



San Diego County Archaeological Society, Inc.

Environmental Review Committee

11 June 2015

To: Ms. Maggie Loy
Department of Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, California 921123

Subject: Draft Environmental Impact Report
Valiano Specific Plan
PDS2013-SP-13-001, PDS2013-GPA-13-001, PDS2013-REZ-13-001,
PDS2013-TM-5575, PDS2013-STP-13-003, PDS2014-MUP-14-019,
Log No. PDS2013-ER-13-08-002

Dear Ms. Loy:

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

Based on the information contained in the DEIR and its Appendix F, we have the following comments:

- 1. The first full paragraph on page 2.5-4 of the DEIR states that, for eight sites, "their research potential has been fulfilled through documentation, as well as curation of artifacts." Likewise, Section 2.5.3 (Cumulative Impact Analysis) of the DEIR states, on page 2.5-12, that "For sites considered less than significant, the information is preserved through recordation, test excavations and preservation of artifacts." The last paragraph on following page also states that curation will occur. And page 2.5-14, still in Section 2.5.3, further states that "impacts to the on and off-site locations have been mitigated through their documentation, curation of cultural material collected, and archiving information so it will be available for future researchers." We have confirmed that no artifacts from those sites have been curated to date at the San Diego Archaeological Center. Please advise if and where they have been curated and, if they haven't yet, the appropriate cultural resource management firm must be required to do so immediately. Please note that this material is not burial-related and is not being curated as part of any mitigation measures included in Section 2.5.4 of the DEIR, which, as drafted, allows for an alternative to curation.
- 2. Mitigation Measure M-CR-2 in Section 2.5.5 of the DEIR in two places permits repatriation of entire prehistoric collections "to a Native American Tribe of appropriate affiliation." As the County is aware, SDCAS absolutely agrees with the repatriation of any human remains

P.O. Box 81106 San Diego, CA 92138-1106 (858) 538-0935

S-1

S-2

S-1 Mitigation in the form of the disposition of artifacts (curation or repatriation) is not required until prior to Final Grading signoff. No changes were made to the EIR as a result of this comment.

S-2 According to the Native American community, cultural values are specific to the individual group. As such, it cannot be assumed that curation is the culturally sensitive method for the disposition of artifacts.

The concern of the commenter related to "yet-to-be-developed methods and techniques" is speculative. CEQA (§15125) requires that resources

COMMENTS

RESPONSES

S-2
cont.

and associated burial goods, but believes that all other cultural material recovered must be curated at a facility, Tribal or otherwise, meeting the standards of 36CFR79 in order for the mitigation of impacts to be complete. Only in that way is the possibility for future re-evaluation of the analysis, using yet-to-be-developed methods and techniques, maintained, while also maintaining their availability for access by the cultural groups involved.

S-3

3. Even within the County's current approach to allow that repatriation, Section 2.5.5 is inconsistent. Paragraph b.10, on page 2.5-20, includes the full wording from page 11 of Appendix F to the DEIR's cultural resources appendix, including the wording "as determined by agreement among the Tribes, the Principal Investigator, and County staff." However, paragraph a.11, on page 2.5-17, omits that quoted wording. It needs to be added to make it clear that the decision to repatriate requires agreement among all parties.

S-4

4. Other than the above, we agree with the impact analysis and mitigation measures as proposed.

SDCAS appreciates the opportunity to participate in the public review of this project's environmental documents.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: Helix Environmental
Brian F. Smith & Associates
SDCAS President
File

S-2

be evaluated at the time that the notice of preparation is published (baseline) and does not require the curation of artifacts for future re-evaluation. The scientific information acquired during the evaluation of cultural resources is provided in cultural studies which are required to be submitted to a local repository for archival purposes (Mitigation Measure M-CR-2 [a-13, b-10]). As such, the scientific value is retained through information provided in the cultural study and there are no unmitigated impacts. No changes were made to the environmental documentation as a result of this comment.

S-3

Mitigation Measure M-CR-2 (a-11) is revised to include the text, "as determined by agreement among the Tribes, the Principal Investigator, and County staff" to the end of the first paragraph. Changes were made to the EIR as a result of this comment, but the changes are merely clarifications and not significant new information under CEQA.

S-4

The comment states an overall conclusion and is not at variance with the environmental document. No further response is required.