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If you would like to receive a copy of the Draft EA once it is completed, please inform us within 30 days. CBP will provide you a copy of the draft Cultural Report as soon as it is available for review and comment. Your prompt attention to this request would be greatly appreciated.

Thank you for your interest.

Sincerely,



 Hector E. Montalvo
Director

Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Catherine Saubel, Chairwoman
Los Coyotes Band of Mission Indians
P.O. Box 189
Warner Springs, CA 92086

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Chairwoman Saubel:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

The proposed project would entail the construction of a new border patrol station building that would be designed to accommodate 150 Border Patrol Agents. Other supporting components could include a vehicle maintenance building, helipad, horse stable facilities, canine kennels, backup generators, communications tower, satellite receivers, car wash facility, storage building, all-terrain vehicle storage area, indoor small arms range, parking, utilities, grounds landscaping, and modular workspace. Seven sites were initially considered for the proposed construction, but only the proposed 33-acre site (i.e., the "area of potential effects") met all of CBP's site selection criteria. Therefore, the EA will consider two alternatives in detail: the Proposed Action and the No Action Alternative. Enclosure 1 shows the location of the area of potential effects ("APE").

In order to identify cultural resources within the APE, CBP commissioned 1) a Sacred Lands File Search through the California Native American Heritage Commission (NAHC); 2) a cultural resources records search through the California Historical Resources Information System, South Coastal Information Center (CHRIS-SCIC) at San Diego State

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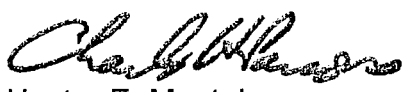
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Hector E. Montalvo
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Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
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**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Leroy J. Elliott, Chairperson
Manzanita Band of Kumeyaay Nation
P.O. Box 1302
Boulevard, CA 91905

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Chairperson Elliot:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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Sincerely,



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Director

Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Robert Martin, Chairman
Morongo Band of Mission Indians
11581 Potrero Road
Banning, CA 92220

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Chairman Martin:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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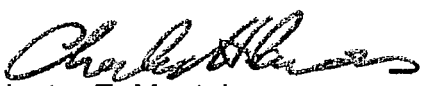
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Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Matthew Franklin, Chairman
Ione Band of Miwok Indians
P.O. Box 1190
Ione, CA 95640

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Chairman Franklin:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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Thank you for your interest.

Sincerely,


Hector E. Montalvo
Director

Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Mark A. Macarro, Chairman
Pechanga Band of Mission Indians
P.O. Box 1477
Temecula, CA 92593

Subject: Preparation of an Environmental Assessment for Construction of a New U.S. Border Patrol Station in Boulevard, San Diego County, California

Dear Chairman Macarro:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Robert Salgado, Chairman
Soboba Band of Mission Indians
P.O. Box 487
San Jacinto, CA 92581

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Chairman Salgado:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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Thank you for your interest.

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Hector E. Montalvo
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Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Mary E. Belardo, Chairwoman
Torres-Martinez Desert Cahuilla Indians
66725 Martinez Road
Thermal, CA 92274

**Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California**

Dear Chairwoman Belardo:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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- By fax: (213) 452-4204

If you would like to receive a copy of the Draft EA once it is completed, please inform us within 30 days. CBP will provide you a copy of the draft Cultural Report as soon as it is available for review and comment. Your prompt attention to this request would be greatly appreciated.

Thank you for your interest.

Sincerely,


Hector E. Montalvo
Director

Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Thomas Beauty, Chairman
Yavapai-Apache Community Council
2400 W. Datsi Street
Camp Verde, AZ 86322

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Chairman Beauty:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

The proposed project would entail the construction of a new border patrol station building that would be designed to accommodate 150 Border Patrol Agents. Other supporting components could include a vehicle maintenance building, helipad, horse stable facilities, canine kennels, backup generators, communications tower, satellite receivers, car wash facility, storage building, all-terrain vehicle storage area, indoor small arms range, parking, utilities, grounds landscaping, and modular workspace. Seven sites were initially considered for the proposed construction, but only the proposed 33-acre site (i.e., the "area of potential effects") met all of CBP's site selection criteria. Therefore, the EA will consider two alternatives in detail: the Proposed Action and the No Action Alternative. Enclosure 1 shows the location of the area of potential effects ("APE").

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Thank you for your interest.

Sincerely,


Hector E. Montalvo
Director

Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Robert Smith, Chairman
Pala Band of Mission Indians
12196 Pala Mission Road
Pala, CA 92059

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Chairman Smith:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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Thank you for your interest.

Sincerely,


Hector E. Montalvo
Director

Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Mike Jackson, Sr., President
Quechan Tribal Council
P.O. Box 1899
Yuma, AZ 85366

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear President Jackson:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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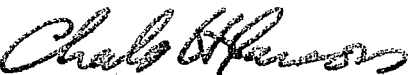
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Thank you for your interest.

Sincerely,


Hector E. Montalvo
Director

Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Manuel Hamilton, Chairman
Ramona Band of Cahuilla Indians
P.O. Box 391372
Anza, CA 92539

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Chairman Hamilton:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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Thank you for your interest.

Sincerely,


Hector E. Montalvo
Director

Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

Mr. David Largo, Cultural Resources Manager
Santa Rosa Band of Mission Indians
325 N. Western Ave.
Hemet, CA 92543

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Mr. Largo:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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Thank you for your interest.

Sincerely,


Hector E. Montalvo
Director

Enclosure: Map of Area of Potential Effects

U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, CA 92677



**U.S. Customs and
Border Protection**

July 22, 2008

The Honorable Danny Tucker, Chairperson
Sycuan Band of the Kumeyaay Nation
5459 Sycuan Road
El Cajon, CA 92021

Subject: Preparation of an Environmental Assessment for Construction of a New U.S.
Border Patrol Station in Boulevard, San Diego County, California

Dear Chairperson Tucker:

The U.S. Department of Homeland Security, U.S. Customs and Border Protection (CBP), proposes to purchase approximately 33 acres of property for the construction of a new U.S. Border Patrol station in Boulevard, San Diego County, California and move operations from an existing, undersized facility in Boulevard to the new facility (i.e., the "project"). The existing station is severely undersized for the number of agents assigned to that location, and it cannot be expanded to provide adequate facility, parking, or storage space. The new facility will be located approximately 1,214 feet (ft) northeast of the existing station. An Environmental Assessment (EA) is being prepared in accordance with the National Environmental Policy Act (NEPA) for this project.

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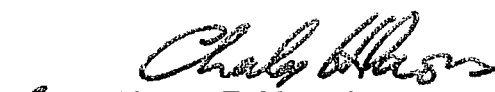
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Thank you for your interest.

Sincerely,


Hector E. Montalvo
Director

Enclosure: Map of Area of Potential Effects

Section 106 Responses

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NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



June 16, 2008

Ms. Amy M. Holmes, RPA, Staff Archaeologist

U.S. DEPARTMENT OF DEFENSE**Army Corps of Engineers - Los Angeles District**

P.O. Box 532711

Los Angeles, CA 90053-2325

Sent by FAX to: 213- 452-4204

No. of Pages: 3

Re: Request for a Sacred Lands File records search for the proposed U.S. Border Patrol Facility Project on a 30-acre Parcel; located in the Community of Boulevard-Manzanita; San Diego County, California

Dear Ms. Holmes:

The Native American Heritage Commission was able to perform a record search of its Sacred Lands File (SLF) for the affected project area. The SLF failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any project area. This project site is in close proximity to previously discovered prehistoric burial sites and is believed to hold numerous cultural resources.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed is the name of the nearest tribes that may have knowledge of cultural resources in the project area. A list of Native American contacts is attached to assist you. It is advisable to contact the persons listed; if they cannot supply you with specific information about the impact on cultural resources, they may be able to refer you to another tribe or person knowledgeable of the cultural resources in or near the affected project area.

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 15064.5(i) and Section 15097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton, Program Analyst

Attachment: Native American Contact List

Native American Contacts
San Diego County
June 16, 2008

Manzanita Band of Kumeyaay Nation
Leroy J. Elliott, Chairperson
PO Box 1302 Kumeyaay
Boulevard , CA 91905
(619) 766-4930
(619) 766-4957 Fax

Sycuan Band of the Kumeyaay Nation
Danny Tucker, Chairperson
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon , CA 92021
ssilva@sycuan-nsn.gov
619 445-2613
619 445-1927 Fax

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road Diegueno/Kumeyaay
Alpine , CA 92001
(619) 445-0385

Jamul Indian Village
William Mesa, Chairperson
P.O. Box 612 Diegueno/Kumeyaay
Jamul , CA 91935
jamulrez@sctdv.net
(619) 669-4785
(619) 669-48178 - Fax

Kumeyaay Cultural Heritage Preservation
Paul Cuero
36190 Church Road, Suite 5 Diegueno/ Kumeyaay
Campo , CA 91906
chairman@campo-nsn.gov
(619) 478-9046
(619) 478-9505
(619) 478-5818 Fax

Kumeyaay Cultural Repatriation Committee
Steve Banegas, Spokesperson
1095 Barona Road Diegueno/Kumeyaay
Lakeside , CA 92040
(619) 742-5587
(619) 443-0681 FAX

Ewilaapaayp Tribal Office
Michael Garcia, Vice-Chairman/EPA Director
PO Box 2250 Kumeyaay
Alpine , CA 91903-2250
michaelg@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Campo Kumeyaay Nation
ATTN: Fidel Hyde, EPA Supervisor
36190 Church Road, Suite 1 Kumeyaay
Campo , CA 91906
(619) 478-9369
(619) 478-5818 Fax

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

Distribution of this list does not relieve any person of 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 New Border Patrol Station, north of U.S. Interstate Highway 8 and the Community of Boulevard-Manzanita, approx. 70 miles east of San Diego; San Diego County, California for which a Sacred Lands File search and Native American Contacts list were requested. A U.S. Department of Homeland Security Project.

Native American Contacts
San Diego County
June 16, 2008

Clint Linton
P.O. Box 507
Santa Ysabel , CA 92070
(760) 803-5694
cjlinton73@aol.com

Manzanita Band of the Kumeyaay Nation
Nick Elliott, Cultural Resources Coordinator
P.O. Box 1302
Boulevard , CA 91905
(619) 766-4930
(619) 925-0952 - cell
(919) 766-4957

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**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov



October 28, 2008

In Reply Refer To: CBP081023A

Charles Parsons, RG
Environmental Program Manager
U.S. Customs and Border Protection
U.S. Department of Homeland Security
Laguna Facility Center
24000 Avila Road, Room 5020
Laguna Niguel, California 92677

Re: Proposed New U.S. Border Patrol Station in Boulevard, San Diego County, California.

Dear Mr. Parsons:

Thank you for submitting to our office, on behalf of the United States Customs and Border Protection (CBP), your letter and supporting documentation regarding the proposed undertaking. Pursuant to 36 CFR Part 800 (as amended 8-05-04) regulations implementing Section 106 of the National Historic Preservation Act, you are seeking my comments on your determination of effects that this undertaking will have on historic properties. The proposed project is the construction of a new U.S. Border Patrol Station in Boulevard, San Diego County, California. The new station is needed to replace the existing facility, which is undersized for the current staff of agents. The proposed location is a 33 acre parcel of vacant land located approximately 1,200 feet northeast of the existing Boulevard CBP Station. This is the project Area of Potential Effects (APE). I concur that your determination of an APE and your efforts to identify historic properties have been completed in accordance with 36 CFR Part 800. In addition to your letter of October 14, 2008, you have submitted the following document as evidence of your efforts to identify historic properties in the project APE:

- *Phase I Cultural Resources Assessment of the North Ribbonwood Road Site (APN 612-021-05-00), Boulevard, San Diego County, California* (D. Stephen Dibble and Amy M. Holmes, U.S. Army Corps of Engineers, Los Angeles District: August 21, 2008).

After reviewing your letter and supporting documentation, I have found several inconsistencies between the historic property evaluations and finding of effects both within your letter and between your letter and the supporting documentation. Both the supporting document (Dibble & Holmes 2008:16) and your letter (October 14, 2008 page 2) state that the two historic debris scatters, CA-SDI-18993 and CA-SDI-18994, located in the APE have been determined not eligible for the National Register of Historic Places. However, later in your letter under your lists of items for which you are

requesting my concurrence, you state that both sites are eligible for the NRHP and request my concurrence with your determination of a finding of No Adverse Effect for this undertaking.

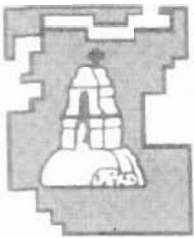
Having reviewed the text of the Dibble & Holmes (2008) report, the DPR 523 archaeological site records appended to that report, and the text of your letter, I conclude that neither of these historic debris/can scatters meets any of the eligibility criteria for the NRHP and concur with that determination. I am assuming that your request later in your letter that I concur that these sites are NRHP eligible was made in error. I also find that your determination of a finding of effect, that being No Adverse Effect, is not in accordance with 36 CFR Part 800.5(b). That finding presupposes that a NRHP-eligible historic property is present within the project APE. As there are no NRHP eligible historic properties in the APE of this undertaking, the finding of effect pursuant to 36 CFR Part 800.4(d)(1) is that of No Historic Properties Affected. If you disagree with my interpretation of this undertaking, please contact William Soule of my staff as directed below.

Be advised that under certain circumstances, such as unanticipated discovery or a change in project description, the CBP may have additional future responsibilities for this undertaking under 36 CFR Part 800. Thank you for seeking my comments and for considering historic properties in planning your project. If you require further information, please contact William Soule, Associate State Archeologist, at phone 916-654-4614 or email wsoule@parks.ca.gov.

Sincerely,

Susan K. Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer



PALA BAND OF MISSION INDIANS

Tribal Historic Preservation Office

35008 Pala Temecula Rd. PMB 445

Pala, CA 92059

PH: (760) 891-3592
FAX: (760) 742-4544

July 31, 2008

Hector E. Montaivo
DHS, Laguna Facility Center
24000 Avila Road, Rm. 5020
Laguna Niguel, CA 92677

Re: **Consultation, Border Patrol Facility Construction, Boulevard, San Diego County, California**

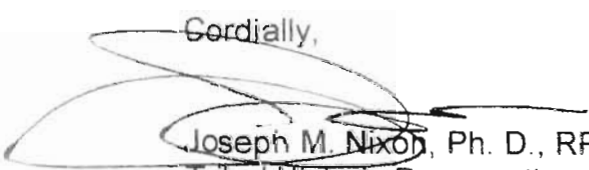
Mr. Montaivo,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project as above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the recognized Pala Indian Reservation. It also is beyond the boundaries of territory that the Tribe considers its Traditional Use Area. Therefore, we have no objection to project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area. However, if the project boundaries are modified to extend beyond the currently proposed limits, we do request updated information and the opportunity to respond to your changes.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact Joseph M. Nixon at 1 (760) 891 3592 or at e.mail jnixon@palatribe.com.

Cordially,


Joseph M. Nixon, Ph. D., RPA
Tribal Historic Preservation Office
Pala Band of Mission Indians

Cc: Leroy Miranda

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