



United States Department of the Interior

NATIONAL PARK SERVICE

12795 W. Alameda Parkway

Lakewood, CO 80228

IN REPLY REFER TO:
670.1.3.B (MWR-LCPP/G)
(via email)

July 21, 2023

Ms. Julianne Polanco
State Historic Preservation Officer
1725 23rd Street, Suite 100
Sacramento, CA 95816-7100
www.ohp.parks.ca.gov

Dear Ms. Polanco:

We are in receipt of the March 29, 2023, Reference: NPS_2022_0902_001, letter from your office to Ms. Katherine Vallaire, California Department of Parks and Recreation, Office of Grants and Local Services, regarding your agency's analysis of cultural resources that may be affected by the proposed project at Beyer Park with assistance from the Land and Water Conservation Fund Program, 06-01870.

In addition to the Office of Historic Preservation review, the NPS has notified Tribal Historic Preservation offices and tribal governments affiliated with the project area to seek input on any potential impacts to areas with cultural or religious significance to those tribes. Nineteen tribes were contacted with the following four tribal responses, three of which request onsite monitoring.

1. The NPS emailed an official invitation to consult letter to the San Pasqual Band of Mission Indians along with supplemental project documents on January 12, 2023. The NPS and the tribe participated in a consultation call on February 23, 2023, in which the tribe requested that a tribal monitor from their tribe be on site during ground disturbing activities. An onsite visit of Beyer Park followed on April 25, 2023, with Tribal, State Parks, City of San Diego and NPS representatives participating.
2. The NPS emailed an official invitation to consult letter to the Viejas Band of Kumeyaay Indians along with supplemental project documents on February 14, 2023. The tribe requested more information on February 14, 2023, and that information was emailed on February 15, 2023. The tribe then replied on February 15, 2023, stating that after review of the proposed project, it was determined that "the project site has cultural significance or ties to Viejas. Cultural resources have been located within or adjacent to the APE-DE of the proposed project. The Viejas Band request that a Kumeyaay Cultural Monitor be on site for ground disturbing activities and to inform us of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains." The NPS has confirmed that the City of San Diego will have a Native American monitor with Kumeyaay affiliation on site during the ground disturbing activities.
3. On November 1, 2022, the Campo Band of Diegueno Mission Indians had a consultation meeting with Mr. Daniel Tsosie, Ms. Medel and Ms. Karen Crawford, Cultural Resources Lead with the ICR organization attending. Mr. Tsosie confirmed the Campo Band is a

- Kumeyaay tribe and agreed to accept the City's standard qualifications for the Native American monitor to have Kumeyaay affiliation; expressed interest in providing Native American monitors; and, requested to be informed of any findings. The City of San Diego will have a Native American monitor with Kumeyaay affiliation on site during the ground disturbing activities. The NPS emailed an official invitation to consult letter to the tribe along with supplemental project documents on February 14, 2023, to inquire if the tribe needed any further information or consultation efforts. No response has been received from the tribe to date.
4. The NPS emailed an official invitation to consult letter to the Rincon Band of Luiseno Indians along with supplemental project documents on February 3, 2023. In an email of February 24, 2023, the tribe stated that "the location identified within project documents is not within the Band's specific Area of Historic Interest (AHI). At this time, we have no additional information to provide. We recommend that you directly contact a tribe that is closer to the project and may have pertinent information."

The NPS has considered the analysis and input from your office and the affiliated tribal governments consulted on this project. In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and as set forth in the Advisory Council on Historic Preservation rules (36 CFR 800.2(a)(4)), the NPS has made the determination of No Historic Properties Affected for this undertaking with tribal monitoring during ground disturbing activities.

The NPS includes in every agreement document the following condition:

54 U.S.C. part 300101 The National Historic Preservation Act of 1966, and the Advisory Council on Historic Preservation Guidelines - Projects involving construction, renovation, repair, rehabilitation, or ground or visual disturbances must comply with 36 C.F.R. part 800 that requires the DOI to consider the effects of projects offered or awarded funding on historic properties and, when applicable, to provide the Advisory Council on Historic Preservation an opportunity to comment on such projects.

This includes adherence to the post-review unanticipated discovery provisions of 36 C.F.R. §800.13(b)(3) which includes the agency official notifying the SHPO/THPO, any tribe or Native Hawaiian organization of any historic properties uncovered within 48 hours of discovery.

We appreciate your assistance and your recommendations regarding this project. Any questions you have may be directed to me at donna_fontes@nps.gov.

Sincerely,

Donna Fontes

Donna Fontes
Grant Management and Awarding Officer
State and Local Assistance Programs

cc: Ms. Natalie Bee, Natalie.Bee@parks.ca.gov
Ms. Katherine Vallaire, Katherine.Vallaire@parks.ca.gov