

July 28, 2014

Mr. Mark Slovick
Department of Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, California 92123

Subject: Revised Draft Environmental Impact Report
Lilac Hills Ranch Project

Dear Mr. Slovick:

I have reviewed the cultural resources portions of the subject Draft Revised EIR on behalf of the San Diego Archaeological Center and have the following comments.

Section 4.1.4 Curation of the EIR states that:

Cultural material collected will be curated at the San Diego Archaeological Center or other appropriate curatorial facility. Alternatively, cultural material may be repatriated to the appropriate Luiseño Tribe, as determined by agreement among the Tribes, the Principal Investigator, and County staff.

We believe that the scientific community should be given the opportunity for consultation regarding the final disposition of the archaeological collections, as they are unique records of the past. The artifacts, not subject to repatriation under NAGPRA, should be curated at a facility that is accessible to researchers, available for public education and cared for in a curatorial facility meeting the requirements in Federal Regulation, 36 CFR Part 79 (Curation of Federally-Owned and Administered Archeological Collections), which is generally regarded as the standard.

We feel that there has been a conflation of requirements set forth in SB 18 and the Native American Graves and Repatriation Act (NAGPRA), with tribes being assured during the SB 18 consultation that all artifacts will be given to them. The intent of SB 18 is to foster the “preservation of, or the mitigation of impacts to, specified Native American places, features, and objects” that may be impacted by changes to the general plan. In fact, SB 18 is clearly intended to protect places and preserve them in open space if possible. It does not require that artifacts that may be excavated during the course of mitigation be “repatriated” to tribes *in toto*.

NAGPRA is very specific on what archaeological artifacts that may be eligible for repatriation to culturally-affiliated tribes, including human remains, associated funerary objects, unassociated funerary objects, sacred objects and objects of cultural patrimony. All qualified archaeologists

and curation institutions in San Diego comply with NAGPRA as a matter of course. The remainder of the collection may then be employed in public education and continued research.

We work to leverage the public value of archaeological collections by creating and delivering a variety of programming, emphasizing science as an exciting and dynamic process of discovery and a pathway to social change:

- K-12 educational programs focus on STEM learning using the archaeological process as an example of the scientific method.
- Exhibits, both on- and off-site, are based on current research and are designed to be provocative and interactive, asking the viewer questions and encouraging independent observation.
- Research, including student research, aims to apply new technologies to get the most out of existing archaeological collections. Research results help to satisfy curiosity as well as inform public policy.

The Center currently has no collections from the sites involved in this project, which have great potential for continued scientific research, public education and cultural awareness. We urge you to consider having the collection curated at a qualified curatorial facility.

Sincerely,

A handwritten signature in black ink, reading "C. Stankowski". The signature is fluid and cursive, with a large initial "C" and a stylized "S".

Cindy Stankowski
Executive Director