

Community Development Department

Cheryl Kitzerow - Community Development Director

August 18, 2017

Patricia Garcia Agua Caliente Band of Cahuilla Indians Director of Tribal Historic Preservation Office 5401 Dinah Shore Drive Palm Springs, CA 92264

RE: City of Menifee Planning Application "Harvest Glen Marketplace Revision" Plot Plan No. 2017-225, Conditional Use Permit No. 2017-226 and Tentative Parcel Map No. 2017-227

Dear Ms. Garcia:

Plot Plan No. 2017-225 is a major revision to approved Plot Plan No. 22628.

Plot Plan No. 22628 was approved for the construction and operation of a neighborhood shopping center consisting of 10 buildings totaling 222,128 sq. ft. on 28.6 gross acres. The shopping center includes:

- Four (4) buildings for major tenants ranging in size from 69,000 sq. ft. to 24,100 sq. ft. (Major 4 also includes a garden center);
- An 11,900 sq. ft. building for shops;
- A 6,500 sq. ft. building for retail and/or restaurants;
- A 6,400 sq. ft. building for retail and/or restaurants;
- Two (2) buildings including drive thrus for fast food use (4,000 and 5,000 sq ft.)
- A 17,340 sq. ft. building for Pharmacy with drive-thru;
- Five (5) gasoline fueling pumps associated with the Grocery Store (which will be located within Major 1); and,
- 1,222 parking spaces.

The revision proposes major modifications to the design of the front portion of the site. Under the revision, the uses in the southeast corner of the site now include a gas station with a 4,967 sq. ft. convenience store and attached 1,082 sq. ft. quick serve restaurant, eight (8) fuel pumps under a 6,164 sq. ft. canopy, a 3,000 sq. ft. drive through car wash with outdoor vacuum stalls, and a 3,268 sq. ft. fast food restaurant with drive through. A large interim basin is proposed. The project modifies the driveway locations from what was previously proposed; specifically, a driveway has been added on Highway 74 and a driveway has been moved south on Briggs, closer to the intersection. The project proposes 77 parking spaces.

The exhibits do not show how the revised development will impact the remainder of the shopping center approved under the original plot plan (PP22628).

Conditional Use Permit No. 2017-226 is specifically to allow for the car wash and gas station with convenience store, with the sale of beer and wine for off-premises consumption. The project is located within the Menifee North Specific Plan (SP260) which refers back to the Scenic

Highway Commercial (C-P-S) zone of Ordinance 348. This zone requires a Conditional Use Permit for the uses noted above.

Tentative Parcel Map No. 2017-227 proposes to subdivide 5.04 acres into 3 commercial parcels: Parcel 1 – 1.25 gross/1.04 net; Parcel 2 – 1.66 gross/1.39 net; and Parcel 2.13 gross/1.60 net.

The site is bounded as follows: Briggs Road to the east, Malone to the west, and Highway 74 to the south. APN: 327-320-013.

Potential impacts of the project will be analyzed in compliance with the requirements of the California Environmental Quality Act (CEQA). It is anticipated that an Addendum to the previously prepared MND will be prepared for the project.

The City is seeking consultation with your tribe pursuant to AB 52 concerning the potential of Native American cultural resources that may be impacted by the above project. Any information you have regarding cultural places will be kept strictly confidential and will not be divulged to the public.

The City of Menifee feels that your assistance is vital to the preservation and conservation of cultural resources during the current growth that the City is experiencing. It is the desire of the City of Menifee to protect the past and our collective heritage as we proceed towards the future. <u>The Tribe has 30 days to request a consultation.</u> Please forward any comments or requests for meetings concerning this project to my attention by <u>September 25, 2017.</u>

Sincerely,	
Lisa Gordon, Planning Manager	

City of Menifee Community Development Department

Email: Igordon@cityofmenifee.us



Community Development Department

Cheryl Kitzerow - Community Development Director

August 18, 2017

Pechanga Band of Mission Indians Attn: Ebru Ozdil P.O. Box 2183 Temecula, CA 92592

RE: City of Menifee Planning Application "Harvest Glen Marketplace Revision" Plot Plan No. 2017-225, Conditional Use Permit No. 2017-226 and Tentative Parcel Map No. 2017-227

Dear Ms. Ozdil:

Plot Plan No. 2017-225 is a major revision to approved Plot Plan No. 22628.

Plot Plan No. 22628 was approved for the construction and operation of a neighborhood shopping center consisting of 10 buildings totaling 222,128 sq. ft. on 28.6 gross acres. The shopping center includes:

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- A 6,400 sq. ft. building for retail and/or restaurants;
- Two (2) buildings including drive thrus for fast food use (4,000 and 5,000 sq ft.)
- A 17,340 sq. ft. building for Pharmacy with drive-thru;
- Five (5) gasoline fueling pumps associated with the Grocery Store (which will be located within Major 1); and,
- 1,222 parking spaces.

The revision proposes major modifications to the design of the front portion of the site. Under the revision, the uses in the southeast corner of the site now include a gas station with a 4,967 sq. ft. convenience store and attached 1,082 sq. ft. quick serve restaurant, eight (8) fuel pumps under a 6,164 sq. ft. canopy, a 3,000 sq. ft. drive through car wash with outdoor vacuum stalls, and a 3,268 sq. ft. fast food restaurant with drive through. A large interim basin is proposed. The project modifies the driveway locations from what was previously proposed; specifically, a driveway has been added on Highway 74 and a driveway has been moved south on Briggs, closer to the intersection. The project proposes 77 parking spaces.

The exhibits do not show how the revised development will impact the remainder of the shopping center approved under the original plot plan (PP22628).

Conditional Use Permit No. 2017-226 is specifically to allow for the car wash and gas station with convenience store, with the sale of beer and wine for off-premises consumption. The project is located within the Menifee North Specific Plan (SP260) which refers back to the Scenic Highway Commercial (C-P-S) zone of Ordinance 348. This zone requires a Conditional Use Permit for the uses noted above.

Tentative Parcel Map No. 2017-227 proposes to subdivide 5.04 acres into 3 commercial parcels: Parcel 1 – 1.25 gross/1.04 net; Parcel 2 – 1.66 gross/1.39 net; and Parcel 2.13 gross/1.60 net.

The site is bounded as follows: Briggs Road to the east, Malone to the west, and Highway 74 to the south. APN: 327-320-013.

Potential impacts of the project will be analyzed in compliance with the requirements of the California Environmental Quality Act (CEQA). It is anticipated that an Addendum to the previously prepared MND will be prepared for the project.

The City is seeking consultation with your tribe pursuant to AB 52 concerning the potential of Native American cultural resources that may be impacted by the above project. Any information you have regarding cultural places will be kept strictly confidential and will not be divulged to the public.

The City of Menifee feels that your assistance is vital to the preservation and conservation of cultural resources during the current growth that the City is experiencing. It is the desire of the City of Menifee to protect the past and our collective heritage as we proceed towards the future. <u>The Tribe has 30 days to request a consultation.</u> Please forward any comments or requests for meetings concerning this project to my attention by September 25, 2017.

Sincerely,	

City of Menifee Community Development Department

Email: lgordon@cityofmenifee.us



Community Development Department

Cheryl Kitzerow - Community Development Director

August 18, 2017

Jim McPherson Rincon Cultural Resources Department 1 West Tribal Road Valley Center, CA 92082

RE: City of Menifee Planning Application "Harvest Glen Marketplace Revision" Plot Plan No. 2017-225, Conditional Use Permit No. 2017-226 and Tentative Parcel Map No. 2017-227

Dear Mr. McPherson:

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Plot Plan No. 22628 was approved for the construction and operation of a neighborhood shopping center consisting of 10 buildings totaling 222,128 sq. ft. on 28.6 gross acres. The shopping center includes:

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Conditional Use Permit No. 2017-226 is specifically to allow for the car wash and gas station with convenience store, with the sale of beer and wine for off-premises consumption. The project is located within the Menifee North Specific Plan (SP260) which refers back to the Scenic

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Potential impacts of the project will be analyzed in compliance with the requirements of the California Environmental Quality Act (CEQA). It is anticipated that an Addendum to the previously prepared MND will be prepared for the project.

The City is seeking consultation with your tribe pursuant to AB 52 concerning the potential of Native American cultural resources that may be impacted by the above project. Any information you have regarding cultural places will be kept strictly confidential and will not be divulged to the public.

The City of Menifee feels that your assistance is vital to the preservation and conservation of cultural resources during the current growth that the City is experiencing. It is the desire of the City of Menifee to protect the past and our collective heritage as we proceed towards the future. <u>The Tribe has 30 days to request a consultation.</u> Please forward any comments or requests for meetings concerning this project to my attention by <u>September 25, 2017.</u>

Sincerely,	
Lisa Gordon, Planning Manager	

City of Menifee Community Development Department

Email: Igordon@cityofmenifee.us



Community Development Department

Cheryl Kitzerow - Community Development Director

August 18, 2017

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

RE: City of Menifee Planning Application "Harvest Glen Marketplace Revision" Plot Plan No. 2017-225, Conditional Use Permit No. 2017-226 and Tentative Parcel Map No. 2017-227

Dear Mr. Ontiveros:

The City of Menifee requests your participation in the review of the following project:

Plot Plan No. 2017-225 is a major revision to approved Plot Plan No. 22628.

Plot Plan No. 22628 was approved for the construction and operation of a neighborhood shopping center consisting of 10 buildings totaling 222,128 sq. ft. on 28.6 gross acres. The shopping center includes:

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project is located within the Menifee North Specific Plan (SP260) which refers back to the Scenic Highway Commercial (C-P-S) zone of Ordinance 348. This zone requires a Conditional Use Permit for the uses noted above.

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The site is bounded as follows: Briggs Road to the east, Malone to the west, and Highway 74 to the south. APN: 327-320-013.

Potential impacts of the project will be analyzed in compliance with the requirements of the California Environmental Quality Act (CEQA). It is anticipated that an Addendum to the previously prepared MND will be prepared for the project.

The City is seeking consultation with your tribe pursuant to AB 52 concerning the potential of Native American cultural resources that may be impacted by the above project. Any information you have regarding cultural places will be kept strictly confidential and will not be divulged to the public.

The City of Menifee feels that your assistance is vital to the preservation and conservation of cultural resources during the current growth that the City is experiencing. It is the desire of the City of Menifee to protect the past and our collective heritage as we proceed towards the future. <u>The Tribe has 30 days to request a consultation.</u> Please forward any comments or requests for meetings concerning this project to my attention by <u>September 25, 2017.</u>

Sincerely,	
Lisa Gordon, Planning Manager	

City of Menifee Community Development Department

Email: lgordon@cityofmenifee.us

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-057-2017-014

August 25, 2017

[VIA EMAIL TO:lgordon@cityofmenifee.us] City of Menifee Ms. Lisa Gordon 29714 Haun Rd. Menifee, CA 92586

Re: Harvest Glen Marketplace PP2017-225, CUP 2017-226, TTM 2017-227

Dear Ms. Lisa Gordon,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Harvest Glen Marketplace PP2017-225, CUP 2017-226, TTM 2017-227 project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

*A cultural resources inventory of the project area by a qualified archaeologist prior to any development activities in this area.

*A copy of the records search with associated survey reports and site records from the information center.

*Copies of any cultural resource documentation (report and site records) generated in connection with this project.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6829. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Katie Croft Archaeologist

Katie Croft

Tribal Historic Preservation Office

AGUA CALIENTE BAND

OF CAHUILLA INDIANS



PECHANGA CULTURAL RESOURCES

Temecula Band of Luiseño Mission Indians

Post Office. Box 2183 • Temecula, CA 92593 Telephone (951) 770-6300 • Fax (951) 506-9491

August 23, 2017

Chairperson: Neal Ibanez

Vice Chairperson: Bridgett Barcello

Committee Members: Andrew Masiel, Sr. Darlene Miranda Evie Gerber Richard B. Scearce, III Robert Villalobos

Director: Gary DuBois

Coordinator: Paul Macarro

Planning Specialist: Tuba Ebru Ozdil

VIA E-MAIL and USPS

Lisa Gordon, Planning Manager City of Menifee Community Development Department 29714 Haun Road Menifee, CA 92586

PECHANGA TRIBE REQUEST FOR CONSULTATION PURSUANT TO AB 52 FOR HARVEST GLEN MARKETPLACE REVISION [PP 2017-225, CUP 2017-226, TPM 2017-227, APN 327-320-013]

Dear Ms. Gordon;

This letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe") a federally recognized Indian tribe and sovereign government in response to the AB 52 notice provided by the City of Menifee Community Development Department.

This letter serves as the Tribe's formal request to begin consultation under AB 52 for this Project. Per AB 52, we intend to assist the City in determining the type of environmental document that should be prepared for this Project (i.e. EIR, MND, ND); with identifying potential tribal cultural resources (TCRs); determining whether potential substantial adverse effects will occur to them; and to develop appropriate preservation, avoidance and/or mitigation measures, as appropriate. Preferred TCR mitigation is always avoidance and the Tribe requests that all efforts to preserve sensitive TCRs be made as early in the development process as possible.

Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archaeological reports, development plans, conceptual grading plans (if available), and all other applicable documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project, and that these comments be incorporated into the record of approval for this Project.

The Pechanga Tribe asserts that the Project area is part of 'Atáaxum (Luiseño), and therefore the Tribe's, aboriginal territory as evidenced by the existence of cultural tesources, named places, toota yixélval (rock art, pictographs, petroglyphs), and an exterisive 'Atáaxum artifact record in the vicinity of the Project. This culturally sensitive area is atfiliated with the

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Pechanga Comment Letter to the City of Menifee Re: Pechanga Tribe Request: AB 52 Re Harvest Glen Marketplace Revision August 23, 2017 Page 2

Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area as well as our extensive history with the City and other projects within the area. During our consultation we will provide more specific, confidential information on potential TCRs that may be impacted by the proposed Project.

As you know, the AB 52 consultation process is ongoing and continues until appropriate mitigation has been agreed upon for the TCRs that may be impacted by the Project. As such, under both AB 52 and CEQA, we look forward to working closely with the City on ensuring that a full, comprehensive environmental review of the Project's impacts is completed, including addressing the culturally appropriate and respectful treatment of human remains and inadvertent discoveries. At this time, we are requesting archaeological, geotechnical, and conceptual grading plans.

In addition to those rights granted to the Tribe under AB 52, the Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts.

The Pechanga Tribe looks forward to working together with the City of Menifee Community Development Department in protecting the invaluable Pechanga cultural resources found in the Project area. The formal contact person for this Project will be Ebru Ozdil. Please contact her at 951-770-6313 or at eozdil@pechanga-nsn.gov within 30 days of receiving these comments so that we can begin the consultation process. Thank you.

Sincerely,

Ebru Ozdil

Planning Specialist

Cc Pechanga Office of the General Counsel

Subject: FW: Harvest Glen Marketplace Revision

Date: Wednesday, February 20, 2019 10:25:57 AM

Attachments: <u>image001.jpg</u>

From: Destiny Colocho [mailto:DColocho@RinconTribe.org]

Sent: Thursday, September 28, 2017 6:16 PM **To:** Lisa Gordon < lgordon@cityofmenifee.us > **Subject:** Harvest Glen Marketplace Revision

Dear Ms. Gordon,

This letter is written on behalf of the Rincon Band of Luiseño Indians. We have received your notification regarding the Harvest Glen Marketplace Revision and we thank you for the opportunity to consult on this project. The location you have identified is within the Territory of the Luiseño people, and is also within Rincon's specific area of Historic interest.

Embedded in the Luiseño Territory are Rincon's history, culture, and identity. The project is within the Aboriginal Territory of the Luiseño people. Furthermore, our records show that there is Luiseño Place Name, *Hunaaimo*, approximately half a mile south of your project area. If possible, we would like to request consultation so that we can provide with more information and exact locations regarding our records search results.

We look forward to hearing from you. If there are any questions or concerns, please do not hesitate to contact our office at (760) 297-2635.

Thanks you for the opportunity to preserve our cultural assets.

Sincerely,

Destiny Colocho, RPA

Destiny Colocho

Cultural Resource Manager Cultural Resource Department

Rincon Band of Luiseño Indians

1 West Tribal Road | Valley Center, CA 92082 Office:760-297-2635 | Cell: 760-705-7171

Fax: 760-692-1498

Email: dcolocho@rincontribe.org

September 21, 2017

Attn: Lisa Gordon, Planning Manager City of Menifee Community Development Department 29714 Haun Road Menifee, CA 92586



EST. JUNE 19, 1883

RE: AB 52 Consultation; City of Menifee Planning Application "Harvest Glen Marketplace Revision" Plot Plan No. 2017-225, Conditional Use Permit No. 2017-226 and Tentative Parcel Map No. 2017-227 - City of Menifee, Riverside County, CA

The Soboba Band of Luiseño Indians has received your notification pursuant under Assembly Bill 52.

Soboba Band of Luiseño Indians is requesting to initiate formal consultation with the City of Menifee. A meeting can be scheduled by contacting me via email or phone. All contact information has been included in this letter.

I look forward to hearing from and meeting with you soon.

Sincerely,

Joseph Ontiveros, Director of Cultural Resources Soboba Band of Luiseño Indians P.O. Box 487

San Jacinto, CA 92581 Phone (951) 654-5544 ext. 4137 Cell (951) 663-5279

jontiveros@soboba-nsn.gov

Confidentiality: The entirety of the contents of this letter shall remain confidential between Soboba and the City of Menifee. No part of the contents of this letter may be shared, copied, or utilized in any way with any other individual, entity, municipality, or tribe, whatsoever, without the expressed written permission of the Soboba Band of Luiseño Indians.

From: Destiny Colocho < DColocho@rincon-nsn.gov>

Sent: Friday, April 05, 2019 7:32 AM

To: Manny Baeza <mbaeza@cityofmenifee.us> **Cc:** Deneen Pelton <DPelton@rincon-nsn.gov>

Subject: Re: Mill Creek Promenade Specific Plan 2016-246

Hi Manny,

I apologize for the confusion. I believe you are correct, the email that says "Hello Manny" is for the Mill Creek Promenade project. Either way, we have no further concerns pertaining to cultural resources and conclude consultation for Mill Creek and Harvest Glen. However, we ask that Rincon be notified of any changes in development plans. In addition, we request a copy of the final monitoring report, if applicable. Should you have any questions, please contact me.

Thanks so much,

Destiny Colocho, RPA

Cultural Resource Manager and Tribal Historic Preservation Officer Cultural Resource Department

Rincon Band of Luiseño Indians

1 West Tribal Road | Valley Center, CA 92082 Office:760-297-2635 | Cell: 760-705-7171

Fax: 760-692-1498

Email: dcolocho@rincon-nsn.gov

From: Joseph Ontiveros < jontiveros@soboba-nsn.gov>

Sent: Wednesday, May 08, 2019 6:22 PM
To: Manny Baeza <mbaeza@cityofmenifee.us>
Cc: Jessica Valdez <JValdez@soboba-nsn.gov>

Subject: RE: Consultation for Mill Creek Promenade (SP 2016-246) Harvest Glen (Plot Plan 2017-225) and

Menifee North (2010-090)

Hello Manny,

I have reviewed the conditions provided, and I do concur with the proposed language. Please accept this email as a formal request to conclude consultation for this project.

Thank you,

Joe



EST. JUNE 19, 1883

JOSEPH ONTIVEROS

TRIBAL HISTORIC PRESERVATION OFFICER (951) 654-5544 Ext. 4137 (951) 663-5279 Cell jontiveros@soboba-nsn.gov

CULTURAL RESOURCE

23906 Soboba Rd. San Jacinto, CA 92583 P.O. Box 487 San Jacinto, CA 92581

www.soboba-nsn.gov

NOTICE: This communication may contain information that is proprietary, privileged, confidential, or otherwise legally exempt from disclosure. It is intended exclusively for the use of the individual or entity to which it is addressed. If you are not the intended recipient, you are not authorized to read, print, retain, copy, or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-057-2017-014

May 16, 2019

[VIA EMAIL TO:mbaeza@cityofmenifee.us] City of Menifee Mr. Manny Baeza 29714 Haun Road Menifee, CA 92586

Re: Harvest Glen PP 2017-225, CUP 2017-226, and PM 2017-227

Dear Mr. Manny Baeza,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Harvest Glen Marketplace PP2017-225, CUP 2017-226, TTM 2017-227 project. We have reviewed the documents and have the following comments:

*At this time the concerns of the ACBCI THPO have been addressed and proper mitigation measures have been proposed to ensure the protection of tribal cultural resouces. This letter shall conclude our AB52 consultation efforts.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6956. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Lacy Padilla

6/-

Archaeological Technician Tribal Historic Preservation Office AGUA CALIENTE BAND

OF CAHUILLA INDIANS

 From:
 Ebru Ozdil

 To:
 Manny Baeza

Cc: Molly Earp-Escobar; Juan Ochoa; Andrea Fernandez

Subject: Harvest Glen - PP2017-225 CUP 2017-226, PM 2017-227 - AB 52 Consultation Conclusion

Date: Monday, July 15, 2019 1:20:51 PM

Attachments: <u>image001.png</u>

Dear Manny,

The Pechanga Band of Luiseño Indians ("Tribe") thanks the City of Menifee for working with us to develop appropriate conditions of approval to be implemented during development of the Harvest Glen Project. For the record, the Pechanga Tribe agrees with the conditions of approvals and with this e-mail and the inclusion of the updated conditions and changes to the draft IS/MND, we consider our AB 52 consultation complete at this time. Please forward us a copy of the final MND and staff report with conditions of approvals when it is available. The Tribe would like the City to be aware that should additional measures or conditions be applied/deleted/modified that could impact cultural and archaeological resources during the public hearing(s), the Tribe and the City should meet and discuss the revisions, prior to going to City Council.

The Pechanga Band thanks the City for the opportunity to review and comment on this Project and work together to successfully complete the mandates of AB 52. We look forward to continuing our good working relationship on future projects.

Ebru T. Ozdil Cultural Analyst Pechanga Band of Mission Indians P.O. Box 2183 Temecula, CA 92593

Office: (951) 770-6313 Fax: (951) 693-2314

Confidential Communication: This message, and any documents or files attached to it contains confidential information and may be legally privileged. Recipients should not file copies of this message and/or attachments with publicly accessible records. If you are not the intended recipient or authorized agent for the intended recipient, you have received this message and attachments in error, and any review, dissemination, or reproduction is strictly prohibited. If you are not the intended recipient, please immediately notify us by reply email or by telephone at (951) 770-6313, and destroy the original transmission and its attachments without reading them or saving them.