

## Appendix C<sup>1</sup>

### AB52 Consultation

## Salas, Ruben

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**From:** Thomas, Kevin  
**Sent:** Friday, August 2, 2019 2:16 PM  
**To:** Jessica Mauck  
**Cc:** Travis Martin; Salas, Ruben  
**Subject:** Re: AB52 and SB18: Norton Science and Language Academy Project

Thank you Jessica!

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**From:** Jessica Mauck <JMauck@sanmanuel-nsn.gov>  
**Sent:** Friday, August 2, 2019 1:59:35 PM  
**To:** Thomas, Kevin <Kevin.Thomas@kimley-horn.com>  
**Cc:** Travis Martin <Martin\_Tr@sbcity.org>; Salas, Ruben <Ruben.Salas@kimley-horn.com>  
**Subject:** RE: AB52 and SB18: Norton Science and Language Academy Project

Hi Kevin,

I was able to pull up some public data to better ascertain the existing disturbance within the project area. This information, combined with site assessment details in the cultural study, indicates there is unlikely any native soil left within the project site that would contain sensitive cultural resources. As a result, SMBMI no longer has concerns with the proposed project and simply requests that the following language be made a part of the project/permit/plan conditions:

### CUL MMs

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

### TCR MMs

1. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact/historic era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance


and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

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

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

Please provide the final copy of the project/permit/plan conditions so that SMBMI may review the included language. This communication concludes SMBMI's input on this project, at this time, and no additional consultation pursuant to CEQA is required unless there is an unanticipated discovery of cultural resources during project implementation. If you should have any further questions with regard to this matter, please do not hesitate to contact me at your convenience.

Regards,

**Jessica Mauck**  
CULTURAL RESOURCES ANALYST  
O: (909) 864-8933 x3249  
M: (909) 725-9054  
26569 Community Center Drive Highland California 92346  
**SAN MANUEL**  
BAND OF MISSION INDIANS

---

**From:** Jessica Mauck  
**Sent:** Thursday, August 1, 2019 1:57 PM  
**To:** 'Thomas, Kevin'  
**Cc:** Travis Martin; Salas, Ruben  
**Subject:** RE: AB52 and SB18: Norton Science and Language Academy Project

Hi Kevin,

The Tribe will still need to be afforded the opportunity to complete a document review and provide project-specific recommendations/mitigation language for the project as a part of consultation. SMBMI's mitigation standards are very project-specific and we have made a great number of updates to our basic templates to better clarify and improve expectations and process. The Tribe can conduct the document review for the project now that they have a better understanding of the proposed depth of disturbance, and now that they know the requested geotechnical information will not be forthcoming. You will receive Tribe's recommendations before the weekend.

Regards,

---

**From:** Thomas, Kevin [<mailto:Kevin.Thomas@kimley-horn.com>]  
**Sent:** Thursday, August 1, 2019 1:37 PM  
**To:** Jessica Mauck; Salas, Ruben  
**Cc:** Travis Martin  
**Subject:** RE: AB52 and SB18: Norton Science and Language Academy Project

Hi Jessica, just following up on this. The Geotech report may not be finished until later in the project process. I confirmed with the architect and they expect typical site grading at about 5 feet deep, and may have isolated utility trenching or foundation footings more like 10 feet or so. Please let us know if you have any other questions. The IS/MND is using the mitigation measures developed through consultation with you on the other recent MNDs prepared with the City.

Thanks!

**Kimley»Horn**

**Kevin Thomas, CEP, ENV SP**

3880 Lemon Street, Suite 420, Riverside, CA 92501  
Mobile: 714 269 7427 | Direct: 951 543 9875 | Main: 951 543 9868

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**From:** Jessica Mauck <[JMauck@sanmanuel-nsn.gov](mailto:JMauck@sanmanuel-nsn.gov)>  
**Sent:** Friday, July 5, 2019 12:35 PM  
**To:** Salas, Ruben <[Ruben.Salas@kimley-horn.com](mailto:Ruben.Salas@kimley-horn.com)>  
**Cc:** Thomas, Kevin <[Kevin.Thomas@kimley-horn.com](mailto:Kevin.Thomas@kimley-horn.com)>; Travis Martin <[Martin\\_Tr@sbcity.org](mailto:Martin_Tr@sbcity.org)>  
**Subject:** RE: AB52 and SB18: Norton Science and Language Academy Project

Hi Ruben,

Thank you for the attached cultural report and proposed depth information. I will make note of this in the project file and await the geotechnical study for Tribe's review during consultation.

Have a good weekend!

Sincerely,

**Jessica Mauck**

CULTURAL RESOURCES ANALYST

O: (909) 864-8933 x3249

M: (909) 725-9054

26569 Community Center Drive Highland California 92346

**SAN MANUEL**  
BAND OF MISSION INDIANS

---

**From:** Salas, Ruben [<mailto:Ruben.Salas@kimley-horn.com>]  
**Sent:** Wednesday, July 3, 2019 2:21 PM

**To:** Jessica Mauck  
**Cc:** Thomas, Kevin; Travis Martin  
**Subject:** RE: AB52 and SB18: Norton Science and Language Academy Project

Hi Jessica,

On behalf of the City of San Bernardino, please find attached the project's cultural resources report. We will provide a geotechnical report as soon as available. Depth of excavations will depend on the geotechnical recommendations, but could be deeper than 5 feet particularly for building footings and utility trenching. Please let Travis Martin or me know if you have any further questions.

Thank you!

**Kimley»Horn**

**Ruben Salas**

**AEP-Inland Empire Co-VP of Programs**

**Kimley-Horn** | 3880 Lemon Street, Suite 420, Riverside, CA 92501  
Mobile: 909 654 0876 | Direct: 951 335 8277 | Main: 951 543 9868

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**From:** Jessica Mauck [<mailto:JMauck@sanmanuel-nsn.gov>]  
**Sent:** Wednesday, July 3, 2019 12:31 PM  
**To:** Travis Martin <[Martin\\_Tr@sbcity.org](mailto:Martin_Tr@sbcity.org)>  
**Cc:** Salas, Ruben <[Ruben.Salas@kimley-horn.com](mailto:Ruben.Salas@kimley-horn.com)>; Thomas, Kevin <[Kevin.Thomas@kimley-horn.com](mailto:Kevin.Thomas@kimley-horn.com)>  
**Subject:** AB52 and SB18: Norton Science and Language Academy Project

Hi Travis,

Thank you for contacting the San Manuel Band of Mission Indians (SMBMI) regarding the above referenced project. SMBMI appreciates the opportunity to review the project documentation, which was received by our Cultural Resources Management Department on 12 June 2019, pursuant to CEQA (as amended, 2015) and CA PRC 21080.3.1. The proposed project area exists approximately 0.2 miles from a Sacred Lands File (SLF) that SMBMI sent to the Native American Heritage Commission (NAHC) that focuses on the community's migration across the region after being driven out of the mountains in 1866, and before they were removed to the reservation in Highland in 1891. As such, the project area is of interest and SMBMI elects to consult, though it is possible that there is enough disturbance across the project area that the Tribe may not have concerns about the presence of historic-era resources. At this time, SMBMI respectfully requests the following for review upon availability, if required for the project:

- Cultural report
- Geotechnical report
- Project plans showing the depth of proposed disturbance

The provision of this information will assist the San Manuel Band of Mission Indians during consultation under CEQA and how they participate, moving forward, in project review and implementation. If you should have any questions with regard to this matter, please do not hesitate to contact me at your convenience, as I will be your Point of Contact (POC) for SMBMI with respect to this project.

Once again, the San Manuel Band of Mission Indians appreciates the opportunity to comment on the proposed project.

Respectfully,

**Jessica Mauck**

CULTURAL RESOURCES ANALYST

O: (909) 864-8933 x3249

M: (909) 725-9054

26569 Community Center Drive Highland California 92346



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**From:** Jessica Mauck  
**Sent:** Friday, June 14, 2019 2:03 PM  
**To:** 'Thomas, Kevin'  
**Cc:** Travis Martin; Salas, Ruben  
**Subject:** RE: AB52 Notification Letter (San Manuel).pdf

Hi Kevin,

Thank you for double-checking! We do have this notice, and it has a receipt stamp of June 12. As such, the City will hear from me by July 12 (though likely sooner).

Have a good weekend,

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**From:** Thomas, Kevin [<mailto:Kevin.Thomas@kimley-horn.com>]  
**Sent:** Friday, June 14, 2019 12:33 PM  
**To:** Jessica Mauck  
**Cc:** Travis Martin; Salas, Ruben  
**Subject:** AB52 Notification Letter (San Manuel).pdf

Hi Jessica – I just wanted to be sure you saw this. We are also sending an SB18 letter shortly. Please let me know if you have any questions.

Thanks!

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City of  
**San Bernardino**

Community & Economic Development Department | Planning Division

June 7, 2019

Andrew Salas  
Gabrieleño Band of Mission Indians – Kizh Nation  
PO Box 393  
Covina, California 91723

**Subject: Assembly Bill 52 Native American Consultation for the Norton Science and Language Academy Project, San Bernardino, San Bernardino County, California**

Dear Mr. Salas:

The City of San Bernardino is requesting your review of the Norton Science and Language Academy Project in the City of San Bernardino, San Bernardino County, California to determine if formal consultation is appropriate pursuant to Public Resource Code Section 21080.3.2(b) and 21074(a)(1)(A)-(B) (Assembly Bill [AB] 52). The City of San Bernardino is the lead agency for the project. The proposed project will construct a head start/preschool (one-story building), an elementary school (two-story building), and a high school (two-story building), along with associated amenities such as a high school gym, exterior basketball court, and an exterior soccer field with track on 18.066 acres. It is located in a non-sectioned portion of Township 1 South, Range 4 West, San Bernardino Baseline and Meridian.

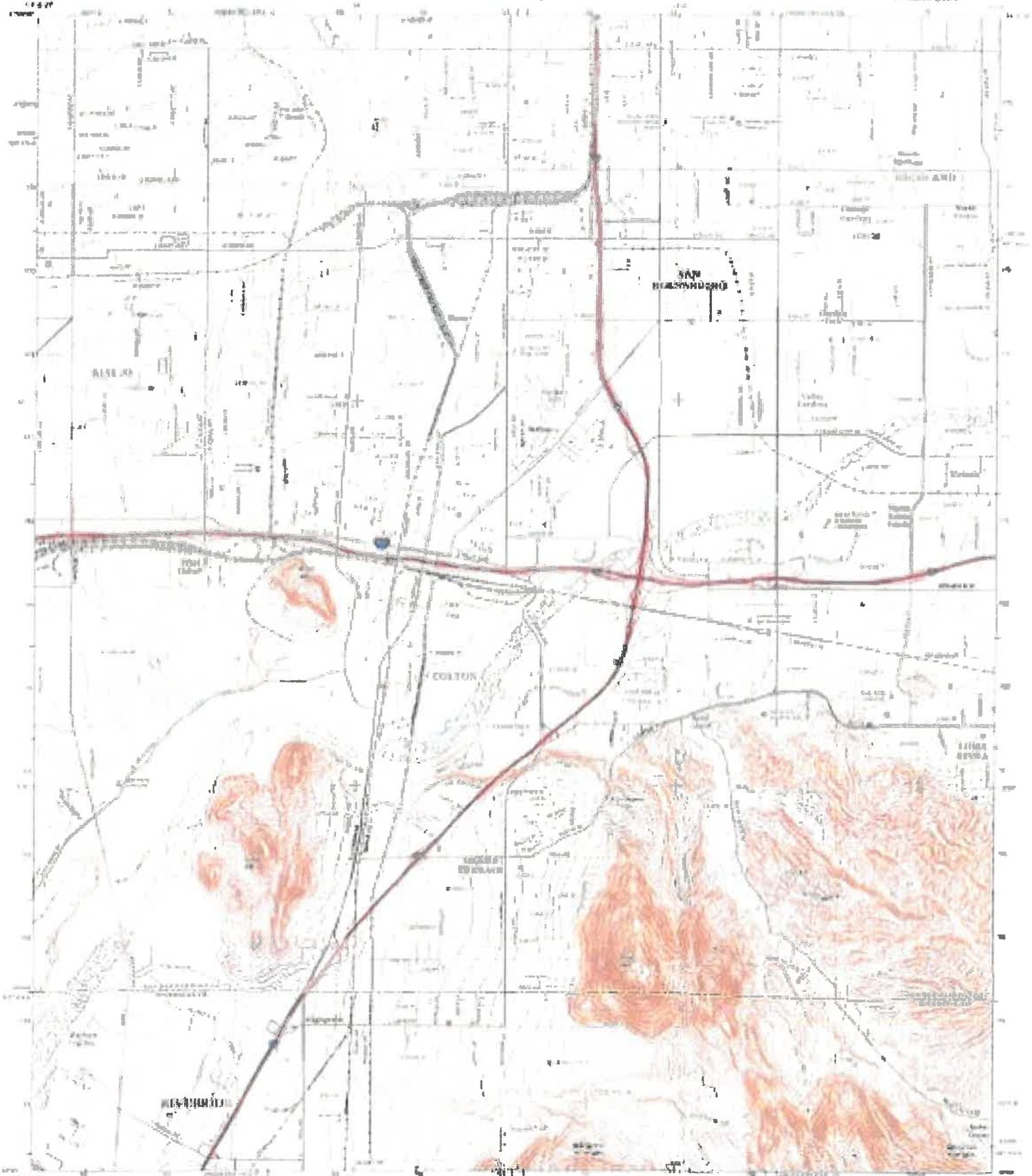
A project map is attached. The project parcels are currently vacant. We are requesting that you advise the City of San Bernardino at the earliest possible time of your interest in consulting. Under the provisions of AB-52, you have 30 days from the date of receipt of this notice, which will be on or around June 10, 2019 in which to contact the City regarding your interest in consultation. Please contact me to initiate consultation. My contact information is as follows:

Travis Martin  
Community & Economic Development  
City of San Bernardino  
Associate Planner  
Office: 201 North E Street, 3<sup>rd</sup> Floor  
Mail: 290 North D Street  
San Bernardino, CA 92401  
O: 909-384-5313  
[martin\\_tr@sbcity.org](mailto:martin_tr@sbcity.org)

Sincerely,

*Attachment: USGS Map and Project Site Aerial*





Topographic map symbols and abbreviations  
Legend  
Elevation  
Spot heights  
Contour interval  
Scale  
North arrow  
Magnetic declination  
Projection  
Datum  
Units  
Miscellaneous



Legend

Symbol	Description
[Symbol]	Interstate
[Symbol]	State Route
[Symbol]	County Route
[Symbol]	Local Road
[Symbol]	Water
[Symbol]	Contour
[Symbol]	Spot Height
[Symbol]	Settlement
[Symbol]	Point of Interest
[Symbol]	Boundary
[Symbol]	Other

Scale 1:50,000  
North arrow  
Magnetic declination  
Projection  
Datum  
Units





S Waterman Ave & E Valley St



City of  
**San Bernardino**

Community & Economic Development Department | Planning Division

June 7, 2019

Lee Clauss, Director of Cultural Resources  
San Manuel Band of Mission Indians  
26569 Community Center Drive  
Highland, California 92346

**Subject: Assembly Bill 52 Native American Consultation for the Norton Science and Language Academy Project, San Bernardino, San Bernardino County, California**

Dear Ms. Clauss:

The City of San Bernardino is requesting your review of the Norton Science and Language Academy Project in the City of San Bernardino, San Bernardino County, California to determine if formal consultation is appropriate pursuant to Public Resource Code Section 21080.3.2(b) and 21074(a)(1)(A)-(B) (Assembly Bill [AB] 52). The City of San Bernardino is the lead agency for the project. The proposed project will construct a head start/preschool (one-story building), an elementary school (two-story building), and a high school (two-story building), along with associated amenities such as a high school gym, exterior basketball court, and an exterior soccer field with track on 18.066 acres. It is located in a non-sectioned portion of Township 1 South, Range 4 West, San Bernardino Baseline and Meridian.

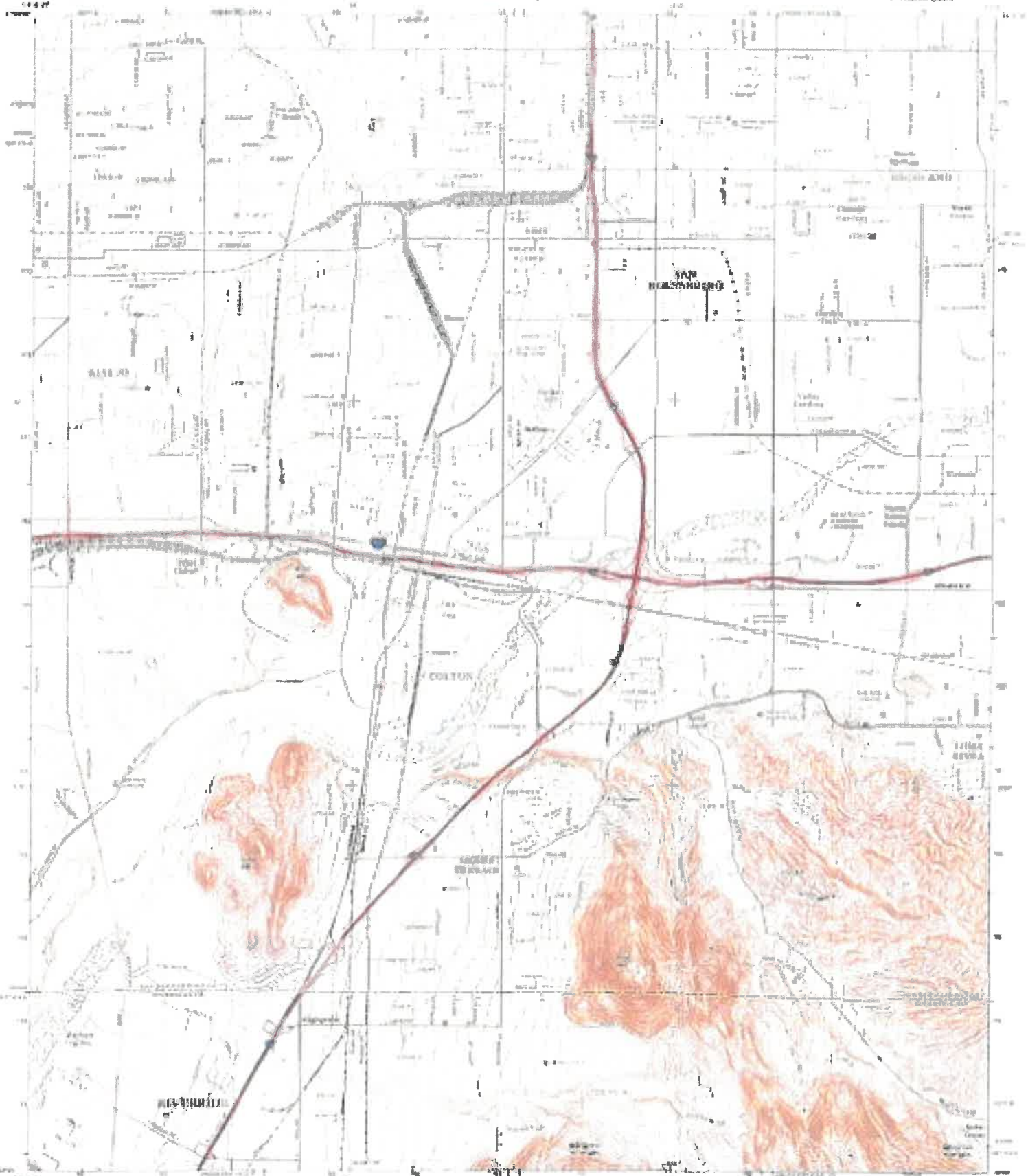
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Community & Economic Development  
City of San Bernardino  
Associate Planner  
Office: 201 North E Street, 3<sup>rd</sup> Floor  
Mail: 290 North D Street  
San Bernardino, CA 92401  
O: 909-384-5313  
[martin\\_tr@sbcity.org](mailto:martin_tr@sbcity.org)

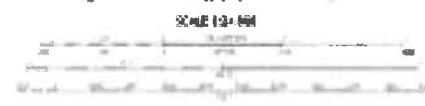
Sincerely,

**Attachment:** USGS Map and Project Site Aerial





**Standard Name Symbols and Abbreviations**  
This map uses the following symbols and abbreviations:  
... (list of symbols and abbreviations) ...



Symbol	Description
[Symbol]	[Description]
[Symbol]	[Description]

**Scale**  
1:50,000  
Graphic scale bar





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# City of San Bernardino

Community & Economic Development Department | Planning Division

June 7, 2019

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

**Subject: Assembly Bill 52 Native American Consultation for the Norton Science and Language Academy Project, San Bernardino, San Bernardino County, California**

Dear Mr. Ontiveros:

The City of San Bernardino is requesting your review of the Norton Science and Language Academy Project in the City of San Bernardino, San Bernardino County, California to determine if formal consultation is appropriate pursuant to Public Resource Code Section 21080.3.2(b) and 21074(a)(1)(A)-(B) (Assembly Bill [AB] 52). The City of San Bernardino is the lead agency for the project. The proposed project will construct a head start/preschool (one-story building), an elementary school (two-story building), and a high school (two-story building), along with associated amenities such as a high school gym, exterior basketball court, and an exterior soccer field with track on 18.066 acres. It is located in a non-sectioned portion of Township 1 South, Range 4 West, San Bernardino Baseline and Meridian.

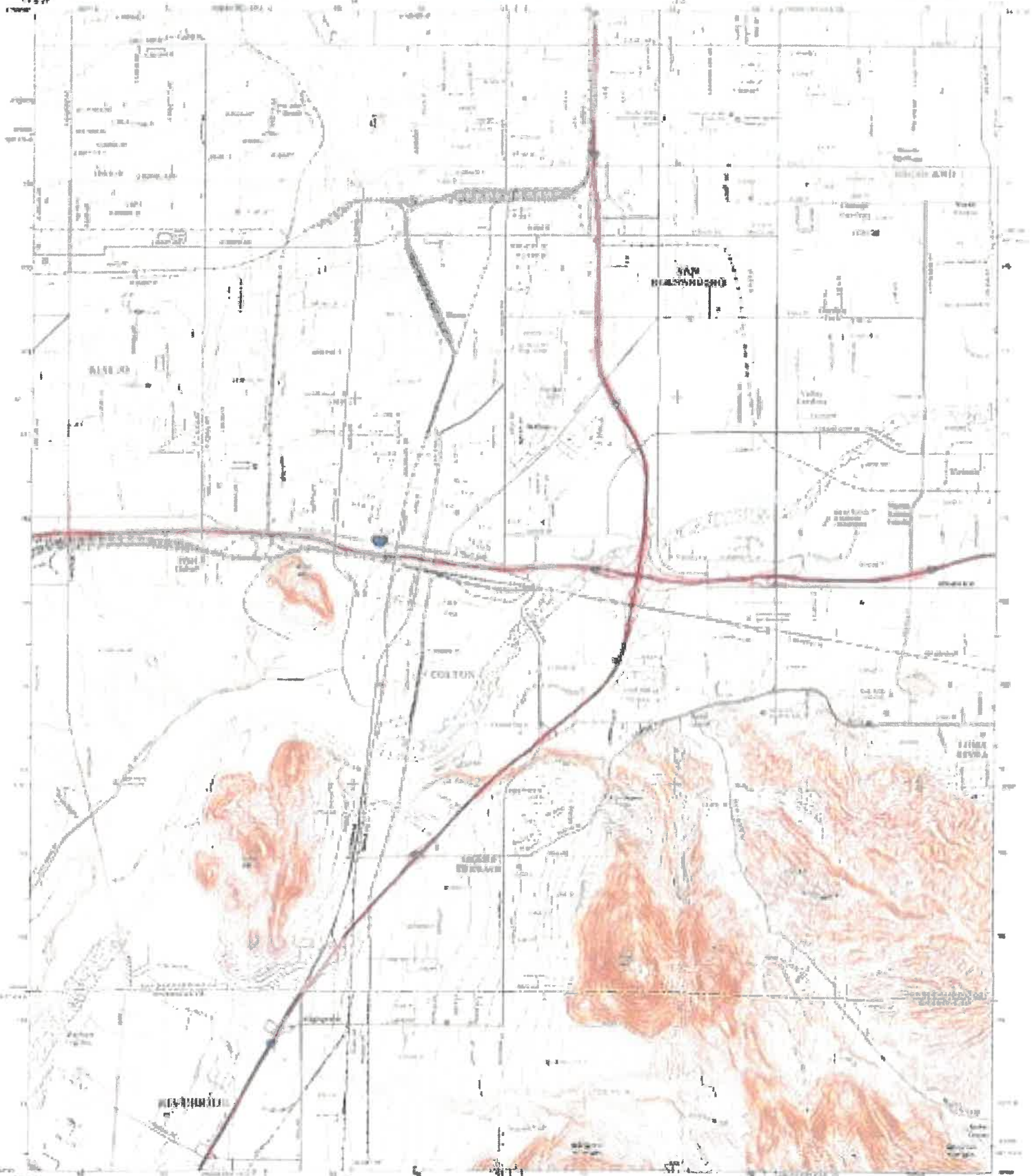
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Travis Martin  
Community & Economic Development  
City of San Bernardino  
Associate Planner  
Office: 201 North E Street, 3<sup>rd</sup> Floor  
Mail: 290 North D Street  
San Bernardino, CA 92401  
O: 909-384-5313  
[martin\\_tr@sbcity.org](mailto:martin_tr@sbcity.org)

Sincerely,

*Attachment:* USGS Map and Project Site Aerial

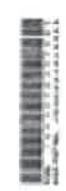




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Scale 1:62,500  
San Bernardino South Quadrangle, CA  
7 500 000







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