

June 7, 2006

Ms. Candida Neal, AICP
City of Upland
460 North Euclid Avenue
Upland, CA 91786-4732

MORONGO
BAND OF
MISSION
INDIANS



A SOVEREIGN NATION

Re: Upland Crossing Specific Plan

Dear Ms. Neal:

Thank you for sending the Morongo Band of Mission Indians (the "Tribe") a consultation notice under Government Code §65352.3 (SB18) regarding the above referenced project.

Because the Tribe has no knowledge of any specific cultural resources on the site and the cultural resources survey conducted on the property found none, there is technically nothing on which to consult.

SB18 consultation triggers when a city is processing a general or specific plan which requires that it follow a notification procedure and request consultation with the affected tribes. Consultation, however, is based upon cultural resources as defined in the Public Resources Code and those resources must either be sacred sites (e.g. religious or ceremonial site) or on the California Historical Register (CHR) or eligible for the Register. Since there are no known Native American cultural resources on the site, and the Tribe has no knowledge of any sacred sites on the subject property, there is nothing on which to consult.

That notwithstanding, the Tribe would like to request that the City voluntarily impose the following conditions (or something similar) upon the project:

- o If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.
- o In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.

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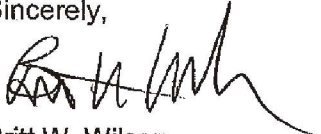
If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians ("Tribe")¹. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

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These conditions are basically consistent with standard practice and/or recommendations within the cultural resources report prepared for this project – the major difference being that the Tribe is asking that it be contacted if any significant, inadvertent finds are made.

If you have any questions, or need further information, please contact me at (951) 755-5206 or Britt_wilson@morongo.org. The Tribe is considering our consultation with the City complete for this project. We would, however, ask that these comments also be considered for inclusion within the EIR that is apparently being prepared for this project.

Thank you again for contacting the Tribe and voluntarily considering its comments.

Sincerely,


Britt W. Wilson
Project Manager/Cultural Resources Coordinator
Morongo Band of Mission Indians

¹ The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the condition is so revised to recognize other tribes.