

Attachment 14

Andrew Salas
Chairman

Nadine Salas
Vice-Chairman

Felicia Sheerman-Garcia
Treasurer

Christina Swindall-Martinez
Secretary

Martha Gonzalez-Lemos
Council Member



GABRIELEÑO BAND OF MISSION INDIANS

Historically known as The San Gabriel Band of Mission Indians

recognized by the State of California as the aboriginal tribe of the Los Angeles basin
May 23, 2010

Mr. Greg Gubman, Community Development Director
City of Diamond Bar
21825 Copley Drive
Diamond Bar, CA 91765
Ph: 909-839-7000

Reference: Site "D" Specific Plan Project/EIR

Dear Mr. Gubman,

Please be advised that we have reviewed the EIR for the above referenced project and we are quite confused on how the "Tribal Consultation" was handled altogether. We find it alarming that in the report it states the following:

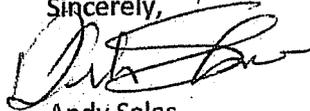
"On February 1, 2008, the Department submitted to the California Native American Heritage Commission (NAHC) a "local government tribal consultation list request," requesting a list of California Native American tribes with whom the City needed to provide notice. Although the NAHC did not formally provide the City with a written contact list of those tribes groups with traditional lands or cultural places¹³ within or potentially within the City's jurisdiction, a number of tribal organizations, including the Gabrielino/Tongva Tribal Council, the Gabrielino/Tongva Council, Gabrielino Tongva Nation, and the Gabrielino Band of Mission Indians of California, were provided copies of the NOP and Initial Study and notice of the pre-circulation scoping meeting. No response to those notices was received by the City from the NAHC or by any of those tribal groups."

Normal procedure has always been when the NAHC is contacted by an agency performing an EIR they immediately provide a list of tribes for the City to contact. In addition, the report mentions that "a number of tribal organizations including...were provided copies of the NOP..." This is the City's omission that they contacted tribal organizations but **NOT** from the NAHC contact list which gives our tribe two causes for alarm 1) how would the City know that they contacted **all** the tribal organizations if they didn't use a proper contact list? And 2) they did not follow the proper protocol nor give the proper notification to **all** tribal organizations.

This project is within a culturally sensitive area and we as a tribe find it imperative to have a NA monitor on site during all excavation/ground disturbances. No exceptions as accepted. Due to the fact, that the EIR was handled erroneously by not giving sufficient notification to all the local Native American tribes provided by the NAHC.

Should you have any questions or comments, I can be reached at 626-926-4131 or please contact Felicia Sheerman our NA monitor coordinator.

Sincerely,



Andy Salas
Chairman

Cc: Dave Singleton, NAHC
Linda Strong, Sierra Club
Margo Eiser, Sierra Club