

**PALA TRIBAL HISTORIC
PRESERVATION OFFICE**

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PALA THPO

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October 21, 2014

Robert Hingtgen, Project Manager
County of San Diego Planning & Development Services
5510 Overland Ave, Suite 310
San Diego, CA 92123

Re: Shadow Run Ranch; PDS2001-3100-5223, PDS2000-3300-00-030, PDS2000-3710-00-0205, Log No.
PDS2000-3910-0002035; SCH No. 2002061066

Dear Mr. Hingtgen,

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman. We are aware that this correspondence is dated after the comment deadline for reviewing the draft EIR but request that our comments be included in the record.

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1. The County acknowledges comment. This letter has been accepted, responded to, and included as part of the FEIR.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. It is, however, within the boundaries of the territory that the tribe considers its Traditional Use Area (TUA) and located in immediate proximity to reservation boundaries. Therefore, we request to be kept in the information loop as the project progresses and would appreciate being maintained on the receiving list for project updates, reports of investigations, and/or any documentation that might be generated regarding previously reported or newly discovered sites.

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2. The County acknowledges this comment. Further consultation was conducted with the Tribal Historic Preservation Officer for the Pala Band of Mission Indians to discuss their concerns related to archaeological site, CA-SDI-9537/H and the project as a whole. Conditions concerning archaeological grading monitoring were updated to include repatriation as requested. Revisions to the final grading conditions are described in responses to comments E-3 and E-4. Final Grading Condition CULT#GR-2 on Sheet 4 of the Preliminary Grading Plan includes text that identifies the regulations that must be adhered to should human remains be identified, and CULT#GR-4 was slightly revised as described in response E-4 and addresses requirements for curation of artifacts. Mitigation measure M-CR-3 regarding archaeological monitoring during construction was revised as described in response E-3.

This project has the potential to impact multiple cultural sites both documented and potentially undiscovered. While we largely agree with the mitigation measures proposed in the draft EIR, we would like to request further consultation with the County to discuss the possibility of avoidance of sites within areas proposed for development. Specifically, we are concerned about impacts to site SDI-9537/H. Recorded information for this site indicates that it has a high level of potential for containing Native American human remains. We do not feel that data recovery is the appropriate mitigation strategy for impacts to this site and that avoidance should be considered and added to the EIR. Furthermore, if data recovery is undertaken for this site, we prefer that any artifacts be recorded but then reinterred on-site, rather than collected for curation. Data can be collected via site forms, artifact inventories, and photographs, rendering curation unnecessary.

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3. The County acknowledges comment. This comment is noted.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, Ph.D.
Tribal Historic Preservation Officer
Pala Band of Mission Indians