

# V1. CHAPTER 4

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## DEIR – Tribal Responses

This chapter contains the Tribal comment letters received on the proposed Coast Highway Corridor Study Project (project) Draft Environmental Impact Report (DEIR) and the City of Oceanside’s (City’s) individual responses to significant environmental issues raised in those comments. Each letter, as well as each individual comment within the letter, has been given an assigned letter and number for cross-referencing. Responses are sequenced to reflect the order of comments within each letter. **Table V1.4-1** lists all Tribal governments who submitted comments on the DEIR during the public review period.

**TABLE V1.4-1**  
**LIST OF DEIR TRIBAL GOVERNMENT COMMENTERS**

<b>Letter No.</b>	<b>Commenter</b>	<b>Date of Comment</b>	<b>Comment Page Number</b>	<b>Response Page Number</b>
DEIR T1	San Luis Rey Band of Mission Indians, Merri Lopez-Keifer, Chief Legal Counsel	8/3/2017	V1.4-2	V1.4-3
DEIR T2	Rincon Band of Luiseño Indians, Erica Martinez, Administrative Assistant	8/23/2017	V1.4-4	V1.4-6

**SAN LUIS REY BAND OF MISSION INDIANS**

***1889 Sunset Drive • Vista, California 92081  
760-724-8505 • FAX 760-724-2172  
www.slrmissionindians.org***

August 3, 2017

John Amberson  
Transportation Planner  
City of Oceanside  
300 N. Coast Highway  
Oceanside, CA 92054

**VIA ELECTRONIC MAIL**  
**jamberson@ci.oceanside.ca.us**

**RE: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT  
FOR COAST HIGHWAY CORRIDOR STUDY PROJECT**

Dear Mr. Amberson:

We, the San Luis Rey Band of Mission Indians (“Tribe”), have received and reviewed the City of Oceanside’s (“City’s”) Draft Environmental Impact Report (“DEIR”) and all of its supporting documentation as it pertains specifically to the protection and preservation of Luiseño tribal cultural resources that may be located within the parameters of the Coast Highway Corridor Study Project’s (“Project’s”) proposed areas of impact.

After our review of the DEIR, the Tribe is satisfied and concurs with the proposed tribal cultural resource mitigation measures contained within the DEIR.

The San Luis Rey Band of Mission Indians appreciates this opportunity to provide the City of Oceanside with our comments on the Coast Highway Corridor Study Project. As stated above, the Tribe is satisfied and concurs with the mitigation measures for tribal cultural resources as proposed in the DEIR. As always, we look forward to working with the City to guarantee that the requirements of the CEQA are rigorously applied to this Project and all projects. We thank you for your continuing assistance in protecting our invaluable Luiseño tribal cultural resources.

DEIR T1-1

Sincerely,



Merri Lopez-Keifer  
Chief Legal Counsel

**Letter  
DEIR T1  
Response**

**San Luis Rey Band of Mission Indians  
Merri Lopez-Keifer, Chief Legal Counsel  
August 3, 2017**

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DEIR T1-001 The commenter indicates that the Tribe has reviewed the DEIR and supporting documentation, and indicates that the Tribe is satisfied and concurs with the proposed tribal cultural resources mitigation measures. The Tribe further states that it appreciates the opportunity to provide comments to the City. The City acknowledges the Tribe’s review and appreciates the Tribe’s participation in this process.

**From:** Erica Martinez [mailto:emartinez@RinconTribe.org]  
**Sent:** Wednesday, August 23, 2017 8:56 AM  
**To:** John Amberson <JAmberson@ci.oceanside.ca.us>  
**Cc:** Destiny Colocho <DColocho@RinconTribe.org>  
**Subject:** Coast Highway Corridor Study

Dear Mr. Amberson:

This letter is written on behalf of the Rincon Band of Luiseño Indians. We have received your notification regarding the Coast Highway Corridor Study and we thank you for the opportunity to consult on this project. The location you have identified is within the Territory of the Luiseño people, and is also within Rincon’s specific area of Historic interest.

DEIR T2-1

DEIR T2-2

DEIR T2-3

DEIR T2-4

DEIR T2-5

Embedded in the Luiseño Territory are Rincon’s history, culture and identity. The project is within the Luiseño Aboriginal Territory of the Luiseño people. Rincon appreciates the opportunity to provide comment to the Draft EIR for the Coast Highway Corridor Study. Rincon’s comments/questions are as follows:

1. Mitigation Measure (MM) Complete Streets CR-3 requests that a monitoring and/or evaluation report be submitted prior to release of the grading bond. Rincon would like to request a copy of this report.
2. MM Incentive District CR-1 states that “individual development projects implemented under the Incentive District subject to a Phase I Cultural Resources Inventory.” Rincon requests that the Phase I Survey be conducted with a Luiseño monitor.
3. Page 3.4-2 of the DEIR includes information regarding the records search results from the SCIC. Rincon requests a copy of all records and reports from the SCIC record search results be provided to the tribe.

We look forward to hearing from you. If there are any questions or concerns please do not hesitate to contact our office at (760) 297-2635 at your convenience

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

**Erica A. Ortiz-Martinez**  
Administrative Assistant

For Destiny Colocho, Cultural Resources Manager

Cultural Resources Department

**Rincon Band of Luiseño Indians**

1 West Tribal Road | Valley Center, CA 92082

Office: 760-297-2635

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Email: [emartinez@rincontriibe.org](mailto:emartinez@rincontriibe.org)



*Rincon Band of  
Luiseño Indians*

[www.rincontriibe.org](http://www.rincontriibe.org)

**Letter  
DEIR T2  
Response****Rincon Band of Luiseño Indians  
Erica Martinez, Administrative Assistant  
August 23, 2017**

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- DEIR T2-001 The commenter states that Tribe appreciates the opportunity to consult on the project, and that the project is located within the Territory of the Luiseño people, and within Rincon’s specific area of Historic interest. The City acknowledges the comment and thus this comment is included in the Final Environmental Impact Report (FEIR) for consideration by the City prior to a final decision on the project.
- DEIR T2-002 The commenter indicates that MM Complete Streets CR-3 requires release of a monitoring or evaluation report be submitted prior to release of the grading bond. The Tribe requests a copy of the report at the time of its issuance. In accordance with state law, including Section 6254(r) and Section 6254.10 of the California Government Code, and Section 15120(d) of Title 14 of the California Code of Regulations, the City cannot release the confidential cultural resources data contained in the confidential version of the report. However, the City could consider providing a non-confidential, public version of the monitoring or evaluation report to the commenter at that time. This comment is included in this FEIR for consideration by the City prior to a final decision on the project.
- DEIR T2-003 The commenter requests that MM Incentive District CR-1 be revised to include the participation of a Luiseño monitor during the Phase I survey required by the measure. Because this comment was provided after the Assembly Bill 52 consultation process ended, MM Incentive District CR-1, which was developed in consultation with California Native American tribes, will not be revised. However, the City notes that under the mitigation measure, outreach to the Native American Heritage Commission (NAHC) and consultation with appropriate California Native American tribes will be required as part of each future development project. This comment is included in this FEIR for consideration by the City prior to a final decision on the project.
- DEIR T2-004 The commenter refers to the results of a records search, which is summarized in the DEIR. The Tribe requests a copy of the records search. While the comment does not pertain to the accuracy or adequacy of the DEIR, the City notes that a non-confidential, public version of the Phase I Cultural Resources Assessment report was included as Appendix D of the DEIR. In accordance with state law, including Section 6254(r) and Section 6254.10 of the California Government Code, and Section 15120(d) of Title 14 of the California Code of Regulations, the City cannot release confidential cultural resources information. This comment is included in this FEIR for consideration by the City prior to a final decision on the project.

DEIR T2-005 This comment is conclusory in nature and provides the commenter’s contact information. This comment does not raise any issue concerning the adequacy of the DEIR and no further response is required. This comment is included in this FEIR for consideration by the City prior to a final decision on the project. The City appreciates the Tribe’s participation in this process.

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