Response to Comment Letter N

Rincon Band of Luiseño Indians
Culture Committee
Rose Duro
March 20, 2013

N-1
This comment is introductory in nature and does not raise an environmental issue for which a response is required.

N-2
This comment is introductory in nature and does not raise an environmental issue for which a response is required.

N-3
Page 2.5-30 of the DEIR states “Feasible and enforceable mitigation measures that would reduce direct and cumulative impacts to archaeological resources could not be identified.” This statement does not imply that appropriate mitigation measures could not be identified as the commenter has suggested. Rather, this statement explains that the County went through the process of identifying mitigation measures, and those that would reduce impacts to less than significant were deemed infeasible for reasons such as: (1) the County does not have access to all of the potential future sites for development of equine uses, (2) the County does not have the legal right to survey all potential historic sites in the unincorporated area, and (3) surveying or grading monitoring would...
directly conflict with the streamline permit process (Project Objective 1) because once the ministerial permit is issued there are no on-going or follow-up actions between the County and the applicant. Please refer to Response P-4 and Section 2.5.6 of the DEIR for further details. The County is willing to consider any additional feasible mitigation.

N-4
The County is not clear on what an “avoidance alternative” would entail. The No Project Alternative as analyzed in Section 4.4 of the DEIR would maintain the existing Zoning Ordinance, which requires a Major Use Permit (MUP) for new equine uses. Therefore, all future equine uses would require discretionary review and would be subject to CEQA.

N-5
The Proposed Zoning Ordinance Amendment would continue to require consultation with local Tribal Governments and the Native American Heritage Commission (NAHC) for future equine uses under Tier Three and Tier Four.

N-6
Pursuant to existing regulations, Native American monitoring will be required for Tier Three and Tier Four Projects. Section 2.5.2 of the DEIR addresses Section 87.430 of the Grading Ordinance, which provides for the requirement of a paleontological monitor. Section 2.5.2 the DEIR describes the procedures pursuant to Section 15064.5e of the CEQA Guidelines, Section 5097.98 of the Public Resources
Code, and Section 87.429 of the Grading Ordinance in the event of the discovery of human remains. The Proposed Zoning Ordinance Amendment would not eliminate the need to provide such monitoring and environmental review for Tier Three and Tier Four equine uses. Native American monitoring would not be required for Tier One and Tier Two equine uses because, as stated in Section 2.5.6 of the DEIR, monitoring would directly conflict with the streamline permit process (Project Objective 1) because once the ministerial permit is issued there are no on-going or follow-up actions between the County and the applicant. Please refer to Response P-4 and Section 2.5.6 of the DIER for further details.

This comment concludes the letter and does not raise a significant environmental issue for which a response is required.
Response to Comments

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