

Response to Comment Letter O3

Imperial Valley Desert Museum

- O3-1** The comment provides introductory remarks and states the Imperial Valley Desert Museum’s comments on the Proposed Project are attached to the cover email. In response, the comment provides introductory remarks and does not raise an issue regarding the adequacy of the analysis contained within the Draft EIR; therefore, no further response is required.
- O3-2** The comment provides background information regarding the Imperial Valley Desert Museum (IVDM), which is a museum and curation facility housing federal collections located in Ocotillo, California. The commenter states IVDM is an active member in the Jacumba community and across eastern San Diego County. In response, the comment does not raise an issue regarding the adequacy of the analysis contained within the Draft EIR; therefore, no further response is required.
- O3-3** The commenter states since the public notice regarding the Draft EIR, IDVM has been in frequent communication with the County, Dudek consulting, and BayWa r.e. The commenter further states that the purpose of these meetings has been to discuss, explore, and resolve any outstanding concerns surrounding the treatment of cultural resources in advance of the conclusion of the Draft EIR public review period. In response, County staff attended one teleconference on November 10, 2020 with IDVM, Dudek consulting and BayWa r.e. to discuss and consider the concerns of the IDVM. Please refer to Response to Comments O3-4 through O3-14 for further discussion of concerns raised by the IDVM.
- O3-4** The comment is introductory to specific concerns raised by IDVM. The commenter states that they have concerns pertaining to the methodology and conclusions of the survey work, stewardship plans for the cultural materials recovered, and mitigation, the loss of the natural and cultural landscape within the Project ADI and they provide specifics for their concerns in Comments O3-5 through O3-8. In response, please refer to Response to Comments O3-5 through O3-8 for further discussion of concerns raised by the IDVM.
- O3-5** The commenter states that inadequate consideration and survey methodology was demonstrated in assessing the likelihood of subsurface finds within the Project ADI and more specifically, within the area of the proposed substation and switchyard whose installation will require the disturbance of the substrate. The commenter identifies this comment as resolved. In response, Response to Comment O3-10 provides details of a second site survey that was performed using ground-penetrating

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- radar (GPR). Two anomalies were identified but after a full analysis, the anomalies were determined to be negative for cultural resources.
- O3-6** The commenter states that inadequate consideration has been given to the identification of a qualifying regional curation facility to receive recovered cultural materials. The comment identifies that action is needed. In response, the County is considering IVDM as a potential resource. The final determination as to where cultural materials will be conveyed will be made when the Cultural Resources Treatment Agreement and Preservation Plan (CRTAPP) is prepared, which requires consensus among consulting tribes. Mitigation measures **M-CR-2** and **M-TCR-2** require the Proposed Project to curate cultural materials at a San Diego curation facility or a culturally affiliated Tribal curation facility or repatriate the cultural materials to a tribe of appropriate cultural affinity. Mitigation measures **M-CR-2** and **M-TCR-2** in the Final EIR have been revised to allow for curation of cultural materials at a San Diego County, Imperial County, or culturally affiliated Tribal curation facility or repatriate the cultural materials to a tribe of appropriate cultural affinity.
- O3-7** The commenter states that inadequate assurances have been made within the language of the Draft EIR to ensure that the digital documentation and records of archaeological sites and isolates within the Project ADI will travel with their curated materials. The comment identifies that additional language is required. In response, the determination of the conveyance of cultural materials, whether curated or repatriated, will be made when the CRTAPP is prepared, which requires consensus among consulting tribes. For clarification, standard practice is that the digital documentation and records accompany cultural materials that are curated. In addition, mitigation measure **M-CR-2** requires that the Proposed Project provide a digital copy of the Cultural Resources Report, including the confidential appendices that contain records of archaeological sites and isolates, to the South Coastal Information Center.
- O3-8** The commenter states that no consideration had been given to ensure that the cultural heritage recorded and removed from the Project ADI – and its subsequent analysis and interpretation – be made accessible for study, engagement, and celebration by the region’s Native and non-Native communities. The comment is identified as resolved. In response, the Cultural Resources Report (Appendix E to the Draft EIR) prepared for the Proposed Project contains the cultural heritage information. Mitigation measure **M-CR-2** requires that the Proposed Project provide this information to the South Coastal Information Center. This information is also on file with the County of San Diego, Planning & Development Services. Native communities can access this information from the SCIC and the County. Non-Native communities can access this information from the County of San Diego; however, confidential information

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- (location of resources, consultation, etc.) is not available to the general public. Outside of CEQA, the applicant may make an agreement with IVDM to fund an exhibit and learning curricula, which would provide additional accessibility to this information.
- O3-9** The comment is introductory to comments O3-10 through O3-13. Please refer to Response to Comments O3-10 through O3-13. In response, the comment does not raise an issue regarding the adequacy of the analysis contained within the Draft EIR; therefore, no further response is required.
- O3-10** The comment describes a second site survey that was conducted on November 17, 2020 using ground penetrating radar and identifies that the survey was focused on the proposed substation and switchyard sites. Results of this survey were negative. The comment is identified as resolved. In response, the results of the ground penetrating survey conducted at the substation and switchyard sites have been added as an addendum to the Cultural Resources Report (Appendix E) in the Final EIR.
- O3-11** The comment is concerned with the curation of cultural materials, and specifically requests that Imperial County be added to the Project mitigation measure (**M-CR-2**). The comment states that additional language is required in the EIR. In response, the determination of the conveyance of cultural materials, whether curated or repatriated, will be made when the CRTAPP is prepared, which requires consensus among consulting tribes. The Final EIR has been revised to include Imperial County as an option in mitigation measures **M-CR-2** and **M-TCR-2**, should curation be selected as the method for the final disposition of cultural materials.
- O3-12** The comment requests that additional language be included in the Draft EIR that would obligate – as future standard practice within the County of San Diego – that all curated collections be accompanied by all digital archaeological site and monitoring data, records, and reports during transfer to a designated and qualifying curation facility. The comment states that additional language is required in the EIR. In response, the determination of the conveyance of cultural materials, whether curated or repatriated, will be made when the CRTAPP is prepared, which requires consensus among consulting tribes. For clarification, standard practice is that the digital documentation and records accompany cultural materials that are curated. In addition, mitigation measure **M-CR-2** requires the Proposed Project to provide a digital copy of the Cultural Resources Report, including the confidential appendices that contain records of archaeological sites and isolates to the South Coastal Information Center.
- O3-13** The commenter states that the loss and destruction of multiple archaeological sites and isolates would result in the loss of the archaeological context and cultural landscape which inform their placement, use, and interpretation. In order to best

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mitigate and resolve this loss and disassociation, the commenter states that it is essential that a coordinated plan for education and outreach be developed and approved prior to Project implementation. The comment is identified as resolved. In response, the Cultural Resources Report (Appendix E to the Draft EIR) prepared for the Proposed Project contains the information that mitigates for the loss of archaeological context and cultural landscape. Mitigation measure **M-CR-2** requires the Proposed Project to provide this information to the South Coastal Information Center. This information is also on file with the County of San Diego, Planning & Development Services. Outside of CEQA, the applicant may make an agreement with IVDM to fund an exhibit and learning curricula which would provide additional accessibility to this information.

- O3-14** The comment is conclusory in nature and summarizes comments previously stated. Please refer to Response to Comments O3-5 through O3-8 and O3-10 through O3-13.