1160

Thermal, CA 92274

(760) 397-0300 – FAX (760) 397-8146

June 3, 2019

Attn: Sergio Klotz

Re: Ganahl Lumber Development Project, City of San Capistrano, Orange County Ca.

The Torres – Martinez Desert Cahuilla appreciates your response to our AB52 notification request. And in light of said information concerning your agencies location, the Tribe wishes to defer all future project notifications to Tribes that are closer to your area.

Respectfully,

Michael Mirelez

Cultural Resource Coordinator

Torres-Martinez Desert Cahuilla Indians

Office: 760-397-0300 Ext: 1213

Cell: 760-399-0022

Email: mmirelez@tmdci.org