

## Kato, Stephanie@ARB

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**From:** Pineda, Chyrisse@ARB  
**Sent:** Tuesday, May 17, 2022 9:33 AM  
**To:** Dilley, Shannon@ARB; Christen, Matthew@ARB; Kato, Stephanie@ARB  
**Cc:** Fancher, Rebecca@ARB; ARB California Environmental Quality Act  
**Subject:** FW: Draft Environmental Analysis for California's 2022 Climate Change Scoping Plan Update

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,

I want to be sure that you all see the response we received from the San Manuel Band of Mission Indians. Let me know if there is anything else you need me to do.

Thanks,  
Chyrisse

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**From:** Ryan Nordness <Ryan.Nordness@sanmanuel-nsn.gov>  
**Sent:** Friday, May 13, 2022 4:40 PM  
**To:** Pineda, Chyrisse@ARB <Chyrisse.Pineda@arb.ca.gov>  
**Subject:** RE: Draft Environmental Analysis for California's 2022 Climate Change Scoping Plan Update

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Hello Chyrisse,

We concur with the provided mitigations for tribal and cultural resources, however a more robust language for unanticipated human remain discovery may be warranted. I have provided our language below:

### **Inadvertent Discoveries of Human Remains/Funerary Objects**

In the event that any human remains are discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately who shall notify SMBMI, the applicant/developer, and the Lead Agency. The Lead Agency and the applicant/developer shall then immediately contact the County Coroner regarding the discovery. 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). The NAHC-identified Most Likely Descendant (MLD), 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 funerary objects shall be treated and disposed of with appropriate dignity. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The applicant/developer/landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

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).

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**From:** Pineda, Chyrisse@ARB <[Chyrisse.Pineda@arb.ca.gov](mailto:Chyrisse.Pineda@arb.ca.gov)>  
**Sent:** Thursday, May 12, 2022 12:50 PM  
**To:** Ryan Nordness <[Ryan.Nordness@sanmanuel-nsn.gov](mailto:Ryan.Nordness@sanmanuel-nsn.gov)>; Jessica Mauck <[Jessica.Mauck@SanManuel-NSN.Gov](mailto:Jessica.Mauck@SanManuel-NSN.Gov)>  
**Subject:** Draft Environmental Analysis for California's 2022 Climate Change Scoping Plan Update

Hello Ms. Mauck/Mr. Nordness:

The message below was sent on May 10 but returned as undeliverable. I am attempting to email you again at the correct email address.

Thank you,  
Chyrisse Pineda

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**From:** ARB California Environmental Quality Act  
**Sent:** Tuesday, May 10, 2022 4:34 PM  
**To:** [Jessica.Mauck@sanmanuelnsn.gov](mailto:Jessica.Mauck@sanmanuelnsn.gov)  
**Cc:** Dilley, Shannon@ARB <[Shannon.Dilley@arb.ca.gov](mailto:Shannon.Dilley@arb.ca.gov)>; Christen, Matthew@ARB <[matthew.christen@arb.ca.gov](mailto:matthew.christen@arb.ca.gov)>; Kato, Stephanie@ARB <[stephanie.kato@arb.ca.gov](mailto:stephanie.kato@arb.ca.gov)>  
**Subject:** Draft Environmental Analysis for California's 2022 Climate Change Scoping Plan Update

Miss Mauck,

Please find attached the Draft Environmental Analysis for California's 2022 Climate Change Scoping Plan Update.

The comment period will run from May 10, 2022 to June 24, 2022.

Thank you.

*Chyrisse Pineda*  
[chyrisse.pineda@arb.ca.gov](mailto:chyrisse.pineda@arb.ca.gov)  
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Staff Services Analyst  
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