

APPENDIX L
AB 52 CONSULTATION RESPONSE FROM TRIBE

Charles Tschudin

From: Anna Starkey <astarkey@auburnrancheria.com>
Sent: Tuesday, March 3, 2026 2:15 PM
To: Charles Tschudin
Subject: AB52: 7-Eleven at 6441 Power Inn Road
Attachments: UAIC_UnanticipatedDiscoveries_TCRs.pdf; UAIC_Tribal Monitoring.pdf

Good afternoon,

Thank you for the notification and opportunity to consult on the 7-Eleven at 6441 Power Inn Road project. We have identified the area as potentially culturally sensitive and request to formally consult government to government pursuant to AB52.

A review of the parcel in our THRS registry does not show any TCRs within a half mile of the parcel. However, much of this area was built up prior to environmental review and archaeological surveys. A review of historic maps shows a tributary of Morrison Creek directly south of the project area, which elevates the potential for cultural sensitivity.

While we do not believe a tribal survey would be productive, we recommend that a paid tribal monitor be present for any of the deeper ground disturbing activities. The monitoring efforts can be scaled back if no cultural constituents are present.

Thank you for involving UAIC in the planning process at an early stage. We ask that you make this letter a part of the project record and we look forward to working with you to ensure that tribal and cultural resources are protected.

Sincerely,

Anna Starkey



Anna M. Starkey, M.A., RPA

Cultural Regulatory Manager
Tribal Historic Preservation Department
United Auburn Indian Community (UAIC)
auburnrancheria.com/programsservices/tribalpreservaion
10720 Indian Hill Road
Auburn, CA 95603

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Tribal Monitoring

Background:

UAIC Tribal Representatives and/or Tribal Monitors act as representatives of their Tribal government. They are experts in their Tribal Cultural Resources (TCRs) who have the statutory authority and expertise to identify sites or objects of cultural value to their Tribe and to recommend appropriate treatment and final disposition of such sites or objects.

The following measure is intended to minimize impacts to existing and/or previously undiscovered TCRs. The total time commitment of the Tribal Monitor(s) will vary depending on the intensity and location of construction and the sensitivity of the area.

Mitigation Measure:

The project proponent or their construction contractor shall comply with the following measure to assist with identification of TCRs at the earliest possible time during project-related earthmoving activities:

- The project proponent shall contact the UAIC THPO (thpo@auburnrancheria.com) at least 2 months, if feasible, prior to project ground-disturbing activities to retain the services of a UAIC Certified Tribal Monitor(s). The duration of the construction schedule and Tribal Monitoring shall be determined at this time.
- A contracted Tribal Monitor(s) shall monitor the vegetation grubbing, stripping, grading, trenching, and other ground-disturbing activities in the project area. All ground-disturbing activities, including rebuild or previously disturbed, shall be subject to Tribal Monitoring unless otherwise determined unnecessary by the UAIC.
- Tribal Monitors or Tribal Representatives shall have the authority to direct that work be temporarily paused, diverted, or slowed within 100 feet of the immediate impact area if sites, cultural soils, or objects of potential significance are identified. The temporary pause/diversion shall be of an adequate duration for the Tribal Representative to examine the resource.
- Appropriate treatment of TCRs may include but is not limited to:
 - a. Recordation of the resource(s)
 - b. Avoidance and preservation of the resource(s)
 - c. Recovery and reburial of the resource(s) onsite or in a feasible off-site location in a designated area subject to no future disturbance. The location of the reburial shall be acceptable to the UAIC.
- To track the implementation of this measure, the Tribal Monitor(s) shall document field-monitoring activities on a Tribal Monitor log.
- The Tribal Monitor(s) shall wear the appropriate safety equipment while on the construction site.

Tribal Monitoring

- The Tribal Monitor, in consultation with the UAIC THPO and the project proponent shall determine a mutual end or reduction to the on-site monitoring if/when construction activities have a low potential for impacting Tribal Cultural Resources.
- In the event the Tribal Monitor does not report to the job site at the scheduled time after receiving 24 hour business day notice, construction activities may proceed without tribal monitoring. At no time, regardless of the presence or absence of a Tribal Monitor, shall suspected TCRs be mishandled or disrespected.
- The CEQA lead shall assist with resolution of disagreements between the project proponent/contractor and the Tribe if such occurs on the project.