

NATIVE AMERICAN HERITAGE COMMISSION

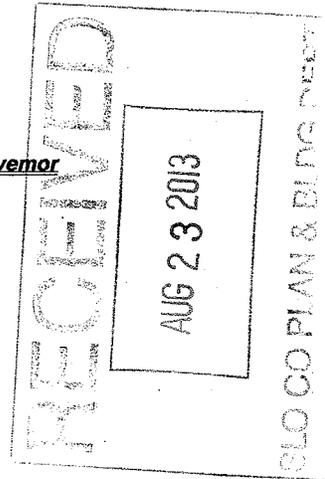
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August 20, 2013

Mr. Brian Pedrotti, Project Planner

County of San Luis Obispo Planning & Building

976 Osos Street, Room 300
San Luis Obispo, CA 93408-2040



RE: SCH#2012041037 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the **"DANA Land Use Ordinance Amendment and Conditional Use Permit Project (in support of the Dana Adobe Nipomo amigos Educational, Historical and Cultural Mission);"** located in the Community of Nipomo; San Luis Obispo County, California

Dear Mr. Pedrotti:

The Native American Heritage Commission (NAHC) has reviewed the CEQA Notice regarding the above referenced project. In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Contact the appropriate Information Center for a record search to determine if a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s). The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report (DEIR).

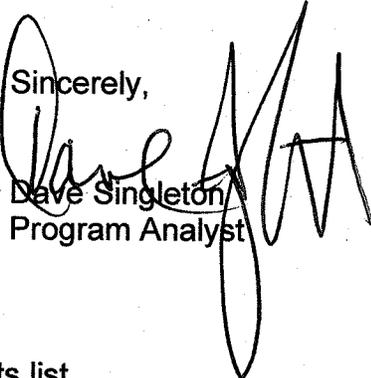
If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to

the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Health & Safety Code Section 7050.5 and California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f). Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans. Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,


Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

**Native American Contacts
San Luis Obispo County
August 20, 2013**

Beverly Salazar Folkes
1931 Shadybrook Drive
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Tataviam
Ferrnandeño

Judith Bomar Grindstaff
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Salinan

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
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Santa Ynez , CA 93460
varmenta@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road Chumash
Grover Beach CA 93433
(805) 481-2461
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Barbareno/Ventureno Band of Mission Indians
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Peggy Odom
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Lei Lynn Odom
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(805) 489-5390

Salinan Tribe of Monterey, San Luis Obispo Counties
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Atascadero , CA 93422 Chumash
salinantribe@aol.com
805-460-9202
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805-460-9204

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012041037; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the DANA Land Use Ordinance Amendments and Conditional Use Permit; located in the Community of Nipomo; San Luis Obispo County, California.

**Native American Contacts
San Luis Obispo County
August 20, 2013**

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
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(805) 905-1675 - cell Shoshone Paiute
Yaqui

Xolon Salinan Tribe
Johnny R Eddy Jr, Chairperson
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Richmond , CA 94806
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Salinan Nation Cultural Preservation Association
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Salinan Nation Cultural Preservation Association
Robert Duckworth, Environmental Coordinator
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Valley Springs CA 95252
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Coastal Band of the Chumash Nation
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yak tityu tityu - Northern Chumash Tribe
Mona Olivas Tucker, Chairwoman
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**Native American Contacts
San Luis Obispo County
August 20, 2013**

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Tribal Admin/Counsel Sam Cohen
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Barbareno/Ventureno Band of Mission Indians
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Northern Chumash Tribal Council
Fred Collins, Spokesperson
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Barbareno/Ventureno Band of Mission Indians
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**Native American Contacts
San Luis Obispo County
August 20, 2013**

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