

2.4 Cultural Resources

The assessment of the potential of the proposed JVR Energy Park Project (Proposed Project) to impact historical and archaeological resources is presented below. Confidential records and maps are on file at the County of San Diego, Planning & Development Services and with the South Coastal Information Center (SCIC). The analysis was based on the following reports prepared for the Proposed Project:

- Cultural Resources Report for the JVR Energy Park Project (Appendix E)
- Historical Resources Technical Report for JVR Energy Park Project (Appendix D of Appendix E, Cultural Resources Report)
- JVR Energy Park Project – Ground Penetrating Radar Study Fieldwork Summary (Appendix F of Appendix E, Cultural Resources Report)
- Proposed Project Revisions Technical Memorandum (Appendix R)

Comments received in response to the Notice of Preparation (NOP) included concerns regarding the proper consideration and evaluation of prehistoric archaeological resources, and proper evaluation of historic archaeological and built-environment resources. These concerns are addressed in Appendix E and are summarized in this section. A copy of the NOP and comment letters received in response to the NOP are included in Appendix A of this Environmental Impact Report (EIR).

The Proposed Project's area of disturbance was reduced from 643 acres to 626 acres as a result of minor changes to the Project area, as described in Chapter 1 (Section 1.2 Project Description) of the Final EIR. The area of disturbance includes approximately 623 acres within the Major Use Permit (MUP) boundary. The Proposed Project also includes approximately three acres of temporary disturbance outside of the revised MUP boundary as a result of the realigned water main. One acre of the three acres of disturbance for the water line is outside of the original MUP boundary. As described in the Proposed Project Revisions Technical Memorandum (Appendix R), these changes will slightly reduce cultural resources impacts within the MUP boundary and will not result in new significant impacts outside of the MUP boundary. Therefore, these Proposed Project revisions will not change any significance determinations in this Section 2.4 Cultural Resources. This Section has been revised to account for the Proposed Project revisions.

2.4.1 Existing Conditions

Natural Setting

The Project site is located within the Jacumba Valley. The Proposed Project's area of direct impact (ADI) is largely confined to the valley floor, which has been altered by prior agricultural activity. A portion of the Project site to the west features steeper slopes and the eastern portion of Round Mountain. The valley floor on which the Proposed Project would be constructed is located at an elevation of approximately 2,800 feet above mean sea level.

The Project site is located in the eastern portion of the Peninsular Range Geomorphic Province of Southern California. The Peninsular Range Geomorphic Province is typified by northwest to southeast trending mountain ranges that parallel the trace of the San Andreas and related regional fault system. The Peninsular Ranges generally comprise the granitic of the Peninsular Ranges batholith and associated metamorphic rocks. West of the batholith, in the San Diego embayment, the Peninsular Range Geomorphic Province comprises sedimentary rocks ranging from Late Cretaceous to Pleistocene in age (Appendix F).

The climate is classified as Mediterranean Hot Summer. Rainfall is about 24 centimeters (9.5 inches) per year, based on rain gauge averages between 1963 and 2011, falling primarily between December and March. The average January daily minimum temperature is 4°C (39°F), and the average July daily maximum is 32°C (90°F). The climate would have imposed few constraints on prehistoric hunter-gatherers in the region.

The Project area is generally an arid desert environment that supports a limited range of habitats and biological communities. These habitats and communities include mesquite bosque, desert scrub, and chaparral. Additionally, these habitats and communities may vary depending on the ecoregion, soils and substrate, and topography. The natural vegetation communities are described in Section 2.3, Biological Resources, of this EIR. Mammals, birds, and reptiles within these communities provided potential food resources to prehistoric inhabitants. Common animals within this area may include coyote (*Canis latrans*), California ground squirrel (*Spermophilus beecheyi*), cottontail (*Sylvilagus audubonit*), black-tailed jackrabbit (*Lepus californicus bennettii*), deer mouse (*Peromyscus maniculatus*), and song sparrow (*Melospiza melodia*), as well as a number of other species of birds, mammals, reptiles, and amphibians. Additional information pertaining to the biological resources in the Project area, including vegetation communities and wildlife, can be found in Section 2.3, Biological Resources, of this EIR.

Cultural Setting

Evidence for continuous human occupation in southern California spans the last 10,000 years. Various attempts to parse out variability in archaeological assemblages over this broad time frame

have led to the development of several cultural chronologies; some of these are based on geologic time, most are based on temporal trends in archaeological assemblages, and others are interpretive reconstructions. Each of these reconstructions describes essentially similar trends in assemblage composition in more or less detail. The prehistoric sequence within the general Jacumba region is particularly complicated by potential overlap with aboriginal groups traveling west from the Colorado Desert and Imperial Valley. To overcome potential issues in the application of disparate cultural sequences, this research employs a common set of generalized terms used to describe chronological trends in assemblage composition: Paleoindian (pre-5500 BC), Archaic (8000 BC–AD 500), Late Prehistoric (AD 500–1769), and Ethnohistoric (post-AD 1769). Descriptions of these chronological trends are outlined in detail within Section 1.2.1 of the Cultural Technical Report prepared for the Proposed Project (Appendix E).

Area of Direct Impact

The Project site includes 24 parcels of private land that encompass an area of 1,356 acres immediately east of the community of Jacumba Hot Springs. Located within the Project site is the 643 626-acre area of ADI (Figures 2.4-1A through 2.4-1C, ADI Map). The ADI includes all Proposed Project components, including the water main realignment, access, fencing, and landscaping. The vertical ADI for the Proposed Project is the sediments disturbed during the Proposed Project construction. The amount of disturbed sediments varies according to topography and construction needs. The foundations for photovoltaic cells, which cover the extreme bulk of the ADI, consists of metal pipe or I-beams driven 10 to 15 feet into the ground. Installation of the underground collection system would include trenches 3 to 4 feet in depth. The water main realignment will include trenching at a depth of 3.8 feet.

Disturbances to the ADI are greatly attributed to previous agricultural activity on the valley floor. A portion of the ADI has largely been leveled for agriculture and the soil repeatedly tilled. This has left an obvious impact to the archaeological deposits that previously rested on the surface of the valley floor. Artifacts are scattered throughout the fallow agricultural field with no dense concentrations or features. Surrounding infrastructural development such as highway development, commercial buildings, and previously constructed utilities have also greatly altered the periphery of the valley floor and the Project site.

2.4.1.1 Methodology

Prior to initiating fieldwork, pre-field research was completed consisting of a records search at the SCIC to obtain records for previously recorded cultural resources and any other relevant documentation including but not limited to previous cultural resources investigation reports and GIS data. A detailed description of methodology and techniques employed to identify and evaluate archaeological resources within the Proposed Project ADI is outlined in Section 4 of the Cultural Resources Technical Report (Appendix E).

Field Methods

Archaeological Inventory

Dudek conducted an initial intensive pedestrian survey of the ADI in July and August 2018. In spite of the much larger Project site, Dudek only surveyed within the Proposed Project ADI as areas outside of the ADI would be avoided. After the initial survey in the summer of 2018, the Proposed Project applicant refined the Proposed Project plot plans to avoid highly sensitive cultural and biological resources. This refinement excluded some lands previously surveyed by Dudek from the Proposed Project ADI and required Dudek to survey additional land in February and December 2019. As a result of the Proposed Project ADI refinement, this inventory includes site updates to previously identified resources and newly discovered resources that are not located within the Proposed Project ADI.

The pedestrian survey was conducted in less than 15-meter intervals; however, actual survey transect spacing depended on ground visibility. Areas with dense vegetation required shorter, 10-meter transect spacing and areas with excellent ground visibility at times allowed for a maximum transect width of 15 meters. All survey transects were oriented according to cardinal directions or to major topographic features. Transect spacing was kept using a compass but field tablets with a mobile ESRI GIS application with real-time locations plotted on aerials were used to help navigate the survey and ensure the entire Proposed Project ADI was covered. The crew moved together as a team to ensure accurate transect spacing and to facilitate resource identification. Upon discovery of an artifact or feature, the entire crew stopped while the crew chief confirmed the identified resource. At the same time, all other crew members more closely inspected the area around their individual transects. All artifact concentrations and features were recorded during transect sweeps.

When recording an archaeological site, visible artifacts were marked with pin flags to delineate the size and boundaries of its surface deposit. Once artifacts and features were identified, crew members completed the following tasks: filled out field versions of Department of Parks and Recreation resource forms; produced a site sketch map; prepared a detailed surface artifact inventory; fully described any features; took high-resolution digital site photographs, including close-ups of important or prominent features and diagnostic artifacts; recorded UTM coordinates at the locations of formal artifacts, features, and the site boundary. Each new site was assigned a temporary resource identifier for tracking during post field data processing. No artifact collections were made during the initial inventory of the Proposed Project ADI.

Archaeological Evaluation

In February, March, and June 2019, and January 2020, Dudek conducted archaeological evaluations of any previously unevaluated resources located wholly or partially in the Proposed

Project ADI. Dudek evaluated 17 resources or a portion of a resource located within the Proposed Project ADI. As described above, Dudek updated or identified resources located within previous plot plans but they have since been removed from the Proposed Project ADI. Since these resources would not be impacted by the Proposed Project, Dudek did not conduct archaeological evaluations of these sites. One exception is resource CA-SDI-21764, which was removed from the Proposed Project ADI only after it was evaluated. Furthermore, all testing efforts within each resource were conducted only within those portions of the archaeological site that fall within the Proposed Project ADI. Portions of cultural resources that fall outside of the Proposed Project ADI were not evaluated as a part of the current investigation.

During the archaeological evaluation, each site underwent an intensive surface survey with regular-interval sweeps of the site surface, and pin-flagging of artifacts, concentrations, and features to confirm the originally mapped items and site boundaries. Concentrations or areas where artifact density was relatively higher than other portions of the site were mapped and collected separately from any artifacts and materials collected at a non-specific site. Non-specific, site-wide surface collection was the minimal collection method conducted at every site where artifacts were still present. Some resources encountered had been previously collected but additional cultural materials were noted and collected. See Appendix E for details regarding the methodology used to evaluate resources.

Ground Penetrating Radar Study

In November 2020, a ground penetrating radar (GPR) survey was performed in the portion of the Project ADI where the substation and Switchyard Facilities are proposed as this area will be subject to deeper earthwork and therefore has a greater potential to impact buried cultural resources. The GPR used in the survey is a wheeled device, which is pushed across the ground in survey transects and is tracked by a GPS device. The GPR was set up to record data to a maximum depth of 8 meters (approximately 26 feet), which was considered sufficient based on the potential depth of ground disturbance proposed by the Project. GPR is non-invasive and uses electromagnetic fields to probe subsurface contexts for objects and changes in soil or material properties. Data was collected on four transects in the field, with GPS data embedded in each. See Appendix F of the Cultural Resources Report (Appendix E of the Final EIR) for details regarding the methodology used to analyze the GPR results.

Built-Environment Inventory

Included in the 1,356-acre Project site is a historic-era complex of dairy buildings located at 45346 Old Highway 80 (Assessor's Parcel Number [APN] 661-060-12). One previous study (Mooney and Associates 1991) reviewed the Mountain Meadow Dairy complex and determined that the site did not qualify as significant under the California Environmental Quality Act (CEQA), although

there was not sufficient evidence to adequately support the rationale behind the findings. As such, the Mountain Meadow Dairy and Creamery complex (P-37-038938) was subject to updated survey and evaluation for historical significance and integrity as part of the Historical Resources Technical Report prepared for the Proposed Project (Appendix D of Appendix E).

A built environment survey was conducted by qualified architectural historians on August 9, 2018. The survey entailed walking all accessible portions of the exterior of the property and documenting the buildings with notes and photographs, specifically noting character-defining features, spatial relationships, observed alterations, and examining any historic landscape features on the property. Photographs of the subject property were taken using digital SLR cameras. The Mountain Meadow Dairy and Creamery complex contains a total of 20 extant buildings and structures constructed over 45 years ago, all of which were considered in the updated evaluation of the property.

As part of the built environment inventory, architectural historians also conducted all necessary background and archival research in order to develop a historic context for the property and better understand its potential historical associations. This included review of historical newspapers, Sanborn Fire Insurance Maps, and historic aerial photographs.

Native American Correspondence and Participation

Dudek contacted the Native American Heritage Commission (NAHC) on July 27, 2018, to request a search of its Sacred Lands Files (included as part of Appendix E). The NAHC responded indicating the presence of Native American cultural sites in the Jacumba Quad that may be impacted. Dudek sent outreach letters to all Native American contacts supplied by the NAHC requesting any information these representatives have concerning tribal cultural resources (TCRs) within the Project site. When mailing addresses were not available, Dudek attempted to contact Native American representatives by telephone. Dudek received four responses to these Native American outreach efforts. The response letters did not indicate knowledge of any specific TCRs that may be impacted by the Proposed Project but did comment on the sensitivity of the area and requested Native American monitoring.

Lacy Padilla of Agua Caliente Band of Cahuilla Indians and Chris Devers of Pauma Band of Luiseno Indians both responded via email and advised Dudek that the Proposed Project is outside of their tribes' traditional area. Both deferred to Tribal entities more closely associated with the Project site.

Gwendolyn Parada, Chairwoman of La Posta Band of Mission Indians, responded via a letter dated August 21, 2018, stating that the Project site is located within the Diegueno traditional territory and that they would like to consult on the Proposed Project. Chairwoman Parada requested to be added to the distribution list for public notices and environmental review documents for the

Proposed Project. La Posta tribe does not have knowledge of any specific TCR that may be impacted by the Proposed Project but requested that a Native monitor be present during survey and archaeological testing. La Posta tribe further requested to meet with Dudek to “consult” on the Proposed Project and to discuss their concerns and proposed mitigation. Dudek sent a response letter via email on October 2, 2018, letting Ms. Parada know that the County of San Diego was the lead agency overseeing the Proposed Project and that they would be leading Native American consultation. La Posta did not send any further communications to Dudek.

Carmen Lucas of the Kwaaymii Laguna Band of Mission Indians called Dudek archaeologist Matthew DeCarlo on September 10, 2018, in response to Dudek’s outreach letter. Ms. Lucas did not have knowledge of any specific TCRs that may be impacted by the Proposed Project but she stated that Jacumba is a sacred area and recommended that a qualified Native American monitor be present during surveys for the Proposed Project. She also recommended that forensic dogs be used to identify human remains and that the dog analysis should dictate the design of the solar facility. Mr. DeCarlo notified Ms. Lucas that the County of San Diego was the lead agency overseeing the Proposed Project and that the County would be leading Native American consultation.

Red Tail Monitoring and Research provided Kumeyaay Native American monitors during all field studies, from survey to evaluation. Justin Linton, Tushon Phoenix, Shuuluk Linton, and Daniel “Bobo” Linton represented Red Tail during various sessions of fieldwork and presided over all archaeological findings.

San Diego County staff initiated formal Native American consultation as required by Assembly Bill 52 on January 31, 2019. Eight tribes (Barona, Campo, Jamul, Kwaaymii, Manzanita, Santa Ysabel, Sycuan, Viejas) who have requested to consult under Assembly Bill 52 were notified of the Proposed Project. Five tribes (Campo, Jamul, Manzanita, Santa Ysabel, Viejas) responded. Santa Ysabel deferred to the Campo tribe. The County has been consulting with Campo, Jamul, Manzanita and Viejas. Consultation is ongoing and will continue throughout the processing of the Proposed Project.

2.4.1.2 Records Search Results

Dudek conducted a records search of files obtained from the SCIC for the Project site and a 0.5-mile buffer surrounding the Project site in November 2017. SCIC records indicate that 35 previous cultural resources studies have been performed within 0.5 miles of the Project site; of these, 19 cover at least a portion of the Project site. The SCIC records search also identified 143 cultural resources previously recorded within 0.5 miles of the Project site. Of the 143 resources, 51 are located within the Project site, 24 of which are within the Project ADI. Prehistoric resources previously identified within the Project site include 33 artifact scatters, six temporary campsites, a village site, a bedrock milling station, and an isolated flake. There are also nine multicomponent artifact scatters, and one historic railroad track.

2.4.1.3 Survey and Evaluation Results

Archaeological Survey and Evaluation Results

The survey and evaluation program completed for the Proposed Project identified 37 archaeological sites and 26 archaeological isolates. Of the 37, five previously recorded archaeological sites (CA-SDI-4455, CA-SDI-4459, CA-SDI-11677, CA-SDI-11681, and CA-SDI-21764) and four newly recorded archaeological sites (CA-SDI-22728, CA-SDI-22730, CA-SDI-22731, and CA-SDI-22732) would be avoided as a result of refinements to the Proposed Project ADI, as previously described under Section 2.4.1.1, Methodology. With the refined plot plans, the Proposed Project would avoid sensitive cultural resources or significant portions of resources. Archival research revealed that six previously recorded sites or portions of sites located within the Proposed Project ADI were previously evaluated and found to have minimal or no subsurface components (CA-SDI-7054, CA-SDI-11675, CA-SDI-11682, CA-SDI-11684, CA-SDI-11686, and CA-SDI-11688).

The pedestrian survey revealed that five previously recorded sites located within the Proposed Project ADI were completely removed from the landscape by mass grading for an unrelated project (CA-SDI-11685, CA-SDI-19906, CA-SDI-19907, CA-SDI-19908, and CA-SDI-19909). Dudek conducted archaeological testing of the remaining archaeological sites within the Proposed Project ADI (CA-SDI-4457/H, CA-SDI-6741, CA-SDI-7056, CA-SDI-8072, CA-SDI-8430, CA-SDI-11676, CA-SDI-11689, CA-SDI-19070, CA-SDI-19904, CA-SDI-19905, CA-SDI-19910, CA-SDI-21758, CA-SDI-22725, CA-SDI-22726, CA-SDI-22727, CA-SDI-22729, and CA-SDI-22733). Dudek also conducted archaeological testing of CA-SDI-21764 prior to refinement of the Proposed Project design that removed the resource from the Proposed Project ADI. As described in detail in Section 5 of the Cultural Technical Report (Appendix E), Dudek did not identify any significant archaeological deposits within the Proposed Project ADI.

After the Proposed Project design was refined as previously described above under Field Methods, the Proposed Project ADI contains 28 archaeological sites and 20 isolated finds. The Cultural Technical Report (Appendix E) provides a description of the resources visited during the pedestrian survey, their proximity to the ADI, and whether they will be avoided through project design. The excavation results of those resources within the ADI are also described in Section 5.1 of the Cultural Technical Report.

Ground Penetrating Radar Results

The GPR study conducted within the proposed substation and Switchyard Facilities development footprint did not identify any GPR anomalies which are consistent with potential prehistoric-period archaeological features. The only discernable GPR anomalies correspond to natural features (washes, one of which can be seen on the ground and as indicated by corresponding soil changes

in the GPR data), and buried metal objects. No ground-truthing excavation was performed at this time to confirm the GPR data interpretations.

Built Environment Survey and Evaluation Results

The Mountain Meadow Dairy and Creamery's Sunshine Ranch complex (P-37-038938) is comprised of one parcel (APN 661-060-12) and contains the remains of a dairy, creamery and ranch with a total of 20 existent buildings and structures constructed more than 45 years ago and in various states of disrepair. The following buildings and structures were included in recordation and evaluation of the complex:

- Building 1: Milking Barn
- Building 2: Tank Room
- Building 3: Silos
- Building 4: Dwelling A
- Building 5: Dwelling B
- Building 6: Dwelling C
- Building 7: Dwelling D
- Building 8: Reservoir
- Building 9: Barn A
- Building 10: Barn B
- Building 12: Cow Pens
- Building 13: Collapsed Shed
- Building 14: Collapsed Barn A
- Building 15: Barn Foundation A
- Building 16: Barn Foundation B
- Building 17: Barn Foundation C
- Building 18: Barn Foundation D
- Building 19: Office
- Building 20: Weigh Station

In consideration of the complex's lack of significant historical associations and compromised integrity, the Mountain Meadow Dairy and Creamery complex was found not eligible for listing in the National Register of Historic Places (NRHP) or California Register of Historical Resources

(CRHR) based on a detailed significance evaluation and in consideration of national and state eligibility criteria and integrity requirements (see Section 5, Significance Evaluation, in Appendix D of Appendix E). The subject property is also not located within an established historic district.

2.4.2 Regulatory Setting

State Regulations

California Register of Historical Resources

California Public Resources Code Section 5024.1(a) establishes the CRHR. Section 5024.1(c–f) provides criteria for CRHR eligibility listing. The CRHR considers a resource as “historically significant” and qualifying as a historical resource if it:

- Is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States
- Is associated with the lives of persons important to local, California, or national history
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values
- Has yielded, or has the potential to yield, information important to prehistory or history of the local area, California, or the nation.

These criteria do not preclude a lead agency from determining that a resource may be a historical resource as defined in Public Resources Code Sections 5020.1(j) and 5024.1.

California Environmental Quality Act

CEQA requires lead agencies to carefully consider the potential effects of a project on historical and unique archaeological resources. A “historical resource” includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript, which is historically or archaeologically significant (California Public Resources Code, Section 5020.1[j]).

Section 15064.5 of the CEQA Guidelines specifies criteria for determining the significance of impacts to archaeological and historical resources. Section 15064.5 defines a “historical resource” as:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code 5024.1, Title 14 CCR, Section 4850 et seq.).

2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (14 CCR 4852) including the following:
 - a. Is associated with events that have made a contribution to the broad patterns of California history and cultural heritage;
 - b. Is associated with the lives of persons important in our past;
 - c. Embodies the distinctive characteristics of a type, period, region or method construction, or represents the work of an important individual or possesses high artistic values; or
 - d. Has yielded, or may be likely to yield, important information in prehistory or history.
4. The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1

If a cultural resource does not meet the definition of a "historic resource" under CEQA Guidelines Section 15164.5, it must be reviewed under CEQA Statutes Section 21083.2(g) that defines the significance of an archaeological site in terms of uniqueness. A unique archaeological resource means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets one of the following criteria:

1. Contains information needed to answer important scientific questions and there is a demonstrable public interest in that information.

2. Has a special and particular quality, such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

A non-unique archaeological resource indicates an archaeological artifact, object, or site that does not meet the previously listed criteria. Impacts to non-unique archaeological resources receive no further consideration under CEQA, other than the recording of its existence by the lead agency if it so elects.

Human remains require special handling and must be treated with dignity. Procedures are provided in Section 15064.5(e) of the CEQA Guidelines, Section 5097.98 of the Public Resources Code and Section 87.429 of the County's Grading Ordinance. In the event of the discovery of human remains and/or funerary items, the following procedures, as outlined by the above statutes, regulations, and ordinances, shall be followed:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - a. The County Coroner must be contacted to determine that no investigation of the cause of death is required, and
 - b. If the Coroner determines that the remains are Native American:
 - i. The Coroner shall contact the NAHC within 24 hours.
 - ii. The NAHC shall identify the person or persons it believes to be the most likely descended (MLD) from the deceased Native American.
 - iii. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code, Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - a. The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission;
 - b. The descendent identified fails to make a recommendation; or
 - c. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

Similarly, Public Resources Code Section 5097.98 states that whenever the NAHC receives notification of Native American human remains from a County Coroner, the NAHC shall immediately notify the MLD. The MLD may, with permission from the owner of the land in which the human remains were found, inspect the site and recommend to the owner or the responsible party conducting the excavation work a means for treating and/or disposing of the human remains and any associated grave goods. The MLD is required to complete their site inspection and make their recommendation within 48 hours of their notification from the NAHC.

California Health and Safety Code

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code, Section 7050.5, requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County Coroner has examined the remains (Section 7050.5b). If the Coroner determines or has reason to believe the remains are those of a Native American, the Coroner must contact the NAHC within 24 hours (Section 7050.5c).

Local Regulations

County of San Diego Local Register of Historic Resources

The criteria for listing historical resources to the Local Register (Ordinance No. 9493) are consistent with those developed by the Office of Historic Preservation for listing resources to the CRHR, but have been modified for local use in order to include a range of historical resources which specifically reflect the history and prehistory of San Diego County. Only resources that meet the criteria set out below may be listed or formally determined eligible for listing to the Local Register.

1. Are associated with events that have made a significant contribution to the broad patterns of San Diego County's history and cultural heritage;
2. Are associated with the lives of persons important to the history of San Diego County or its communities;
3. Embodies the distinctive characteristics of a type, period, San Diego County region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

County of San Diego General Plan — Conservation and Open Space Element

The following goals and policies identified in the County of San Diego General Plan Conservation and Open Space Element are applicable to the Proposed Project (County of San Diego 2011):

1. **Goal COS-7: Protection and Preservation of Archaeological Resources.** Protection and preservation of the County's important archaeological resources for their cultural importance to local communities, as well as their research and educational potential.
 - a. **Policy COS-7.1: Archaeological Protection.** Preserve important archaeological resources from loss or destruction and require development to include appropriate mitigation to protect the quality and integrity of these resources.
 - b. **Policy COS-7.2: Open Space Easements.** Require development to avoid archaeological resources whenever possible. If complete avoidance is not possible, require development to fully mitigate impacts to archaeological resources.
 - c. **Policy COS-7.3: Archaeological Collections.** Require the appropriate treatment and preservation of archaeological collections in a culturally appropriate manner.
 - d. **Policy COS-7.4: Consultation with Affected Communities.** Require consultation with affected communities, including local tribes to determine the appropriate treatment of cultural resources.
 - e. **Policy COS-7.5: Treatment of Human Remains.** Require human remains be treated with the utmost dignity and respect and that the disposition and handling of human remains will be done in consultation with the Most Likely Descendant (MLD) and under the requirements of Federal, State, and County Regulations.
 - f. **Policy COS-7.6: Cultural Resource Data Management.** Coordinate with public agencies, tribes, and institutions in order to build and maintain a central database that includes a notation whether collections from each site are being curated, and if so, where, along with the nature and location of cultural resources throughout the County of San Diego.
2. **Goal COS-8: Protection and Conservation of the Historical Built Environment.** Protection, conservation, use, and enjoyment of the County's important historic resources.
 - a. **Policy COS-8.1: Preservation and Adaptive Reuse.** Encourage the preservation and/or adaptive reuse of historic sites, structures, and landscapes as a means of protecting important historic resources as part of the discretionary application process, and encourage the preservation of historic structures identified during the ministerial application process.
 - b. **Policy COS-8.2: Education and Interpretation.** Encourage and promote the development of educational and interpretive programs that focus on the rich multicultural heritage of the County of San Diego.

County of San Diego Resource Protection Ordinance

The Resource Protection Ordinance (RPO) requires that cultural resources be evaluated as part of the County's discretionary environmental review process for certain permit types. If cultural resources are found to be significant pursuant to the RPO, they must be preserved (County of San Diego 2012). The RPO prohibits development, trenching, grading, clearing, and grubbing, or any other activity or use that damages significant prehistoric or historic site lands (except for scientific investigations with an approved research design prepared by an archaeologist certified by the Register of Professional Archaeologists).

Pursuant to the RPO, significant prehistoric or historic sites are sites that provide information regarding important scientific research questions about prehistoric or historic activities that have scientific, religious, or other ethnic value of local, regional, state, or federal importance. Such locations include, but are not limited to the following (County of San Diego 2012):

1. Any prehistoric or historic district, site, interrelated collection of features or artifacts, building, structure, or object either:
 - a. Formally determined eligible or listed in the NRHP by the Keeper of the National Register; or
 - b. To which the Historic Resource (H designator) Special Area Regulations have been applied; or
2. One-of-a-kind, locally unique, or regionally unique cultural resources which contain a significant volume and range of data and materials; and
3. Any location of past or current sacred religious or ceremonial observances which is either:
 - a. Protected under Public Law 95-341, the American Indian Religious Freedom Act or Public Resources Code 5097.9, such as burial(s), pictographs, petroglyphs, solstice observatory sites, sacred shrines, religious ground figures, or
 - b. Other formally designated and recognized sites which are of ritual, ceremonial, or sacred value to any prehistoric or historic ethnic group.

County of San Diego Grading Ordinance

The Grading Ordinance requires that projects involving grading, clearing, and/or removal of natural vegetation obtain a grading permit, unless the project meets one or more of the exemptions listed in Section 87.202 of the Grading Ordinance. The grading permit is discretionary and requires compliance with CEQA. In the event that human remains or Native American artifacts are encountered, Section 87.429 requires that grading operations be suspended in the affected area and the operator is required to inform the County Official. The County's Grading Ordinance requires projects to comply with the requirements of Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.99.

Native American Heritage Values

Federal and state laws mandate that consideration be given to the concerns of contemporary Native Americans with regard to potentially ancestral human remains, associated funerary objects, and items of cultural patrimony. Consequently, an important element in assessing the significance of a cultural resource has been to evaluate the likelihood that these classes of items are present in areas that would be affected by the Proposed Project.

Also, potentially relevant to prehistoric archaeological sites is the category termed Traditional Cultural Properties in discussions of cultural resource management performed under federal auspices. According to Patricia L. Parker and Thomas F. King (1998), “Traditional” in this context refers to those beliefs, customs, and practices of a living community of people that have been passed down through the generations, usually orally or through practice. The traditional cultural significance of a historic property, then, is significance derived from the role the property plays in a community's historically rooted beliefs, customs, and practices. Examples of properties possessing such significance include the following:

1. A location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world;
2. A rural community whose organization, buildings and structures, or patterns of land use reflect the cultural traditions valued by its long-term residents;
3. An urban neighborhood that is the traditional home of a particular cultural group, and that reflects its beliefs and practices;
4. A location where Native American religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice; and
5. A location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity.

A traditional cultural property, then, can be defined generally as one that is eligible for inclusion in the NRHP because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community. Under County Guidelines, Traditional Cultural Properties may also be protected under the County's Resource Protection Ordinance.

2.4.3 Analysis of Project Effects and Determination of Significance

According to CEQA Guidelines Section 15126.4(b)(3), “Public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature.” According to CEQA Guidelines Section 15126.4(b)(3)(A), “Preservation in place is the preferred manner of mitigating impacts to archaeological sites.”

The Proposed Project is a solar energy facility, which includes ~~a switchyard~~ the Switchyard Facilities that would be transferred to San Diego Gas & Electric (SDG&E) after construction. For the purposes of this analysis, the ~~switchyard~~ Switchyard Facilities (as described in Chapter 1, Project Description, of this EIR) ~~is~~ are a component of the Proposed Project and ~~has~~ have been analyzed as part of the whole of the action. However, the EIR highlights the specific analysis of the ~~switchyard~~ Switchyard Facilities under each threshold of significance in the event that responsible agencies have CEQA obligations related to the ~~switchyard~~ Switchyard Facilities.

Direct, indirect, and cumulative impacts pertaining to cultural resources were evaluated based on specified thresholds identified in the CEQA Guidelines Appendix G, the County's RPO, and the County of San Diego Guidelines for Determining Significance, Cultural Resources: Archaeological and Historic Resources (County of San Diego 2007).

Guidelines for the Determination of Significance

For the purposes of this section, the County's Guidelines for Determining Significance – Cultural Resources provide that any of the following will be considered a significant impact to cultural resources (County of San Diego 2007):

1. The project, as designed, causes a substantial adverse change in the significance of a historical resource, pursuant to Section 15064.5 of the CEQA Guidelines. This shall include the destruction, disturbance, or alteration of characteristics or elements of a resource that causes it to be significant in a manner not consistent with the Secretary of Interior Standards.
2. The project, as designed, causes a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5 of the State CEQA Guidelines. This shall include the destruction or disturbance of an important archaeological site or any portion of an important archaeological site that contains or has the potential to contain information important to history or prehistory.
3. Activities or uses damaging to significant cultural resources as defined by the Resource Protection Ordinance are proposed and the proposed project fails to preserve those resources.
4. The project disturbs any human remains, including those interred outside of formal cemeteries.

The significance guidelines listed above have been selected for the following reasons:

- Guideline 1 and 2 are derived directly from CEQA, as well as the County of San Diego Guidelines for Determining Significance for Cultural Resources. Sections 21083.2 of the Public Resources Code and 15064.5 of the CEQA Guidelines recommend evaluating archaeological and historical resources to determine whether or not a proposed action would have a significant effect on unique archaeological or historical resources. Any project that

would have an adverse impact (direct, indirect, cumulative) on significant prehistoric or historic resources as defined by these guidelines would be considered a significant impact.

- Guideline 3 was selected because cultural resources are protected under the RPO. The County RPO does not allow non-exempt activities or uses damaging to significant prehistoric lands on properties under County jurisdiction. The only exempt activity is scientific investigation. The project is required to be in conformance with applicable County standards related to cultural resources, including the noted RPO criteria for prehistoric sites. Non-compliance would result in a project that is inconsistent with County standards.
- Guideline 4 is included because human remains must be treated with dignity and respect, and CEQA required consultation with the MLD as identified by the NAHC for any project in which human remains have been identified.

2.4.3.1 Analysis

Archaeological Resources

In July and August 2018; February, March, June, and December 2019; and January 2020, Dudek performed a surface inventory and conducted subsurface excavations of archaeological resources. Previously unidentified prehistoric and historic artifacts were recorded and collected. The pedestrian survey identified nine newly identified archaeological resources and 25 new isolates. The survey also revisited 28 previously recorded archaeological sites and one isolate. After design modifications, the Proposed Project ADI contains 28 archaeological sites and 20 isolated finds. (Appendix E). Considering a variety of reasons, including but not limited to, the history of surface disturbance by agricultural activities, the mixed subsurface stratigraphy or homogenous stratigraphy, shallow soil deposit, high bedrock exposure, the lack of significant and surface artifacts, previous testing on site, the negative subsurface testing results by Dudek, and/or the few subsurface artifacts, the archaeological sites within the Proposed Project ADI were determined to have a low potential for significant buried deposits or culturally sensitive materials. Those resources within the Project site but outside of the Proposed Project ADI will be avoided and will not be impacted. A GPR study was performed in November 2020 within the substation and Switchyard Facilities portions of the Proposed Project ADI. This analysis did not identify any GPR anomalies which are consistent with potential prehistoric-period archaeological features.

Built Environment Resources

In consideration of the resource's lack of significant historical associations and compromised integrity, the Mountain Meadow Dairy and Creamery complex (P-37-038938) located at 45346 Old Highway 80 (APN 661-060-12) is not eligible for listing in the NRHP, CRHR, or County register. The subject property is also not located within an established historic district. This finding

is based on the detailed significance evaluation provided in the Historic Resources Technical Report in Appendix D of Appendix E, and significance discussion below. For the discussion of integrity see Section 5.3, Significance Evaluation, Integrity Discussion, of Appendix D of Appendix E.

NRHP/CRHR Statement of Significance

Criterion A/1: That are associated with events that have made a significant contribution to the broad patterns of our history.

Archival research did not find any associations with events that have made a significant contribution to the broad patterns of local or regional history. Research indicates that the subject property site was purchased in 1927 for the use of dairy farming and stock raising by the Keller Milling Company. By 1928, the company constructed several of the present structures, including barns, housing, and other facilities, on the property. In May 1930, the Mountain Meadow Creameries Ltd. incorporated and 2 years later took over control of the Keller Milling Company's Jacumba land. The dairy facility was named Sunshine Ranch, totaling 750 acres in size and was one of the only large dairy product organizations in San Diego's southwest region that both produced its own milk and then distributed it. Sunshine Ranch in Jacumba and their San Diego dairy closed in 1945 because of Edwin Oscar Adam's retirement, the owner and manager of the company. The ranch remained open as a dairy until the 1960s. Although the property was associated with one of the largest producers of milk in San Diego County from 1930 until 1945, there is no indication that this had any large-scale effect on the broad patterns of history. The production and delivery of milk during this period of time was part of the population growth of the area and is not associated with a historic event of importance. Furthermore, the property lacks integrity that would accurately identify the resource as being a 1930s and 1940s dairy facility. The majority of the buildings and structures having undergone large-scale alterations, additions, and/or collapse. Therefore, the Mountain Meadow Dairy and Creamery complex (P-37-038938) is recommended not eligible for NRHP or CRHP under Criterion A/1.

Criterion B/2: That are associated with the lives of persons significant in our past.

Archival research did not indicate any associations with persons important to the nation's or state's past. None of the current or former property owners or tenants were identified as significant individuals as a result of archival research. Research also indicated that the Mountain Meadow Dairy and Creamery's original owner, Edwin Oscar Adam, did not have importance to the broad patterns of history. Due to a lack of identified significant associations with important persons in history, the subject property is not eligible under NRHP/CRHR Criterion B/2.

Criterion C/3: That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

The Mountain Meadow Dairy and Creamery complex buildings are not important for their design or construction value. The architects of the fourteen buildings and structures still extant are unknown, as are the architects for the six collapsed and nonexistent buildings. However, it is unlikely that they would be associated with the work of a master architect due to their ubiquitous and utilitarian nature as a complex.

The Mountain Meadow Dairy and Creamery complex does not possess characteristics that suggest that it is an important example of the variation, evolution, or transition of vernacular construction of dairy and ranch buildings in the Jacumba area or San Diego County.

Dwellings A, B, and C on the subject property are united stylistically by their common rural vernacular and Craftsman style aesthetics and construction methods, as well as their original use as housing for workers of the Mountain Meadow Dairy and Creamery. Craftsman style details are seen in the low-pitched gabled roofs, exposed rafter tails, one-over-one double-hung windows, and one-half-story height. Each of these buildings over time have undergone a series of large-scale alterations, including replacement of windows and doors, removal of original siding, and additions. Dwelling D no longer displays any stylistic components that would indicate a style due to the removal of original materials.

The Milking Barn and Barns A, B, and C are ubiquitous examples of monitor, shed, and front-gable barns from the late 1920s and 1930s. They do not possess high artistic value or individual distinction. These barns have also undergone multiple large-scale alterations, including the removal of original materials and non-combatable additions.

The remaining buildings and structures of the Tank Room, Silos, Reservoir, Cow Pens, Office, and Weigh Station do not embody distinctive characteristics of a type, period, or method of construction. The Tank Room is very simplistic in design, constructed out of CMUs, and displays a lack of overall integrity. The Silos are a ubiquitous concrete stave type with metal turnbuckles, which can be found throughout the United States. The Reservoir does not display high artistic value and is a pervasive type of small-scale reservoir. The Cow Pens display a low level of integrity and are not a unique example of livestock fencing. The Office has undergone several alterations; including the replacement of original materials, windows, and doors, therefore it lacks integrity. The Weigh Station is a common utilitarian building, lacking a high level of artistic value to make it distinctive. The remaining structures have all collapsed and no longer retain integrity. As such, the Mountain Meadow Dairy Complex is not eligible under NRHP/CRHR Criterion C/3.

Criterion D/4: That have yielded, or may be likely to yield, information important in prehistory or history.

There is no evidence to suggest that the Mountain Meadow Dairy and Creamery complex has the potential to yield information important to state or local prehistory or history. Therefore, the property is not eligible under NRHP/CRHR Criterion D/4.

County of San Diego Statement of Significance

Based on the following significance evaluation, the Mountain Meadow Dairy and Creamery complex located at 45346 Old Highway 80 (APN 661-060) does not meet any of the County of San Diego designation criteria or any criteria detailed in the County RPO. The subject property is also not located within an established local historic district.

Criterion 1: Is associated with events that have made a significant contribution to the broad patterns of San Diego County's history and cultural heritage

Archival research did not find any associations with events that have made a significant contribution to the broad patterns of San Diego's history and cultural heritage. The Mountain Meadow Dairy and Creamery's Sunshine Ranch located in Jacumba Hot Springs was part of the increasing demand for dairy farms in San Diego in the 1920s. With the population increasing and the American public accepting the automobile as a viable form of transportation, it was possible to establish a dairy far away from Mission Valley, the location of the urban creamery, as Sunshine Ranch. However, the establishment of Sunshine Ranch was not a major event in the history of San Diego and did not dramatically affect the County.

The major development made by the Mountain Meadow Dairy and Creamery was the invention of a more sanitary milk bottle top in 1933. There is no evidence to suggest that this invention was made at Sunshine Ranch, rather it was more likely to have occurred at the urban creamery located on the Sixth Street extension constructed in 1933, which focused on the latest technologies in pasteurizing, cooling, testing, and bottling milk under sanitary conditions. Furthermore, the property lacks overall integrity. Therefore, the Mountain Meadow Dairy and Creamery complex is not eligible for County of San Diego Criterion 1.

Criterion 2: Is associated with the lives of persons important to the history of San Diego County or its communities

Archival research did not indicate any associations with persons important to the local, state, or national culture and history. None of the current or former property owners or tenants were identified as significant individuals as a result of archival research. The Mountain Meadow Dairy and Creamery's original owner, Edwin Oscar Adam, did not have importance to the broad patterns

of history. Due to a lack of identified significant associations with important persons in history, the subject property is not eligible under County of San Diego Criterion 2.

Criterion 3: Embodies the distinctive characteristics of a type, period, San Diego County region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value

Six of the twenty buildings and structures located on the Mountain Meadow Dairy and Creamery's Sunshine Ranch in Jacumba Hot Springs have lost integrity due to their subsequent collapse. The remaining fourteen buildings, including Dwellings A, B, C, and D, the Milking Barn, and Barns A, B, and C, and Tank Room, Silos, Reservoir, Cow Pens, Office, and Weigh Station, do not embody distinctive characteristics of a type, period, San Diego County region, or method of construction. The buildings that comprise the dairy complex are simple utilitarian type structures that are commonly found throughout San Diego County, California, and the nation in agricultural areas and were constructed as early as the 1910s up until today.

Additionally, it is unlikely that they would be associated with the work of an important creative individual due to their ubiquitous and utilitarian nature as a complex. Overall, the buildings located on the property are not distinctive architecturally. As such, the subject property is not eligible under County of San Diego Criterion 3.

Criterion 4: Has yielded, or may likely yield, information important in prehistory or history.

There is no evidence to suggest that this property has the potential to yield or may likely yield information important to state or local history. Therefore, the Mountain Meadow Dairy and Creamery's Sunshine Ranch is not eligible under County of San Diego Criterion 4.

County of San Diego Resource Protection Ordinance

In addition to the County's significance criteria, the RPO stipulates three types of sites that may be considered significant for providing information related to important scientific questions about prehistoric or historic activities. When analyzed with regard to the RPO, the Mountain Meadow Dairy and Creamery complex is neither formally determined eligible or listed in the NRHP, nor has it been assigned as Historic Resource ("H" Designator) Area Regulations. Additionally, the complex is not a one-of-a-kind, locally unique, or regionally unique cultural resource containing a significant volume of data or materials. Furthermore, there is no indication that the complex is a site of past or current religious or ceremonial observances that would be protected under Public Law 95-341 or under Public Resources Code Section 5097.9, nor is it a formally designated or recognized site of ritual, ceremonial, or sacred value to any prehistoric or historic ethnic group. As such, the Mountain Meadow Dairy and Creamery complex is not considered a significant prehistoric or historic site under the County RPO.

Historical Resources (Guidelines 1 and 3)

The Proposed Project development includes the removal of the Mountain Meadow Dairy and Creamery's Sunrise Ranch Complex (P-37-038938). A Historical Resources Technical Report (Appendix D of Appendix E) was prepared by Dudek in 2020 for the parcel (APN 661-060-12) containing the Mountain Meadow Dairy and Creamery's Sunshine Ranch Complex (Appendix D of Appendix E).

The site was evaluated for NRHP, CRHR, the County of San Diego designation criteria, and the County's RPO, and was assessed for integrity. As a result, the Mountain Meadow Dairy and Creamery's Sunshine Ranch Complex was found not eligible for listing under any designation criteria due to a lack of significant historical associations and compromised integrity. As such, the Mountain Meadow Dairy complex is not considered a historical resource under CEQA. For these reasons, construction and operational impacts to historical resources as a result of Proposed Project construction and operation would be **less than significant**.

Decommissioning activities would be performed within the Proposed Project ADI. No ground-disturbing activities would occur outside the Proposed Project ADI. All Proposed Project components would be decommissioned except the ~~switchyard~~ Switchyard Facilities and connection to the SDG&E transmission line which would be transferred to and operated by SDG&E, and the realigned water main, which is owned by the Ketchum Ranch Water Company. The activities associated with decommissioning would not include grading. Implementation of a final decommissioning plan(s) would be required, and would be provided within one year of issuance of the building permits for the Proposed Project to ensure compliance with Section 6954.b.3(d) of the County of San Diego Zoning Ordinance for removal surety as described in Chapter 1, Project Description, of this EIR. Considering the lack of historical resources in the Proposed Project ADI after the Mountain Meadow Dairy and Creamery's Sunshine Ranch Complex is removed, implementation of the final decommissioning plan impacts to historical resources during decommissioning of the Proposed Project would be **less than significant**.

Switchyard Facilities

The Proposed Project would include a 138-kilovolt (kV) switchyard located adjacent to the proposed collector substation. The ~~size of the switchyard~~ Switchyard Facilities would ~~include the~~ be approximately 140,000 square feet ~~switchyard, the 138kV transmission lines, and the switchyard access road. Within this area would be 8-foot-high security fence (445 feet by 300 feet) surrounded by a 5-foot shoulder for grounding protection inside the fence.~~ After completion of construction of the ~~switchyard~~ Switchyard Facilities, operation of the ~~switchyard facility~~ Switchyard Facilities would be transferred to SDG&E as described in Chapter 1 of this EIR. The ~~switchyard~~ Switchyard Facilities would be un-staffed during operation. Monitoring and control

functions would be performed remotely from SDG&E's central operations facilities. Accordingly, no new personnel would be required for operation and maintenance. Routine operations would require a single pickup truck visiting the ~~switchyard~~ Switchyard Facilities several times a week for switching, as well as several larger substation construction and maintenance trucks visiting the ~~switchyard~~ Switchyard Facilities several times a year for equipment maintenance. Maintenance activities would include equipment testing, equipment monitoring and repair, and emergency and routine procedures for service continuity and preventive maintenance. Operational activities will not disturb historical resources because no historical resources are located within the boundary of the ~~switchyard~~ Switchyard Facilities as described in Appendix E and in Appendix D of Appendix E. Therefore, ~~switchyard~~ Switchyard Facilities operation and maintenance impacts related to historical resources would be **less than significant**. The ~~switchyard~~ Switchyard Facilities and connection to the SDG&E transmission line, which would be owned and operated by SDG&E, would not be decommissioned at the life span of the solar facility.

Archaeological Resources (Guidelines 2 and 3)

The Proposed Project development could adversely affect archaeological resources through construction ground-disturbing activities, such as excavation, grading, and vegetation removal, which have the potential to damage or destroy known and unknown cultural resources that may be present on or below the ground surface, particularly in undeveloped areas. The Proposed Project would grade the ground surface and trench to install buried utilities and conduit, in addition to installation of the photovoltaic modules, battery energy storage system, collector substation, ~~switchyard~~ Switchyard Facilities, and other associated facilities.

There are 31 archaeological sites (CA-SDI-4455, CA-SDI-4459, CA-SDI-7036, CA-SDI-7040, CA-SDI-7041, CA-SDI-7043, CA-SDI-7917, CA-SDI-11677, CA-SDI-11678, CA-SDI-11679, CA-SDI-11681, CA-SDI-11682, CA-SDI-11690, CA-SDI-11691, CA-SDI-11692, CA-SDI-11693, CA-SDI-11694, CA-SDI-19066, CA-SDI-19067, CA-SDI-19068, CA-SDI-19069, CA-SDI-19887, CA-SDI-20985, CA-SDI-21757, CA-SDI-21766, CA-SDI-22728, CA-SDI-22729, CA-SDI-22730, CA-SDI-22731, CA-SDI-22732, P-37-025680) that are located within the Project site but are outside of the Proposed Project ADI (Appendix E). These archaeological sites would not be impacted by implementation of the Proposed Project. Avoided sites (CA-SDI-11682, CA-SDI-20985, CA-SDI-21757) within 50 feet of the ADI, or according to resource specific, predetermined buffers, would be protected by the establishment of an environmentally sensitive area boundary and exclusionary fencing (orange construction fencing). Eight sites (CA-SDI-4457H, CA-SDI-6741, CA-SDI-7054, CA-SDI-7056/H, CA-SDI-8430, CA-SDI-11676, CA-SDI-11686, and CA-SDI-19910) are located within and outside the ADI. The portion of the cultural site outside of the ADI will also be protected by the establishment of an environmentally sensitive area boundary and exclusionary fencing (orange construction fencing). Other sites (CA-SDI-4455, CA-SDI-7036, CA-SDI-7040, CA-SDI-7041, CA-SDI-7043, CA-SDI-7917, CA-SDI-11677, CA-

SDI-11678, CA-SDI-11679, CA-SDI-11681, CA-SDI-11690, CA-SDI-11691, CA-SDI-11692, CA-SDI-11693, CA-SDI-11694, CA-SDI-19066, CA-SDI-19067, CA-SDI-19068, CA-SDI-19069, CA-SDI-19887, CA-SDI-21764, CA-SDI-21766, CA-SDI-22728, CA-SDI-22730, CA-SDI-22731, CA-SDI-22732, P-37-025680), located farther outside of the ADI (more than 50 feet), would be avoided through established work boundaries. Therefore, no direct or indirect impacts would occur to avoided archaeological sites.

The 20 isolates identified within the Proposed Project ADI required no evaluation or avoidance measures as isolates are by definition not significant (Appendix E). The seven additional isolates located within the Project site but outside of the ADI would be avoided through established work boundaries.

In addition to the archaeological isolates, implementation of the Proposed Project would directly impact 28 archaeological sites (including portions of sites): CA-SDI-4457/H, CA-SDI-6741, CA-SDI-7054, CA-SDI-7056, CA-SDI-8072, CA-SDI-8430, CA-SDI-11675, CA-SDI-11676, CA-SDI-11682, CA-SDI-11684, CA-SDI-11685, CA-SDI-11686, CA-SDI-11688, CA-SDI-11689, CA-SDI-19070, CA-SDI-19904, CA-SDI-19905, CA-SDI-19906, CA-SDI-19907, CA-SDI-19908, CA-SDI-19909, CA-SDI-19910, CA-SDI-21758, CA-SDI-22725, CA-SDI-22726, CA-SDI-22727, CA-SDI-22729, and CA-SDI-22733. All archaeological sites or portions of sites located within the Proposed Project ADI would be subject to grading and leveling and the surface of the sites will be completely destroyed. However, all extant sites or portions of archaeological sites that would be impacted were evaluated and are considered not significant and not eligible for listing in the CRHR or local register, nor are any of them considered a significant resource under CEQA or under the County RPO. None of the evaluated sites contained substantial or diverse archaeological deposits that could be used to develop or refine local or regional culture histories. Instead, the two evaluated historic components of multicomponent resources within the Proposed Project APE, CA-SDI-7056 and CA-SDI-22725, consist of refuse deposits containing a low diversity of food cans and glass bottle fragments from common household consumables. Though associated with the Mountain Meadow Dairy and Creamery's Sunshine Ranch Complex, none of the refuse contributes more or varied information about historic period occupation, but instead points to common household and industrial refuse dumped away from the place of residence. Likewise, the evaluated prehistoric sites produced low quantities of limited diversity chipped stone assemblages, primarily consisting of cortical and interior flakes, and rock shatter representing incipient tool production. Minor amounts of brownware aboriginal ceramic sherds indicate some transient occupation possibly taking advantage of seasonally available resources, but no evidence of longer term or more residentially stable occupation was identified in the Proposed Project ADI. Despite the recordation of the village of Hakum (avoided, outside ADI) by Malcom Rogers (Appendix E), nothing was found at evaluated archaeological sites in the Proposed Project ADI that could link them to this village, or indicate that they were

chronologically contemporaries with the village of Hakum. Evaluated historical and prehistoric archaeological sites within the Proposed Project ADI are considered to have low information potential pursuant to significance under CEQA Criterion 4. No information exists to link evaluated archaeological sites within the Proposed Project ADI with significance under any of the other CEQA significance criteria (1 through 3).

Additionally, individual sites or portions of larger sites included in the Jacumba Valley Archaeological District (JVAD) that overlap the current Proposed Project ADI were subject to archaeological test excavations. However, no significant archaeological deposits were identified. Specifically, only small quantities of debitage and aboriginal ceramics were recovered with no midden soils or other evidence of habitation, or any organic datable materials. As a result, these evaluated sites or portions of sites are determined not significant under CEQA and not eligible for listing in the CRHR or Local Register, are not considered contributors to the significance of the JVAD. Under Section 106 of the National Historic Preservation Act, the Proposed Project would have no adverse effect on historic properties individually, or to the JVAD because none of the character defining elements of the JVAD are adversely affected.

Possible impacts to the setting of cultural resources located within the Jacumba Valley but not within the ADI were also considered. As setting is an aspect of site integrity, drastically changing the setting of resources within the Jacumba Valley could impact their eligibility for listing on the CRHR or the NRHP. The floor of the Jacumba Valley has been largely disturbed by prior agricultural use, in addition to other landmark features, including a utility corridor that transects the northern portion of the Project site, Interstate 8 located to the north of the Project site, Old Highway 80 traverses the southern portion of the Project site, the Jacumba Airport is located immediately to the east of the southern portion of the Project site, and the Project site includes an easement for the San Diego and Arizona Eastern Railway. Additionally, the unincorporated community of Jacumba Hot Springs is located adjacent to the southwest portion of the Project site.

The Proposed Project ADI is contained largely within the footprint of previous agricultural activity. Dudek also reviewed the site records for all resources located along the foothills of the Jacumba Valley. If the viewshed from these archaeological sites contributed to their significance, the Proposed Project might have an impact on the resource. However, the site records showed that these resources largely consist of artifact scatters with only one feature, a trail segment.

All 28 archaeological sites (or portions of sites) identified within the Proposed Project ADI during the current investigation are either no longer extant (CA-SDI-11685, CA-SDI-19906, CA-SDI-19907, CA-SDI-19908, and CA-SDI-19909) or have been evaluated and are determined as not significant under CEQA, not eligible for listing in the CRHR or the local register, and as not significant under the County RPO (CA-SDI-4457/H, CA-SDI-6741, CA-SDI-7054, CA-SDI-7056, CA-SDI-8072, CA-SDI-8430, CA-SDI-11675, CA-SDI-11676, CA-SDI-11682, CA-SDI-

11684, CA-SDI-11686, CA-SDI-11688, CA-SDI-11689, CA-SDI-19070, CA-SDI-19904, CA-SDI-19905, CA-SDI-19910, CA-SDI-21758, CA-SDI-22725, CA-SDI-22726, CA-SDI-22727, CA-SDI-22729, and CA-SDI-22733) (County of San Diego 2012) (Appendix E). However, under County guidelines, all archaeological sites are considered important. Although it has been determined that the Proposed Project would not impact archaeological deposits that convey the significance of the JVAD, Proposed Project construction activities have the potential to affect undiscovered cultural resources on-site, known cultural resources within 50 feet of the Proposed Project ADI (CA-SDI-11682, CA-SDI-20985, and CA-SDI-21757), or known cultural resources within resource-specific predetermined buffers, that may qualify as significant under the County Guidelines (**Impact CR-1**). Therefore, impacts to archaeological resources as a result of construction of the Proposed Project would be **potentially significant**.

Once in operation, the Proposed Project would not involve additional ground-disturbing activities that could impact potential archaeological resources within the Proposed Project APE. Therefore, impacts during operation would be **less than significant**.

Decommissioning activities would be performed within the Proposed Project ADI. No ground-disturbing activities would occur outside the Proposed Project ADI and the activities associated with decommissioning would not include grading. All Proposed Project components would be decommissioned except the ~~switchyard~~ Switchyard Facilities and connection to the SDG&E transmission line which would be owned and operated by SDG&E and the realigned water main which is owned by the Ketchum Ranch Water Company. Implementation of a final decommissioning plan(s) would be required, and would be provided within one year of issuance of the building permits for the Proposed Project to ensure compliance with Section 6954.b.3(d) of the County of San Diego Zoning Ordinance for removal surety as described in Chapter 1 of this EIR. Although it has been determined that the Proposed Project would not impact archaeological deposits that convey the significance of the JVAD, similar to Proposed Project construction, decommissioning activities have the potential to affect undiscovered cultural resources on-site, known cultural resources within 50 feet of the Proposed Project ADI (CA-SDI-11682, CA-SDI-20985, and CA-SDI-21757), or known cultural resources within resource-specific predetermined buffers, that may qualify as significant under the County Guidelines (**Impact CR-1**). Therefore, impacts to archaeological resources as a result of Proposed Project decommissioning would be **potentially significant**.

Switchyard Facilities

As previously described, the Proposed Project would include ~~a 138 kV switchyard~~ the Switchyard Facilities located adjacent to the proposed collector substation. After completion of construction of the ~~switchyard~~ Switchyard Facilities, the ~~switchyard~~ Switchyard Facilities would be un-staffed during operation, and monitoring and control functions would be performed remotely from

SDG&E's central operations facilities. Accordingly, no new personnel would be required for operation and maintenance. Routine operations would require a single pickup truck visiting the ~~switchyard~~ Switchyard Facilities several times a week for switching, as well as several larger substation construction and maintenance trucks visiting the ~~switchyard~~ Switchyard Facilities several times a year for equipment maintenance. Maintenance activities would include equipment testing, equipment monitoring and repair, and emergency and routine procedures for service continuity and preventive maintenance. Operational activities are unlikely to disturb archaeological resources because they would affect surface soil horizons only, which do not contain significant archaeological resources as previously analyzed and as described in Appendix E. However, similar to the Proposed Project analysis above, ~~switchyard~~ Switchyard Facilities related construction activities have the potential to affect undiscovered cultural resources on-site, known cultural resources within 50 feet of the Proposed Project ADI (CA-SDI-11682, CA-SDI-20985, CA-SDI-21757), or known cultural resources within resource-specific predetermined buffers, that may qualify as significant under the County Guidelines (**Impact CR-1**). Therefore, impacts to archaeological resources as a result of ~~switchyard~~ Switchyard Facilities construction would be **potentially significant**.

Once in operation, the Proposed Project would not involve additional ground-disturbing activities that could impact potential archaeological resources within the Proposed Project APE. Therefore, impacts during operation would be **less than significant**. The ~~switchyard~~ Switchyard Facilities and connection to the SDG&E transmission line which would be owned and operated by SDG&E would not be decommissioned at the end of the life span of the solar facility.

Human Remains (Guidelines 3 and 4)

No human remains were discovered during the intensive pedestrian survey of the Proposed Project ADI. As previously described, all 28 archaeological resource sites (or portions of sites) identified within the Proposed Project ADI during the current investigation are either no longer extant or have been evaluated and are determined as not significant under CEQA, not eligible for listing in the CRHR or the local register, and not significant under the County RPO.

The Proposed Project would be required to comply with Public Resources Code Section 5097.98 and CEQA Section 15064.5 should any unknown human remains be discovered during site disturbance. However, absent archaeological monitoring, there remains the potential for Proposed Project construction to result in impacts to undiscovered human remains through pre-construction and ground-disturbing activities (**Impact CR-2**). Therefore, impacts to human remains would be **potentially significant**.

Once in operation, the Proposed Project would not involve additional ground-disturbing activities that could impact potential human remains within the Proposed Project APE. Therefore, impacts during operation would be **less than significant**.

As previously described, decommissioning activities would be performed within the Proposed Project ADI. No ground-disturbing activities would occur outside the Proposed Project ADI and the activities associated with decommissioning would not include grading. All Proposed Project components would be decommissioned except the ~~switchyard~~ Switchyard Facilities and connection to the SDG&E transmission line which would be owned and operated by SDG&E and the realigned water main which is owned by the Ketchum Ranch Water Company. Implementation of a final decommissioning plan(s) would be required, and would be provided within one year of issuance of the building permits for the Proposed Project to ensure compliance with Section 6954.b.3(d) of the County of San Diego Zoning Ordinance for removal surety as described in Chapter 1 of this EIR. Although it has been determined that the Proposed Project would not impact archaeological deposits that convey the significance of the JVAD, similar to Proposed Project construction, decommissioning activities have the potential to affect undiscovered human remains through ground-disturbing activities (**Impact CR-2**). Therefore, impacts to human remains would be **potentially significant**.

Switchyard Facilities

As previously described, the Proposed Project would include ~~a 138 kV switchyard~~ Switchyard Facilities located adjacent to the proposed collector substation. After completion of construction of the Switchyard Facilities, the ~~switchyard~~ Switchyard Facilities would be un-staffed during operation, and monitoring and control functions would be performed remotely from SDG&E's central operations facilities. Accordingly, no new personnel would be required for operation and maintenance. Routine operations would require a single pickup truck visiting the ~~switchyard~~ Switchyard Facilities several times a week for switching, as well as several larger substation construction and maintenance trucks visiting the ~~switchyard~~ Switchyard Facilities several times a year for equipment maintenance. Maintenance activities would include equipment testing, equipment monitoring and repair, and emergency and routine procedures for service continuity and preventive maintenance. Operational activities are unlikely to disturb historical resources because they would affect surface soil horizons only, which do not contain significant historical resources as previously analyzed and as described in Appendix E. However, similar to the Proposed Project analysis above, switchyard Switchyard Facilities related construction activities have the potential to affect undiscovered human remains through pre-construction and ground-disturbing activities (**Impact CR-2**). Therefore, impacts to human remains would be **potentially significant**.

Once in operation, the Proposed Project would not involve additional ground-disturbing activities that could impact potential human remains within the Proposed Project APE. Therefore, impacts during operation would be **less than significant**. The ~~switchyard~~ Switchyard Facilities and connection to the SDG&E transmission line, which would be owned and operated by SDG&E, would not be decommissioned at the life span of the solar facility.

2.4.4 Cumulative Impact Analysis

According to CEQA, the importance of cultural resources comes from the research value and the information they contain. Therefore, the issue that must be explored in a cumulative analysis is the cumulative loss of that information. For sites that are less than significant, the information is preserved through recordation and test excavations. Significant sites that are placed in open space easements avoid impacts to cultural resources and preserve the data. Significant sites that are not placed within open space easements preserve the information through recordation, test excavations, and data recovery programs that would be presented in reports and filed with the County and SCIC. The artifact collections from any potentially significant site would also be curated at a facility within ~~the San Diego or Imperial County~~ or with an affiliated tribal curation facility. Alternatively, the collections may be repatriated to a tribe of appropriate affiliation.

The cumulative study area includes southeastern San Diego County and southwestern Imperial County and was selected because these areas include the relatively undeveloped portions of the ancestral Kumeyaay territory, and those rural areas outside of the historically developed urban population centers in San Diego and southwestern Imperial County. These cumulative projects are summarized in Chapter 1 of this EIR. Related projects within this geographic extent are capable of collectively contributing, along with the Proposed Project, to impacts on prehistoric resources associated with ancestral Kumeyaay lifestyles.

Prehistoric site types identified in the cumulative project area include small artifact scatters, bedrock milling features, temporary camps, rock shelters, roasting pits and habitation sites. Dated prehistoric sites predominantly fall into the Late Prehistoric Period, with a limited number of sites having Archaic Period components. Prehistoric sites which have been determined to be significant are all habitation sites and/or sites with human remains. Historic period sites are predominantly refuse deposits consisting of food and beverage containers; building and/or structure foundations; buildings; mining related features (e.g., pits, adits); and ranching related features (e.g., fences) and transportation corridors (roads, railroads).

As described in Section 2.4.3, Analysis of Project Effects and Determination of Significance, all extant sites or portions of sites that would be impacted as a result of Proposed Project implementation were evaluated and are considered not significant and not eligible for listing in the CRHR or local register, nor are any of them considered a significant resource under CEQA or

under the County RPO. Considering the possibility that the Proposed Project might impact a cultural landscape, Dudek considered the significance of the impacted sites in relationship to the larger cultural context. The sites do not represent or convey the significant elements of character defining archaeological sites in the broader region. As such, the sites within the Proposed Project ADI are not significant contributing elements to the larger cultural landscape. Additionally, no human remains were discovered during the intensive pedestrian survey for the Proposed Project. However, there remains the potential for impacts to undiscovered cultural resources or human remains as a result of Proposed Project construction activities. These potential impacts to undiscovered cultural resources or human remains would be reduced to less than significant through the mitigation measures (**M-CR-1** and **M-CR-2**) outlined in Section 2.4.6. Because the Proposed Project and those projects identified within the cumulative impact study area are mitigated by the collection of information, construction monitoring, and the preservation of the most important resources, adequate mitigation has occurred for in situ appreciation of and access to information regarding those sites. Furthermore, the Proposed Project and cumulative projects would be required to comply with Public Resources Code Section 5097.98 and CEQA Section 15064.5 should any unknown human remains be discovered during site disturbance. These measures reduce the potential for cumulative impacts and therefore, the Proposed Project **would not contribute to a significant cumulative impact** to archaeological resources.

The Project site is located in a rural portion of San Diego County where the built environment is thinly spread throughout. The region has historically been used for agriculture and presents as a vast, largely undeveloped portion of the County with sparse pockets of residential to the west near Jacumba Hot Springs, the Jacumba Airport to the south, and energy development to the east. There is no indication that the Mountain Meadow Dairy and Creamery complex (P-37-038938) is connected to a larger pattern of ranching or dairy farming in the Jacumba Valley such that the loss of this complex would negatively impact other potential resources. The only resource identified in within 0.5 miles of the Project site is the San Diego and Arizona Easter Railway tracks/depot, which has a California Historic Resources Status Code of 6Z. As such, the Proposed Project **would not contribute to a significant cumulative impact** to historical resources.

2.4.5 Significance of Impacts Prior to Mitigation

Historical Resources

The Mountain Meadow Dairy complex is not considered a historical resource under CEQA. Therefore, during the Proposed Project's construction, operation, and decommissioning impacts to historical resources would be **less than significant**.

Archaeological Resources

The Proposed Project's construction and decommissioning have the potential to affect undiscovered cultural resources on-site, known cultural resources within 50 feet of the Proposed Project ADI (CA-SDI-11682, CA-SDI-20985, and CA-SDI-21757), or known cultural resources within resource-specific predetermined buffers, that may qualify as significant under the County Guidelines. This impact would be **potentially significant (Impact CR-1)**.

Once in operation, the Proposed Project would not involve additional ground-disturbing activities that could impact potential archaeological resources within the Proposed Project ADI. Therefore, impacts during operation **would be less than significant**.

Human Remains

The Proposed Project has the potential to affect undiscovered human remains during construction and decommissioning activities. The impacts would be **potentially significant (Impact CR-2)**.

Once in operation, the Proposed Project would not involve additional ground-disturbing activities that could impact potential human remains within the Proposed Project ADI. Therefore, impacts during operation would be **less than significant**.

Cumulative Impacts

The Proposed Project would not contribute to a cumulative impact to historic resources. Impacts to archaeological resources or human remains **would not be cumulatively considerable**.

2.4.6 Mitigation Measures

M-CR-1 Temporary Fencing. To prevent inadvertent disturbance of archaeological sites within the avoidance areas and to the unimpacted portions of the site outside of the ADI, temporary fencing shall be installed where resources are located within 50 feet of the Project ADI. The temporary fencing shall include the following requirements:

1. Prior to the commencement of any grading and/or clearing in association with the grading and/or improvement plan, temporary construction fencing shall be placed to protect from inadvertent disturbance archaeological sites or portions of sites (CA-SDI-4457/H, CA-SDI-6741, CA-SDI-7054, CA-SDI-7056/H, CA-SDI-8430, CA-SDI-11676, CA-SDI-11686, and CA-SDI-19910) adjacent to the Project ADI during earth-disturbing activities. Temporary fencing shall be installed prior to the pre-construction meeting and any clearing, grubbing,

trenching, grading, or land disturbances and shall remain for the duration of earth-disturbing activities

- Temporary fencing is required in all locations of the Project where proposed grading or clearing is within 50 feet of any archaeological site outside of the Project ADI (CA-SDI-11682, and CA-SDI-20985).
- The placement of such fencing shall be approved by the County. Upon approval, the fencing shall remain in place until the conclusion of grading activities, after which the fencing shall be removed.
- Installation of temporary fencing shall require the presence of monitor(s) (Archaeological & Native American) pursuant to **MM-CR-2**.
- A signed and stamped statement from a California Registered Engineer, or licensed surveyor shall be submitted to Planning & Development Services for approval. The statement shall identify that temporary fencing has been installed in all required locations where grading or clearing is within 50 feet of an archaeological site outside of the Project ADI.

M-CR-2 Archaeological Monitoring. To mitigate for potential impacts to undiscovered, buried archaeological resources within the Project ADI and to mitigate the additional impacts to known archaeological resources, an archaeological monitoring program and potential data recovery program shall be implemented pursuant to the County of San Diego's (County's) Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources and the California Environmental Quality Act (CEQA) and shall include the following requirements:

- Pre-Construction
 - The applicant shall contract with a County-approved archaeologist to perform archaeological monitoring. The project archaeologist shall contract with a Kumeyaay monitor to conduct Native American monitoring for the Proposed Project.
 - Pre-construction meeting to be attended by the Project Archaeologist and Kumeyaay Native American monitor(s) to explain the monitoring requirements.
- Construction
 - Temporary Fencing. Temporary orange construction fencing shall be installed around unimpacted portions of CA-SDI-4457/H, CA-SDI-6741, CA-SDI-7054, CA-SDI-7056/H, CA-SDI-8430, CA-SDI-11676, CA-SDI-

11686, and CA-SDI-19910 and along the MUP boundaries where cultural resources (CA-SDI-11682, CA-SDI-20985, and CA-SDI-21757) are within 50 feet of the Project ADI. An archaeological monitor and Kumeyaay Native American monitor shall be present to assure proper placement of construction fencing and to prevent impacts to cultural resources.

- Monitoring. Both the archaeological and Kumeyaay Native American monitor(s) are to be on site during earth disturbing activities. The frequency and location of monitoring of native soils will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American monitor(s). Both the archaeological and Kumeyaay Native American monitor(s) shall evaluate fill soils to ensure that they are negative for cultural resources
- If cultural resources are identified:
 - Both the archaeological and Kumeyaay Native American monitor(s) have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
 - The archaeological monitor shall contact the Project Archaeologist.
 - The Project Archaeologist shall contact the County Archaeologist.
 - The Project Archaeologist in consultation with the County Archaeologist and Kumeyaay Native American monitor(s) shall determine the significance of discovered resources.
 - The Project Archaeologist shall notify the Campo Band of Mission Indians, Manzanita Band of the Kumeyaay Nation, and Viejas Band of Kumeyaay Indians of the unanticipated discovery.
 - Should a potential TCR be identified, the Project Archaeologist shall consult with consulting tribes for a final determination.
 - Construction activities will be allowed to resume after the County Archaeologist has concurred with the significance evaluation.
 - Isolates and non-significant deposits shall be minimally documented in the field. Should the isolates and non-significant deposits not be collected by the archaeological monitor, the Kumeyaay Native American monitor(s) may collect the cultural material for transfer to a Tribal curation facility or repatriation program.
 - If cultural resources are determined to be significant, a Research Design and Data Recovery Program shall be prepared by the Project

Archaeologist in consultation with the Kumeyaay Native American monitor(s) and approved by the County Archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources of Sacred Sites; the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap if avoidance is infeasible; and data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

- Human Remains.
 - The Property Owner or their representative shall contact the County Coroner and the County Planning & Development Services (PDS) Staff Archaeologist.
 - Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. Should the human remains need to be taken off site for evaluation, they shall be accompanied by a Kumeyaay Native American monitor.
 - If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains.
 - The Project Archaeologist shall notify the Campo Band of Mission Indians, Manzanita Band of the Kumeyaay Nation, and Viejas Band of Kumeyaay Indians of the identification of human remains.
 - The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
 - Public Resources Code § 5097.98, CEQA § 15064.5 and Health & Safety Code § 7050.5 shall be followed in the event that human remains are discovered.

- Rough Grading
 - Upon completion of Rough Grading, a monitoring report shall be prepared identifying whether resources were encountered. A copy of the monitoring report shall be provided to any culturally affiliated tribe who requests a copy.
- Final Grading
 - A final report shall be prepared substantiating that earth-disturbing activities are completed and whether cultural resources were encountered. A copy of the final report shall be submitted to the South Coastal Information Center, and any culturally affiliated tribe who requests a copy.
 - Cultural Material Conveyance
 - The final report shall include evidence that all prehistoric materials have been curated at a San Diego County, Imperial County, or culturally affiliated Tribal curation facility that meets federal standards per 36 CFR Part 79, or alternatively have been repatriated to a culturally affiliated tribe.
 - The final report shall include evidence that all historic materials have been curated at a San Diego curation facility that meets federal standards per 36 CFR Part 79.

M-CR-3 Cultural Resources Treatment Agreement and Preservation Plan. Prior to the approval of any plan or issuance of any permit, and prior to use of the premises in reliance on this permit, the Cultural Resources Treatment Agreement and Preservation Plan shall be submitted to County of San Diego Director of Planning & Development Services for review and approval. The Plan shall be prepared by the Project archaeologist in coordination with consulting tribes and Kumeyaay Native American monitor(s) and shall include but not be limited to the following:

- Parties entering into the agreement and contact information.
- Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, Kumeyaay Native American monitors, and the Tribe.
- Requirements of the Archaeological Monitoring Program including unanticipated discoveries. The requirements shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, analysis of identified cultural materials (both in the

field and lab settings), and on-site storage of cultural materials, as necessary and if required.

- Treatment of identified Native American cultural materials.
- Treatment of Native American human remains and associated grave goods.
- Requirements for Temporary Fencing for 10 sites that partially intersect or are within 50 feet of the Project ADI (CA-SDI-4457/H, CA-SDI-6741, CA-SDI-7054, CA-SDI-7056/H, CA-SDI-8430, CA-SDI-11676, CA-SDI-11682, CA-SDI-11686, and CA-SDI-19910, and CA-SDI-20985).
- Confidentiality of cultural information including location and data.
- Negotiation of disagreements should they arise during the implementation of the Agreement and Preservation Plan.
- Regulations that apply to cultural resources that have been identified or may be identified during project construction.

M-CR-4 Long-Term Preservation of Resources. All O&M and decommissioning activities will be performed within the Proposed Project ADI – no ground-disturbing activities shall occur outside the Proposed Project ADI. Employees and contractors performing O&M and decommissioning activities will receive training or instructions regarding the archaeological and cultural sensitivity of the Project site to ensure no inadvertent impacts occur to the 10 potentially significant sites (or portions thereof) that are adjacent to the Proposed Project ADI. These include the eight sites that were fully or partially tested because they intersect the Proposed Project ADI and the three sites that were not evaluated because they are outside of the Proposed Project ADI but require protection because they are within 50 feet of the Proposed Project ADI. Temporary fencing shall be installed during decommissioning activities to delineate the ADI. Temporary fencing requirements are provided in **M-CR-1**.

2.4.7 Conclusion

The Proposed Project's construction and decommissioning have the potential to affect undiscovered cultural resources on-site, known cultural resources within 50 feet of the Proposed Project ADI, or known cultural resources within resource-specific predetermined buffers, that may qualify as significant under the County Guidelines (**Impact CR-1**). This impact would be mitigated to **less than significant** with implementation of mitigation measures **M-CR-1**, **M-CR-2**, **M-CR-3**, and **M-CR-4**.

The Proposed Project has the potential to affect undiscovered human remains during construction and decommissioning activities (**Impact CR-2**). This impact would be mitigated to **less than significant** with implementation of mitigation measures **M-CR-2** and **M-CR-3**.

Once in operation, the Proposed Project would not involve additional ground-disturbing activities that could impact potential cultural resources within the Proposed Project ADI. Therefore, impacts during operation would be **less than significant**.

Impacts to historical resources would be **less than significant**. Impacts to archaeological resources or human remains **would not be cumulatively considerable**.



SOURCE: Kimley-Horn 2020; SANGIS 2017, 2020

FIGURE 2A

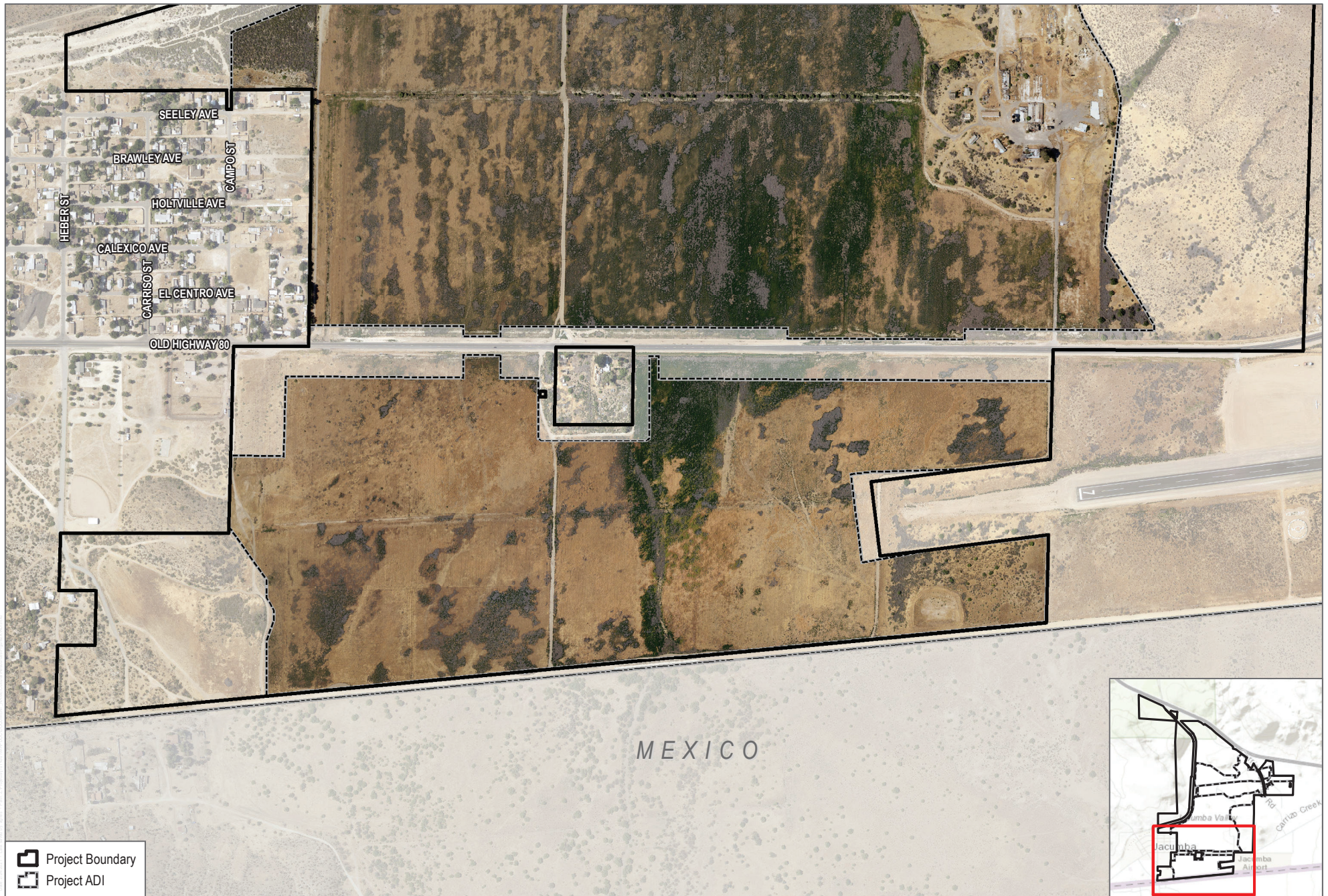
ADI Map

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SOURCE: Kimley-Horn 2020; SANGIS 2017, 2020

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SOURCE: Kimley-Horn 2020; SANGIS 2017, 2020

DUDEK



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FIGURE 2C

ADI Map

JVR Energy Park Project

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