

FW: AB-52/SB-18 Consultation for the Proposed GPA (PEN24-0133), ZC (PEN24-0134) and Plot Plan (PEN24-0075) Project

Brandi Barron <brandiba@moval.org>

Tue 8/26/2025 11:35 AM

To: Juan Galvan <juang@moval.org>;

Cc: Stacy Dunning <stacyd@moval.org>; Danielle Harper-Scott <danielleh@moval.org>; Miguel Del Rio <miguelde@moval.org>;

📎 3 attachments (287 KB)

LRL- City of Moreno Valley GPA(PEN24-0133, ZC (PEN24-0134), PP (PEN24-0075) - Copy.pdf; CMV GPA PEN24-0133, PEN24-0134, PEN24-0075 AB52 and SB18.pdf; Cultural Resource Mitigation Measures Morongo_THPO_2025.pdf;

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Hello Juan,

Please see response below for GPA (PEN24-0133), ZC (PEN24-0134) and Plot Plan (PEN24-0075) Project from Morongo Band of Mission Indians.

Thank you,

Brandi Barron
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From: Aurelia Torres <atorres@morongo-nsn.gov>

Sent: Tuesday, August 26, 2025 11:12 AM

To: Planning Notices_DG <planningnotices@moval.org>

Cc: Tribal Historic Preservation Office <thpo@morongo-nsn.gov>; Tribal Historic Preservation Office <thpo@morongo-nsn.gov>

Subject: AB-52/SB-18 Consultation for the Proposed GPA (PEN24-0133), ZC (PEN24-0134) and Plot Plan (PEN24-0075) Project

Some people who received this message don't often get email from atorres@morongo-nsn.gov. [Learn why this is important](#)

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Good morning Mr. Galvan,

My name is Aurelia Torres and I am the Cultural Resource Specialist with the Morongo Band of Mission Indians. I am reaching out to you today regarding the GPA (PEN24-0133), ZC (PEN24-0134) and Plot Plan (PEN24-0075) Project letter received by our office on July 1, 2025.

Please accept my sincerest apology for the late response and consider the attached information for AB52/SB18 consultation with the MBMI.

We look forward to hearing from you.

Best regards,
Aurelia R. Torres

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Morongo Band of Mission Indians Cultural Resource Mitigation Measures:

CR-1: Native American Treatment Agreement Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Agreement with the Morongo Band of Mission Indians for the project. The Tribal Monitor(s) shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor(s) shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources and/or tribal cultural resources.

CR-2: Retention of Archaeologist Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a qualified archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

CR-3: Cultural Resource Management Plan Prior to any ground-disturbing activities the project archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the Consulting Tribe[s] and at minimum, shall include the following: (1) the approved Mitigation Measures (MM)/Conditions of Approval (COA), (2) procedures for each MM/COA, (3) the contact information for all pertinent parties, (4) parties' responsibilities, and (5) an overview of the project schedule.

CR-4: Pre-Grade Meeting The retained qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.

CR-5: On-site Monitoring During all ground-disturbing activities the qualified archaeologist and the Tribal Monitor(s) shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Tribal Monitor(s), shall be responsible for determining the duration and frequency of monitoring.

CR-6: Inadvertent Discovery of Cultural Resources In the event that previously unidentified cultural resources are discovered /unearthed during construction, the qualified archaeologist and the Tribal Monitor(s) shall have the authority to temporarily divert and/or temporarily halt ground-disturbance activities in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored ground-disturbing activity can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find(s), so that it/they can be evaluated by the qualified archaeologist and Tribal Monitor[s]. The archaeologist shall notify the Lead Agency and Consulting Tribe[s] of said discovery. The qualified archaeologist, in consultation with the Lead Agency, the Consulting Tribe[s], and the Tribal monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the qualified archaeologist in consultation with the Tribe[s] and the Tribal monitor[s] and be submitted to the Lead Agency for review and approval.

Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

- A. Full avoidance.
- B. If avoidance is not feasible, Preservation in place.

If Preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or Deed Restriction.

- C. If all other options are proven to be infeasible, data recovery through excavation and then curation in a Curation Facility that meets the Federal Curation Standards (36 CFR 79).

Unless otherwise agreed upon by all parties, all removed items from the Project shall be temporarily curated on-site in a secure and locked location (i.e., Conex box, a lockable office or drawer with restricted access to it, etc.). A periodic inventory must be maintained and provided to Consulting Tribe[s].

CR-7: Inadvertent Discovery of Human Remains The Morongo Band of Mission Indians requests the following specific conditions to be imposed in order to protect Native American human remains and/or cremations. ***No photographs are to be taken except by the coroner, with written approval by the Consulting Tribe[s].***

- A. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected by the establishment of an ESA with a marked boundary. Project personnel/observers will be restricted from entry into the ESA. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
- B. In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of determination pursuant to subdivision (c) of HSC §7050.5.
- C. The NAHC shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98
- D. If the Morongo Band of Mission Indians has been named the MLD or Co-MLD, the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial location of human remains and/or cremations will be determined by the Tribe's MLD, the landowner, and the City Planning Department.

CR-8: FINAL REPORT: The final report[s] created as a part of the project (CRMP/AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribe[s] for review and comment. After approval of all parties, the final reports are to be submitted to the appropriate Information Center (IC), and the Consulting Tribe[s].