



**GABRIELENO TONGVA**  
**SAN GABRIEL BAND OF MISSION INDIANS**

February 5, 2024

FROM: Gabrieleno/Tongva San Gabriel Band of Mission Indians  
Anthony Morales, Tribal Chairperson  
P.O. Box 693  
San Gabriel, CA, 91778  
Phone: (626) 483 - 3564

TO: Mayor Dan Slater and Councilmembers John Gyllenhammer, Ana Gutierrez, Arriana Barrios, Denis Bilodeau, Jon Dumitru and Kathy Tavoularis  
City Council's Office  
300 E. Chapman Ave.  
Orange, CA 92866  
(714) 744-2211  
(714) 744-5523 Fax  
councilinfo@cityoforange.org

Dear City of Orange Mayor and Councilmembers,

The Orange Heights (Santiago Hills II) proposed project area is known by the Gabrieleno/Tongva San Gabriel Band of Mission Indians to be a culturally sensitive area for both pre-contact and post-European arrival cultural resources important to our people. The open space of the proposed project area is contiguous with other preserved open space, including canyons, where a number of village sites were located. This contiguous space represents an important cultural landscape, potentially a Traditional Cultural Property, where views and landforms still exist as they did prior to European and American settlement.

As a part of the cultural resources study completed for the 2005 Environmental Impact Report (EIR) for Santiago Hills II, archaeologists removed one acre of grass and sage scrub species from the surface of CA-ORA-556 as part of the site evaluation process. The site was tested to determine if it was eligible for listing on the California Register of Historical Resources (CRHR) under Criterion 4. In addition to clearly mapping a sample of a village site, the testing confirmed the site was potentially eligible for listing on the CRHR. Therefore, the site is a historical resource and considered a unique archaeological resource for the purposes of California Environmental Quality Act.

The Tribe disagrees with the mitigation measures put forth in the original Environmental Impact Report because the implementation of MM 3H-2 will not reduce impacts to a historical resource to a less-than-significant level. Data recovery excavations only mitigate for impacts to sites eligible for the California Register of Historic Places under Criterion 4: information important to prehistory or history. Data recovery does not mitigate for impacts to Native American values.

In 2005, we advised the City of Orange of the cultural sensitivity of this area. Most of the Tribe's traditional lands and important locations have been destroyed as the City grew. At that time, AB 52, which provides guidelines for government to government consultation between interested Native American individuals and groups, had not yet been enacted and **the Tribe does not consider that consultation between the Tribe and the City of Orange for this project has yet been completed in good faith.** Tribal consultation conducted in good faith provides the best protection for irreplaceable tribal resources.

In order to address the high sensitivity for historical resources within the Orange Heights site as well as concerns about the potential for the project area to contain additional previously unrecorded resources important to Native Americans, especially significant impacts on buried resources, **the City must request The Irvine Company to provide a new and updated Environmental Impact Report that recognizes changes that have taken place both legally and culturally since 2005, as well as a Traditional Cultural Property (TCP) study. We also ask the City to consult with the Tribe in good faith.**

We must speak out against further degradation of our vanishing tribal lands. We ask the City of Orange to stand with us in demanding The Irvine Company reconsider this "development" project which desecrates the Traditional Cultural Property of the Gabrieleno/Tongva San Gabriel Band of Mission Indians.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anthony Morales", with a long horizontal flourish extending to the right.

Anthony Morales  
Tribal Chairman