

APPENDIX B
Native American Consultation

Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: Department of Veterans Affairs (VA) Proposed Riverside National Cemetery Expansion, 16700 Village West Drive, Riverside County, CA

County: Riverside

USGS Quadrangle Name: Riverside East and Steele Peak

Township: 3S **Range:** 4W **Section(s):** 26 and 27

Company/Firm/Agency: TTL Associates, Inc.

Street Address: 44265 Plymouth Oaks Boulevard

City: Plymouth, MI **Zip:** 48170

Phone: 734-582-4960

Fax: 734-455-8608

Email: pjackson@tlassoc.com

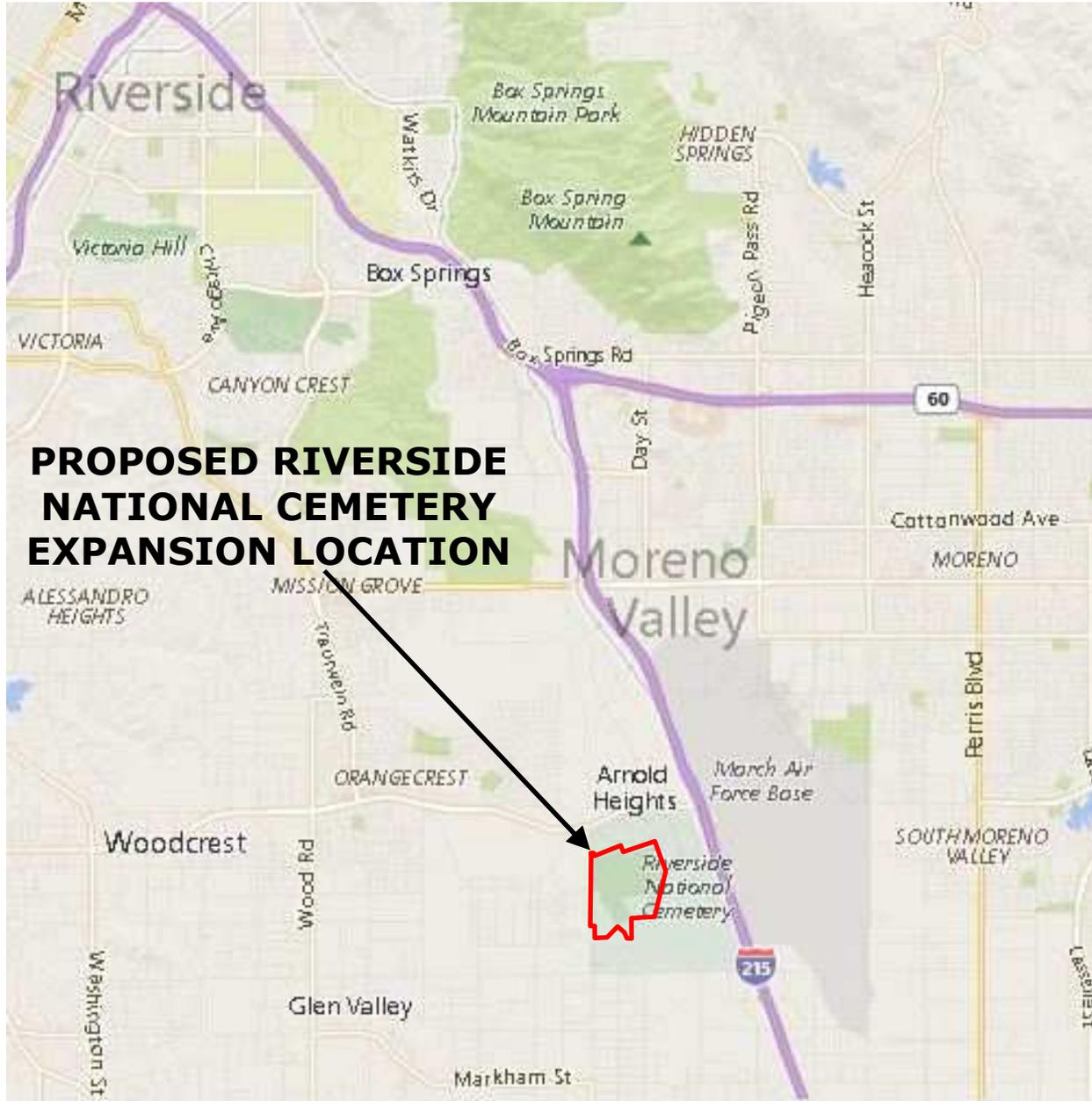
Project Description: The US Department of Veterans Affairs (VA) is preparing environmental documentation to assist in the Federal decision-making process concerning the proposed acquisition of approximately 314 acres of land (Site) located at 16700 Village West Drive in an unincorporated area of Riverside County, California for the future expansion of the existing Riverside National Cemetery (RNC), located at 22495 Van Buren Boulevard, in Riverside County, California. The approximately 314-acre Site is contiguous to southwest of the RNC and is associated with General Old Golf Course, an 18-hole golf course opened in 1955 as a private military golf course associated with the March Air Reserve Base. The Site was transferred to the March Joint Powers Authority (JPA) and has been a public golf course since 1996. The land includes a clubhouse, restaurant, associated parking, and a water storage/treatment pond in the northwestern portion and four maintenance buildings in the central portion. The remaining portions are occupied by a landscaped golf course and scattered trees and ponds. The location of the Site is shown in **Attachments 1a – 1c.**

The RNC is currently one of the busiest National Cemeteries in the United States and although VA estimates adequate space remains for burials for the next 20 to 30 years, additional land would be needed in the future. The Site is currently available and has been offered to VA by March JPA. VA would acquire the land, remove all improvements in the near future, and maintain the land as unimproved until such date when the expansion of the RNC becomes necessary. Construction details of the proposed RNC expansion are unknown at this time.

**ATTACHMENTS 1A, 1B, AND 1C
LOCATION MAPS**

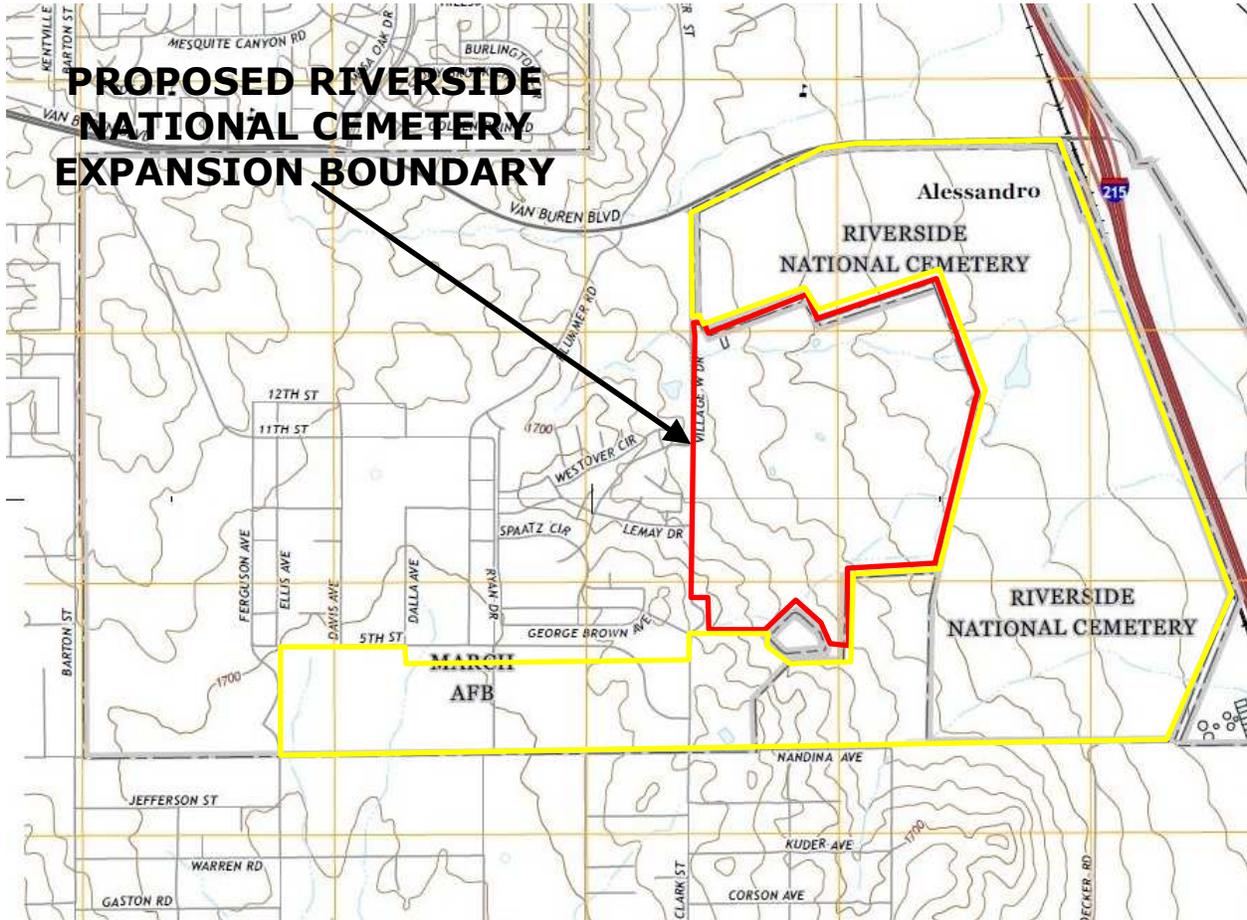
ATTACHMENT 1a

Location Map Proposed Riverside National Cemetery Expansion 16700 Village West Drive Riverside County, California



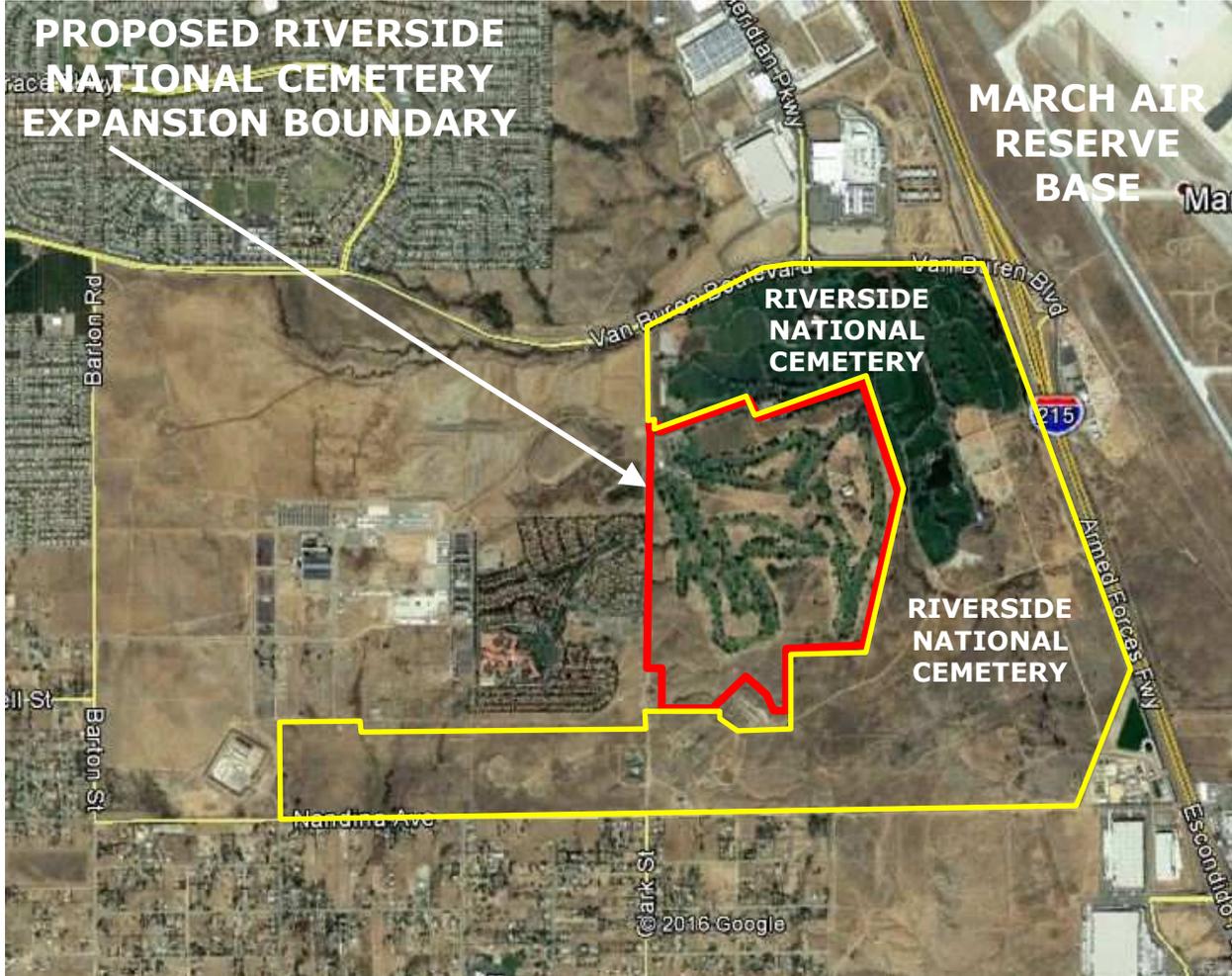
ATTACHMENT 1b

Topographic Location Map Proposed Riverside National Cemetery Expansion 16700 Village West Drive Riverside County, California



ATTACHMENT 1c

Aerial Location Map
Proposed Riverside National Cemetery Expansion
16700 Village West Drive
Riverside County, California



NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
Fax (916) 373-5471



February 27, 2017

Paul Jackson
TTL Associates, Inc.

Sent by Email: pjackson@tlassoc.com

RE: Proposed Riverside National Cemetery Expansion Project, near the Community of Arnold Heights; Riverside East and Steele Peak USGS Quadrangles, Riverside County, California

Dear Mr. Jackson:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.

Attached is a list of tribes culturally affiliated to the project area. I suggest you contact all of the listed Tribes. If they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: gayle.totton@nahc.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Gayle Totton".

for Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

**Native American Heritage Commission
Tribal Contact List
Riverside County
3/1/2017**

**Agua Caliente Band of Cahuilla
Indians**

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Ewilaapaayp Tribal Office

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**Augustine Band of Cahuilla
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Jamul Indian Village

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This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Riverside National Cemetery Expansion Project, Riverside County.

**Native American Heritage Commission
Tribal Contact List
Riverside County
3/1/2017**

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Native American Heritage Commission
Tribal Contact List
Riverside County
3/1/2017

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DEPARTMENT OF VETERANS AFFAIRS
Office of Construction & Facilities Management
Washington DC 20420

April 27, 2017

Mr. Jeff Grubbe, Chairperson
Agua Caliente Band of Cahuilla Indians
5401 Dinah Shore Drive
Palm Springs, CA 92264

RE: Section 106 Consultation on the Expansion of the Riverside National Cemetery through
Redevelopment of the General Archie Old Golf Course

Dear Mr. Grubbe,

The VA National Cemetery Administration at Riverside National Cemetery in Riverside, Riverside County, California, proposes to acquire the General Archie Old Golf Course to provide additional grave site expansion interment space for our nation's Veterans (Attachment A- map). The National Cemetery Administration (NCA) of the U.S. Department of Veterans Affairs (VA) proposes to acquire and develop the Golf Course site to include inground burial sections, public access roads, and columbarium (Undertaking).

Brief History of the GAO Golf Course Property

The General Archie Old Golf Course is an 18-hole course located southwest of the Riverside National Cemetery. From 1940 to 1945, the course, as well as approximately 8,000 additional acres, were part of Camp Haan, a U.S. Army installation associated with March Air Field, an Army Air Force base. Camp Haan served as a training center for American troops and a Prisoner of War camp. It formally closed in August 1946. March Air Force Base leadership redeveloped the acreage into a golf course in the mid-1950s. After its opening, Noted American comedian and actor Bob Hope hosted numerous charity golf tournaments at the course. The course was renamed for Lt. General Archie J. Old Jr., a former commander of March AFB, in 1978.¹

In 1996, March Air Force Base was realigned in accordance with the Base Realignment and Closure (BRAC) program. Redevelopment of the property is the responsibility of the March Joint Powers Authority (MJPA). The GAO Golf Course is operated by Donovan Brothers Golf, LLC.

Area of Potential Effect

The proposed acquisition of the GAO Golf Course would alter the existing boundaries of the Riverside National Cemetery and the GAO Golf Course; NCA has determined that the full acreage of both properties is the APE.

Proposed redevelopment of the GAO Golf Course includes installation of headstones and, possibly, columbarium(a). These headstones will have no effect on the viewshed of other historic properties. Other than the National Cemetery, there are no adjacent historic properties with viewsheds potentially affected. Installation of columbarium(a) will have no effect on nearby historic properties.

¹ March Joint Powers Authority, Draft Vision 2030: March JPA General Plan, March 2010,
http://marchjpa.com/documents/docs_forms/draft_general_plan.pdf, 1-4-1-5.

Identification of Historic Properties

Built Resources

NCA conducted a records and literature search of CA SHPO files related to built resources on November 8, 2016. As part of the required analysis under BRAC, all acreage that was part of March AFB in the 1990s, including the GAO Golf Course, was surveyed several times to identify historic properties. These surveys did not identify any historic built properties located within the boundaries of the GAO Golf Course.² The same BRAC surveys determined that the original acreage of March Air Field contained a historic district. In 1994, the National Park Service listed the March Field Historic District in the National Register of Historic Places under Criterion A: Military, and Criterion C: Architecture. The historic district is limited to the earliest building and landscape elements of the base. This historic district is located approximately one mile from the GAO Gold Course. Neither the GAO Golf Course nor the Riverside National Cemetery are included in the March Field Historic District.³

In November 2016, an architectural historian who exceeds the Professional Qualification Standards established by the Secretary of the Interior visited the GAO Golf Course to identify properties in the area that are more than 50 years of age and that retain sufficient integrity to warrant listing in the National Register of Historic Places. The March Air Field Golf Course opened as a 9-hole course in the early 1950s; it was expanded and opened as an 18-hole course in 1958.⁴ The course still uses the original clubhouse, although the building was renovated in 2012.⁵ The course has not been significantly altered since its opening. The feeling and association of the course have been lost due to the closure of March AFB. Though the property retains integrity of location, materials, workmanship, and design, and is more than fifty years of age, the property is not a significant example of a regional golf course. No evidence has been located that identifies the course as the work of a master course architect, nor does the landscape rise to the level of individually eligible. The course was the site of several charity golf tournaments hosted by comedian and actor Bob Hope, but Mr. Hope's generosity and love of golf extended to courses around the United States. The course also does not represent the significant military accomplishments of March AFB, nor does it contribute to the March Field Historic District. The General Archie Old Golf Course is not eligible for the National Register of Historic Places.

None of the 27 properties listed in the California Historical Landmarks in Riverside County are located within or adjacent to the APE.⁶ There are no National Historic Landmarks located within or adjacent to the APE.⁷

In 2011, the National Park Service issued a policy determining that all National Cemeteries, regardless of date of founding, eligible for listing in the National Register of Historic Places.⁸ The Riverside National Cemetery therefore is eligible for listing in the National Register of Historic Places and should be

² Laurence Spann, *Report on a Cultural Resources Survey for Three Proposed Construction Locations on March Air Force Base*, 1986; Archaeological Research Unit, University of California- Riverside, *An Archaeological Assessment of 970+ Acres of Land Located on March Air Force Base, Riverside County, California*, 1987; ASM Affiliates, Inc, *An Intensive Survey of Approximately 2,500 Acres of March Air Force Base, Riverside County, California*, 1996.

³ National Register of Historic Places, March Field Historic District, Riverside, Riverside County, California, National Register #94001420.

⁴ March Joint Powers Authority, Draft Vision 2030, 2-12.

⁵ Mirjam Swanson, "GOLF NOTEBOOK: General Old's new look has old flavor," *The Press Enterprise*, June 24, 2012, <http://www.pe.com/articles/course-657121-hope-old.html>.

⁶ California Office of Historic Preservation, California Historical Landmarks: Riverside County, http://ohp.parks.ca.gov/?page_id=21452.

⁷ National Park Service, database of National Historical Landmarks, <https://www.nps.gov/nhl/find/statelists/ca/CA.pdf>.

⁸ National Park Service, National Register Eligibility of National Cemeteries – A Clarification of Policy – A Clarification of Policy (9/8/2011), September 2011.

afforded consideration in accordance with the NHPA. However, that NPS policy clarification specifically recognizes that “National cemeteries continue to expand,” and that they are “ever-changing.”⁹ The proposed expansion of the National Cemetery therefore does not constitute an adverse effect to that historic property.

Archaeological Resources

NCA conducted a records and literature search of CA SHPO files related to archaeological resources on November 8, 2016. Cultural resource surveys of March Air Field/March AFB conducted between 1900 and 1995 identified 35 prehistoric sites and one historic site. In 1996, ASM Affiliates, Inc. completed an intensive pedestrian survey of approximately 2,500 acres of the former March AFB, including the GAO Golf Course. Archaeologists recorded 68 archaeological deposits: 60 prehistoric sites, 5 historic sites, and 3 isolated artifacts.¹⁰ Nearly all prehistoric sites related to milling practices of Native Americans, i.e. tools used to process plants into foodstuffs. The majority of the historic sites related to military occupation of the property. None of these archaeological deposits were recorded within the boundaries of the GAO Golf Course.

Traditional Cultural Properties

Following an ethnographic study, the Environmental Impact Statement completed in 1999 determined that there are no Traditional Cultural Properties (TCPs) on any of the grounds of former March AFB, including the GAO Golf Course.¹¹

Effects of the Proposed Project on Historic Properties

Adverse effects of an undertaking occur when the action directly or indirectly alters the characteristics of a historic property that qualify it for inclusion in the National Register of Historic Places. Reasonably foreseeable effects that are caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative also need to be considered.

No eligible buildings, landscapes, archaeological sites, or Traditional Cultural Properties were identified inside the Area of Potential Effect of the proposed National Cemetery expansion project. The proposed project will have a direct effect on the physical boundaries of the Riverside National Cemetery, which will expand from its current limitations; however, this effect will not be adverse. Therefore, the NCA finds that this project will have No Adverse Effect to Historic Properties. We request your comments and concurrence on this finding.

NCA takes seriously the potential to unintentionally affect human remains. NCA therefore will include the following unanticipated discoveries plan in the construction contract to redevelop the GAO Golf Course should NCA acquire the property:

If properties are discovered that may be historically significant or unanticipated adverse effects to historic properties are identified, NCA shall implement the following discovery plan:

- *If human remains or associated burial items not related to NCA burials are encountered during excavations or during construction activities, NCA shall consult with the most likely descendant(s), as identified by the California Native American Heritage Commission (NAHC), on the sensitive and dignified treatment and disposition of Native American human remains and associated items.*
- *If construction affects a previously unidentified archaeological property, NCA shall immediately stop construction activity within 25 feet of the property and implement all reasonable measures*

⁹ Ibid, p. 1.

¹⁰ ASM Affiliates, Inc, “An Intensive Survey of Approximately 2,500 Acres of March Air Force Base, Riverside County, California, 1996:iii.

¹¹ March Joint Powers Authority, *Environmental Assessment- Recreational Development/Golf Course at march Air Force Base, California*, 1999, 3-7.

needed to avoid, minimize, or mitigate further harm to the property including, but not limited to, fencing and/or covering with tarps.

- *Within 48 hours of the discovery, NCA shall require an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards in Archaeology (36 CFR 61) to assess the discovery. If determined to be potentially eligible for inclusion in the NRHP, NCA shall provide initial notification to SHPO and any Indian tribe that might attach religious or cultural significance to the affected property. Notification shall include, to the extent such information is available: a description of the action; a description of the nature and extent of the historic property or properties affected; an assessment of National Register of Historic Places eligibility of any historic properties affected; the type and extent of any damage to the historic property or properties affected; any prudent and feasible treatment measures that would take adverse effects into account; and a request for comments. NCA may furnish this information through correspondence, hard copy, electronic media, telephone, or meetings, at its discretion, taking into account the corresponding capabilities of the consulting parties, and shall document this process for the administrative record.*
- *Should any of the notified parties respond with comments within 72 hours of the initial notification of the discovery, or indicate that they wish to be involved in resolving the effects, NCA shall take into account their comments or continue consultation with any commenting parties. NCA shall inform SHPO and THPO(s) of relevant data as it becomes known. NCA shall determine the time frame for any further consultation, taking into account the qualities of the property, consequences of construction delays, and interests of consulting parties. Following the conclusion of any further consultation, NCA shall take all comments received into account and may carry out actions to resolve any effects. Failure of any notified party to respond within 72 hours of the notification shall not preclude NCA from proceeding with their proposed actions.*

We thank you for your review of this NCA undertaking. If you have any questions about this project, please contact Michael Hayes at Michael.Hayes6@va.gov, 202-382-2767.

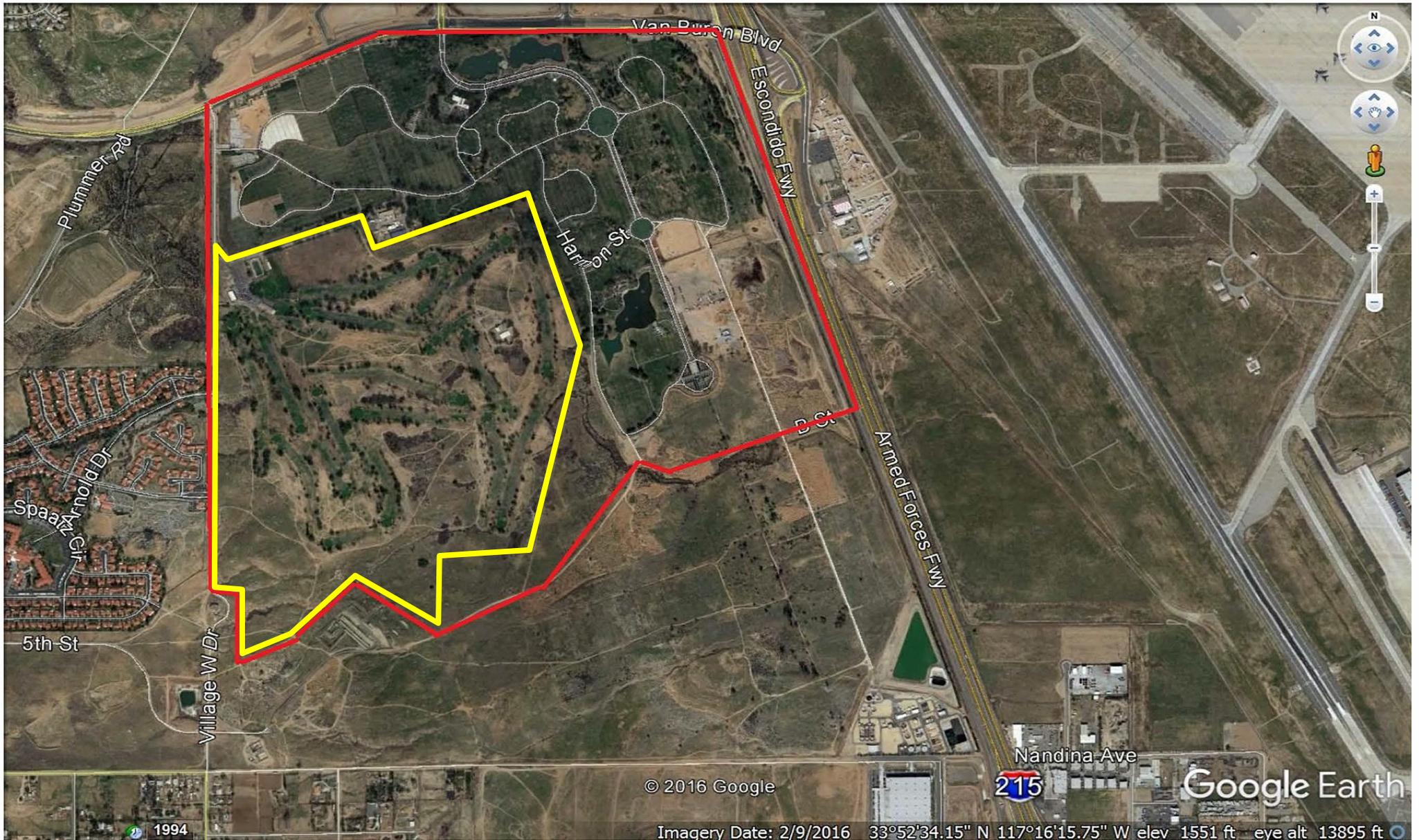
Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Hayes', with a long horizontal line extending to the right.

Michael Hayes
Realty Specialist
Office of Real Property

References:

- Archaeological Research Unit, University of California- Riverside, *An Archaeological Assessment of 970+ Acres of Land Located on March Air Force Base, Riverside County, California*, 1987.
- ASM Affiliates, Inc, *An Intensive Survey of Approximately 2,500 Acres of March Air Force Base, Riverside County, California*, 1996.
- California Office of Historic Preservation, California Historical Landmarks: Riverside County, http://ohp.parks.ca.gov/?page_id=21452.
- Department of the Air Force Headquarters, Strategic Air Command, Offutt AFB. *Final Environmental Impact Statement Realignment of March Air Force Base, California*. July 1991.
- March Joint Powers Authority, Draft Vision 2030: March JPA General Plan, March 2010, http://marchjpa.com/documents/docs_forms/draft_general_plan.pdf.
- *Environmental Assessment- Recreational Development/Golf Course at March Air Force Base, California*, 1999.
- National Park Service, database of National Historical Landmarks, <https://www.nps.gov/nhl/find/statelists/ca/CA.pdf>.
- National Register Eligibility of National Cemeteries – A Clarification of Policy – A Clarification of Policy (9/8/2011), September 2011.
- National Register of Historic Places, March Field Historic District, Riverside, Riverside County, California, National Register #94001420.
- Spanne, Laurence, *Report on a Cultural Resources Survey for Three Proposed Construction Locations on March Air Force Base*, 1986.
- Swanson, Mirjam, “GOLF NOTEBOOK: General Old's new look has old flavor,” *The Press Enterprise*, June 24, 2012, <http://www.pe.com/articles/course-657121-hope-old.html>.



**Area of Potential Effect
Riverside National Cemetery/General A. Old Golf Course
Riverside County, California**

Base map courtesy of Google Earth

**Native American Heritage Commission
Tribal Contact List
Riverside County
3/1/2017**

**Agua Caliente Band of Cahuilla
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This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Riverside National Cemetery Expansion Project, Riverside County.

**Native American Heritage Commission
Tribal Contact List
Riverside County
3/1/2017**

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Kumeyaay

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This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Riverside National Cemetery Expansion Project, Riverside County.



01-040-2014-001

May 26, 2017

[VIA EMAIL TO:Michael.Hayes6@va.gov]
Department of Veteran Affairs
Mr. Michael Hayes
Office of Construction & Facilities Management
Washington DC, 20420

Re: Section 106 Consultation on the Expansion of the Riverside National Cemetery through Redevelopment of the General Archie Old Golf Course

Dear Mr. Michael Hayes,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Riverside VA Cemetery Expansion project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area (TUA). For this reason, the ACBCI THPO requests the following:

*At this time ACBCI defers to Soboba. This letter shall conclude our consultation efforts.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6828. You may also email me at hfeeney@aguacaliente.net.

Cordially,

Hannah Feeney
Archaeological and Archives Technician
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS



AUGUSTINE BAND OF CAHUILLA INDIANS

PO Box 846 84-481 Avenue 54 Coachella CA 92236

Telephone: (760) 398-4722

Fax (760) 369-7161

Tribal Chairperson: Amanda Vance

Tribal Vice-Chairperson: William Vance

May 31, 2017

Mr. Michael Hayes
Department of Veterans Affairs
Office of Construction & Facilities Management
Washington, DC 20420

RE: Expansion of the Riverside National Cemetery

Dear Mr. Herrema-

Thank you for the opportunity to offer input concerning the development of the above-identified project. We appreciate your sensitivity to the cultural resources that may be impacted by your project, and the importance of these cultural resources to the Native American peoples that have occupied the land surrounding the area of your project for thousands of years. Unfortunately, increased development and lack of sensitivity to cultural resources has resulted in many significant cultural resources being destroyed or substantially altered and impacted. Your invitation to consult on this project is greatly appreciated.

At this time we are unaware of specific cultural resources that may be affected by the proposed project. We encourage you to contact other Native American Tribes and individuals within the immediate vicinity of the project site that may have specific information concerning cultural resources that may be located in the area. We also encourage you to contract with a monitor who is qualified in Native American cultural resources identification and who is able to be present on-site full-time during the pre-construction and construction phase of the project. Please notify us immediately should you discover any cultural resources during the development of this project.

Very truly yours,

William Vance
Tribal Vice Chairperson

June 1, 2017

Attn: Michael Hayes, Realty Specialist
Department of Veterans Affairs
Office of Construction & Facilities Management, Real Property Service Division
810 Vermont Avenue NW
(003C)
Washington, DC 20420



RE: Section 106 Consultation; Expansion of the Riverside National Cemetery through Redevelopment of the General Archie Old Golf Course

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in proximity to known sites, is a shared use area that was used in ongoing trade between the tribes, and is considered to be culturally sensitive by the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to Section 106. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.
2. Soboba Band of Luiseño Indians continue to be a consulting tribal entity for this project.
3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.
4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

The Soboba Band of Luiseño Indians is requesting a face-to-face meeting between the Department of Veterans Affairs and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe", is written over a horizontal line.

Joseph Ontiveros
Director of Cultural Resources
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. When appropriate and agreed upon in advance, the Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

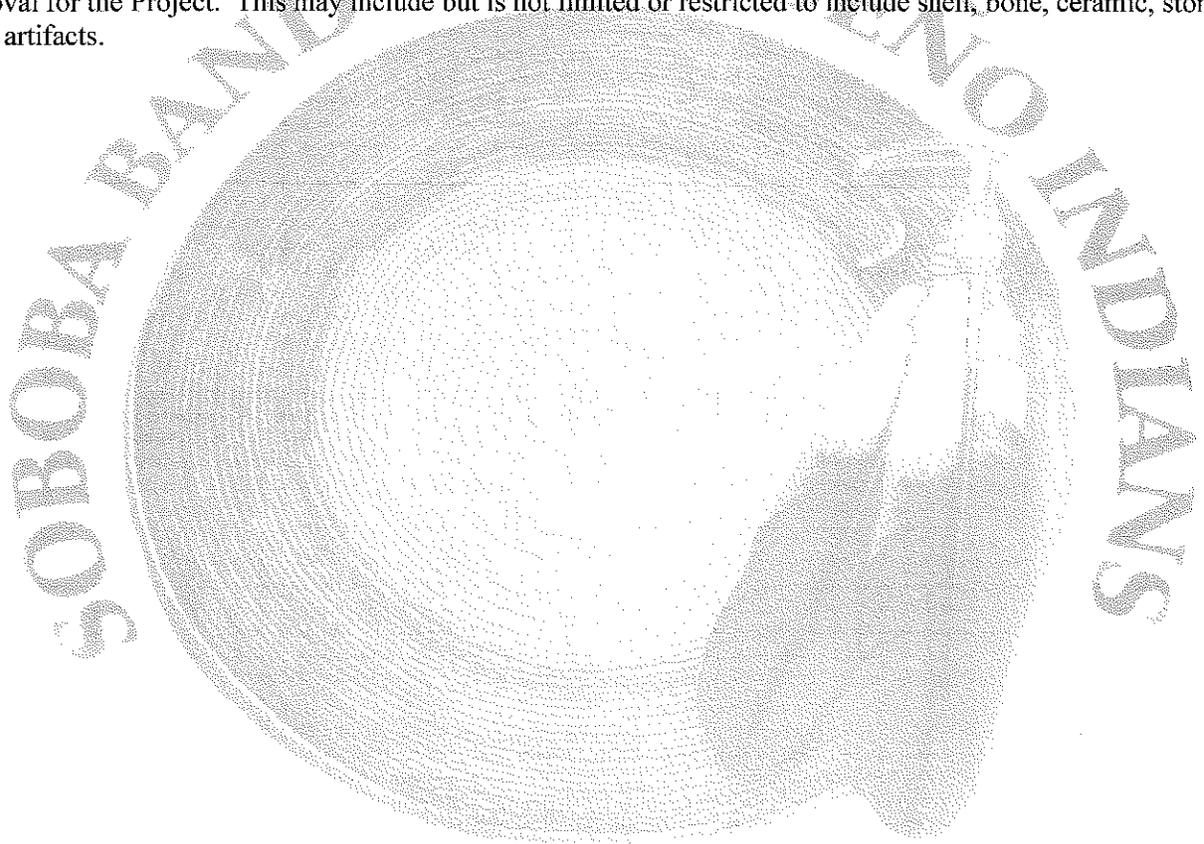
D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.



Confidentiality: The entirety of the contents of this letter shall remain confidential between Soboba and the Department of Veterans Affairs. No part of the contents of this letter may be shared, copied, or utilized in any way with any other individual, entity, municipality, or tribe, whatsoever, without the expressed written permission of the Soboba Band of Luiseño Indians.



Date: January 5, 2018

To: Maina Gakure, DBA
Office of Real Property (003C1E)
Real Property Strategic Utilization Service (RPSUS)
Department of Veterans Affairs
Office of Construction & Facilities Management (CFM)
Washington, DC 20420

RE: Soboba Band of Luiseño Consultation Comments Regarding the Proposed Riverside National Cemetery Expansion

This memo contains our formal comments regarding the proposed expansion of Riverside National Cemetery in Riverside County, California resulting from government-to-government consultation under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and its implementing regulations (36 CFR 800).

Riverside National Cemetery is located in western Riverside County, approximately 10 miles southwest of the city of Moreno Valley, surrounded by modern residential development and undeveloped parcels, with March Air Reserve Base to the east. The Project will expand the current 941-acre cemetery by 315 acres, for a total size of 1,256 acres. The expansion will include development of the General Old Golf Course, as well as other areas to the south and east of the existing cemetery.

Consultation under Section 106 for the Project consisted of a series of phone conversations between the VA and Soboba, and an on-site, in-person formal consultation meeting on November 27, 2017 among myself, Mr. Joseph Ontiveros of Soboba Cultural Resources, Mr. Doug Pulak, National Preservation Officer of the VA, and Dr. Mitch Marken of Paleo Solutions, Inc. The consultation determined that the area has cultural importance to the Soboba Band, and that a confidential, limited-in-scope, "focused" Ethnographic Landscape Study should be undertaken to better illustrate the connection and potential significance of the landscape to the Soboba band. The confidential landscape study was completed and accepted by the Soboba band on December 22, 2017.

Of concern to the Soboba Band is the fact that scores of archaeological sites dated to the prehistoric and ethnographic period have been discovered and recorded throughout the immediate vicinity with many in close proximity to the cemetery. The majority of the sites recorded are recommended as Not Eligible to the National Register of Historic Places (NRHP) under Criterion D because they were evaluated individually, rather than within a broader landscape context.

The project specific Cultural Resources investigation completed for the cemetery expansion in 2017 by Environmental Intelligence LLC confirmed that the area is rich in archaeological sites. Within the Project APE ten (10) sites with prehistoric milling features (grinding slicks and bedrock mortars used for food preparation) had been previously recorded, and within a half-mile of the area, an additional forty-seven (47) sites with prehistoric milling features were recorded including one (1) prehistoric site with milling features and a lithic scatter, and two (2) prehistoric isolates. During their 2017 survey, Environmental Intelligence discovered two (2) additional

prehistoric milling sites, bringing the total recorded within the Study Area extending out ½ mile to nearly sixty (60) prehistoric or ethnographic sites. This total is low given it reflects only the areas within ½ mile of the Study Area subject to modern archaeological survey.

Due to the large number of archaeological sites recorded within in the area the Soboba Band feels the area in and around Riverside National Cemetery can be considered a component of a much larger Ethnographic Landscape that contains the recorded material remains of long term habitation, utilization, subsistence and later acculturation of Native Americans that contains heritage resources related to subsistence as defined in National Preservation Brief 36.

The confidential landscape study Soboba requested was very limited in scope, however it affirmed that the location of the Riverside National Cemetery was connected to Soboba from a broader perspective. The Soboba Band, descendants of both Cahuilla and Luiseño, have a strong ethno-historic connection to the mountains around, and the valleys in and surrounding the Study Area. The connections are evidenced by historic accounts and creation stories that include locations both near and far, and reports of villages or prominent places within a few miles of the Project Area. The archaeological sites in and surrounding the Project Area verify the high intensity of subsistence activities including preparation of food also described in historic accounts and ethnographic histories. The archaeological sites consist of hundreds of grinding or milling stations, slicks and bedrock mortars indicating prolonged use and habitation. There is documented evidence that established Indian trails used by Anza lead past Soboba directly into the project vicinity and they likely served numerous other tribes.

The area still maintains views of sacred geological markers, while a large part of the valley floor has, and continues to be developed. There are still a multitude of sites both above and below ground although their physical connections have been severed by development.

Integrity is often used to recommend sites as Not Significant. Many of these recommendations are made without considering a landscape approach, or using a historical context, or with an understanding of the broader research potential. The piecemeal approach used to evaluate individual sites in the area has not enhanced our understanding of past human activities.

From a tribal perspective, the question of significance, importance, or integrity of sites, landscapes or archaeological districts is based on the beliefs and associations of an area held by the tribe or tribal members.

Tribal significance of an area, site or landscape can generally be related to NRHP Criteria A: associated with events that have made a significant contribution to the broad patterns of our history; or NRHP Criteria B: associated with the lives of persons significant in our past. Regarding Criteria A, one event that stands out is the passing of Anza's Expedition that passed Luiseno and Cahuilla villages using established trails, before passing through March Air Force Base. This Spanish foray into the area marked the beginning of a new way of life for Southern California tribes. Regarding Criteria B, it should be noted that within an Anglo-historic context it generally relates to people who have birth certificates, however our tribal beliefs maintain that our creators are in fact our flesh and blood ancestors. Although no specific historic or ethnographic people are known to be directly associated with the Project Area, the valley itself is surrounded by natural formations that are associated with important persons.

In summary, although no site-specific information regarding the prehistoric sites recorded within the Project Area was uncovered that may qualify the individual sites as significant under Criteria

A – C, they are related to, and in close proximity to a known village and we consider the area sensitive.

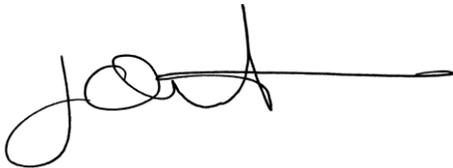
It is recommended that consultation with the Soboba continues, and that future federal actions within the Project Area incorporate a landscape or district approach regarding the evaluation of cultural resources found within its management areas that includes input from all concerned tribes. Any future cultural resources investigations should go beyond the general cultural histories, and incorporate specific ethnographic information and tribal determinations of significance.

36 CFR 800.5(b) emphasizes an agency's finding of No Adverse Effect is only a proposal, however, the practice of "conditional No Adverse Effect determinations" is acceptable and has been used by the VA. Conditions may include incorporation of surface features of archaeological sites into the design of the expansion. The VA should discuss their opinion regarding the effects of the project on cultural resources prior to making a final decision.

Given the large amount of soil excavation needed to prepare cemetery sections, the high density of archaeological sites in the area and likelihood of uncovering additional sites below landscaped areas such as the General Old Golf Course, in addition to the significance of the area to the Soboba, it is recommended that the VA also proactively enter into an agreement with Soboba to monitor any future excavation within Riverside National Cemetery to ensure any undocumented resources that may be unearthed during future excavations are treated appropriately from an archaeological and tribal perspective.

Please feel free to contact me with any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'JOE', with a long horizontal line extending to the right.

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