

Comment Letter O



San Diego County Archaeological Society, Inc.

Environmental Review Committee

24 February 2013

To: Mr. Carl Stiehl
 Department of Planning and Development Services
 County of San Diego
 5510 Overland Avenue, Suite 110
 San Diego, California 92123

Subject: Draft Environmental Impact Report
 Tiered Equine Ordinance
 POD 11-011, Log No. 3803-11-011

Dear Mr. Stiehl:

I have reviewed cultural resources aspects of the subject DEIR on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in the documents posted on the County's website, we have the following comments:

Regarding historical resources (i.e., built environment), Section 2.5.6 of the DEIR proposes mitigation measure M CR-1, which states:

The County shall provide incentives through the Mills Act to encourage the restoration, renovation, or adaptive reuse of historic resources. This will be done by reaching out to property owners with identified historic resources to participate.

As a mitigation measure, M CR-1 is meaningless.

1. There are very few identified historic resources that would be likely to fall under the proposed ordinance, and there is no provision for identifying more under Tier 1 and Tier 2. The only unincorporated communities for which any historic survey has been completed are Fallbrook, Ramona and Bonita, and all were completed over 20 years ago.
2. To the extent that such resources do exist, "reaching out to property owners with identified historic resources" would require Historic Site Board staff to become involved. Yet current County funding for the HSB has reduced meeting frequency and has not permitted staff to complete work on a California Certified Local Government grant dealing with the Julian "J" designator area. Furthermore, DPDS cultural resource staffing has decreased to a single person, from three as recently as six months ago, making any outreach activities impossible.

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Response to Comment Letter O

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- O-1** This comment is introductory in nature and does not raise an environmental issue for which a response is required.
- O-2** The County believes the commenter is referring to MM-CUL-1 (not M CR-1) from Section 2.5.6 of the DEIR.
- O-3** The County does not agree with this comment. The referenced mitigation measure is a feasible measure by which the County can encourage the restoration, renovation or adaptive use of historical resources. While this mitigation measure would not reduce impacts to historic resources a level less than significant, as noted in Section 2.5.6 of the DEIR, this measure would help to reduce impacts to historical resources. Other measures, such as requiring an historical resources study for all projects is infeasible as Tier 1 and Tier 2 projects would not be streamlined meeting project objectives for permit flexibility.
- O-4** See response to O-3. While the County understands there are current limitations, this mitigation measure may be implemented as funding and resources become

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<p>3. The Mills Act is entirely voluntary and thus provides no enforceable means for impact mitigation. While Mills Act participation is certainly to be encouraged, it requires the owner's consent and encounters fees for processing and, typically, research and report preparation.</p> <p>4. Mills Act property tax savings are typically small or, more commonly, nonexistent for long-time property owners.</p> <p>5. The changes to a property to initiate horse-keeping could very well make the resource ineligible for landmarking and the Mills Act.</p> <p>Regarding archaeological resources, concentrated traffic of hoofed animals, along with their waste products, can be highly damaging to archaeological sites. The most likely areas for such sites to exist are the same areas most likely to be attractive and practical for horse enclosures and stabling. As Section 8.6 of the DEIR acknowledges, the greater the number of horses permitted per acre, the greater the likely impacts.</p> <p>Thus, unless the No Project Alternative is adopted, decreasing the number of horses per acre, as under the "Four Horses per Acre Alternative", is preferred for reducing impacts to archaeological resources.</p> <p>Another possibility, not analyzed in the DEIR, would be combining the Four Horses per Acre Alternative with the Reduced Project Area Alternative. This would further reduce potential cultural resources impacts, though still not to the level of insignificance.</p> <p>By way of comment, the No Project Alternative, when viewed on a "plan-to-plan" basis, would result in no impacts to cultural resources, as all such impacts by definition are currently permitted. As it was not a project objective to reduce current potential impacts to such resources, the level of significant impacts that would result if the new ordinance were not to be adopted is irrelevant.</p> <p>Thank you for the opportunity to offer our comments on the DEIR.</p> <p style="text-align: center;">Sincerely,  James W. Royle, Jr., Chairperson Environmental Review Committee</p> <p>cc: SDCAS President File</p> <p style="text-align: center;">P.O. Box 81106 • San Diego, CA 92138-1106 • (658) 538-0935</p>	<p style="text-align: center;"> O-5 O-6 O-7 O-8 O-9 O-10 O-11 O-12</p>	<p>available. It is anticipated that most horse stables being permitted under the new ordinance will be in locations already impacted, for example existing private stables. Therefore, existing resources will remain in place.</p> <p>O-5 See responses to O-3 and O-4. The referenced mitigation measure is intended to assist in the restoration, renovation and adaptive use of historical resources. It is not intended to mitigate all potential historical resource impacts to a level less than significant.</p> <p>O-6 This comment does not raise an environmental issue for which a response is required.</p> <p>O-7 The private use of horses, known as horsekeeping is already allowed throughout the County and does not require a historic resource study. This will continue to be the case as horsekeeping does not require any permits.</p> <p>O-8 Comment noted. As commenter has stated, the DEIR acknowledges this concern.</p> <p>O-9 Comment noted. Ultimately, the County Board of Supervisors will determine which project or alternative will implemented. The information in this comment will be in the Final EIR for review and consideration by the Board.</p>
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	<p>O-10 The County is not required to analyze an alternative suggested in public comments. The suggested alternative would generally result in the same conclusions as the alternatives analyzed currently in the DEIR. Ultimately, the County Board of Supervisors will determine which project or alternative will be implemented. The information in this comment will be in the Final EIR for review and consideration by the Board.</p> <p>O-11 A plan-to-plan analysis is not allowed under CEQA. The County's DEIR uses the proper plan-to-ground approach to analyze impacts. Determinations of the proposed project's effects on the environment are based on a comparison of existing conditions on the ground to future conditions anticipated under the proposed project. Similarly, environmental impacts from alternatives analyzed in Chapter 4.0 of the DEIR are evaluated using the plan-to-ground approach.</p> <p>O-12 This comment is a concluding statement and does not raise an environmental issue for which a response is required.</p>
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