July 18, 2023

Matthew Taylor
Principal Planner
City of Riverside
Community & Economic Development Department
Planning Division
390 Main Street, 3rd Floor
Riverside, California 92522

Subject: Response to Comments for West Campus Upper Plateau SP and DEIR Comments – Historic Resources

Dear Mr. Taylor:

BFSA Environmental Services, a Perennial Company (BFSA), has been asked to respond to comments submitted to March Joint Powers Authority (MJPA) Planning Director Dan Fairbanks on March 10, 2023, and have prepared the following responses for your review and consideration.

Comment 1 (Section 4.4.1 / 13): "The integrity analysis for the Weapons Storage Area (WSA) Historic District was incorrectly completed as it analyzed historic integrity before determining eligibility. Eligibility must first be evaluated, then historic integrity is analyzed. The DEIR presents these items in reverse. Per Chapter VIII of the National Register Bulletin # 15, 'Integrity is the ability of a property to convey its significance,' and 'Only after significance is fully established can you proceed to the issue of integrity.' The significance of the structure is a key component of the integrity analysis and the weight of each aspect of integrity may vary based on the identified significance. For example, design will play more importance on a structure with architectural significance than a structure significance for events. See page 45 of National Register Bulletin # 15 for the steps in assessing integrity."

Response 1: The WSA report has been revised to separate the eligibility analysis from the integrity analysis. The WSA and its individual buildings were determined not eligible under National Register of Historic Places (NRHP), California Register of Historical

Resources (CRHR), or MJPA California Environmental Quality Act (CEQA) Guidelines criteria for historic resources.

Comment 2 (Section 4.4.1 / 13): "Structures on the project site were not evaluated at the Riverside County level designation as required by CEQA. Historical resources include only those that are eligible or listed within a local historical resources inventory."

Response 2: As MJPA is the lead agency for this project, the buildings were evaluated under NRHP, CRHR, and MJPA criteria. Using these criteria, the WSA buildings were evaluated on the national, state, and local levels and determined not historically significant or eligible for listing.

For informational purposes, the 2008 Riverside County Historical Landmarks Criteria states:

> A historical resource must be significant under one or more of the following criteria in order to qualify for listing as a Riverside County Historical Landmark:
>
> - Is associated with events that have made a significant contribution to the broad patterns of Riverside County's history and cultural heritage.
> - Is associated with the lives of persons important to the history of Riverside County or its communities.
> - Embodies the distinctive characteristics of a type, period, Riverside County region, or method of construction, or represents the work of an important creative individual or possesses high artistic values.
> - Has yielded or may be likely to yield, information important in Riverside County, state of California, or national prehistory or history.

The analysis in the revised technical study evaluated the WSA buildings, individually and collectively, on a local level. The same analysis would be applicable in evaluating the WSA under County of Riverside criteria. Similarly, under County of Riverside criteria, the WSA buildings, individually and collectively, would not be historically significant or eligible for listing as a Riverside County Historical Landmark(s).

Comment 3 (Section 4.4.1 / 13): "The evaluation of the WSA Igloos, states that the structures are the only of their kind in California yet asserts that they are not eligible for listing because they are not unique and other examples exists across the nation. The analysis does not consider

local levels of significance. As discussed in National Register Bulletin# 15, " ... if a property is of a type found throughout a State, or its boundaries extend over two States, but its importance relates only to a particular county, the property would be considered of local significance.' While the WSA Igloos, may not have National significance, they are likely to have State and local significance, serving as the only examples in the State."

Response 3: The WSA report erroneously stated the WSA igloos were the only United States Air Force-associated munitions storage igloos in California. Travis Air Force Base includes munitions storage igloos as part of the Travis AFB ADC Readiness National Register Historic District Area. Munitions bunkers are also found at Beale Air Force Base in Marysville and Edwards Air Force Base in Edwards. Further, the WSA igloos are not unique or distinctive examples of munitions storage igloos in California or the local region and are among the most common military-related weapons storage constructions. For example, similar igloos are regionally found at Fallbrook Ammunition Depot, Naval Weapons Station Seal Beach, and Marine Corps Air Station El Toro. Additionally, Concord Naval Weapons Station in San Francisco includes a larger weapons storage area that features various underground and overground bunkers constructed in different periods and styles. Sierra Army Depot in Herlong includes over 800 munitions storage igloos and igloos remain from the closed Benicia Arsenal in Benicia. The WSA report has been revised to accurately describe the state and regional context for the WSA igloos. The WSA and its individual buildings were determined not eligible under NRHP, CRHR, or MJPA CEQA Guidelines criteria for historic resources at the national, state, or local level.

Comment 4 (Section 4.4.1 / 13): "The integrity analysis incorrectly applies integrity of association. Association is not solely connected to person of significance. Association include organization, agencies, groups, or events. Per National Register Bulletin # 15, 'Association is the direct link between an important historic event or person and the historic property.' The analysis also incorrectly applies integrity of feeling. The analysis implies that feeling is directly connected to setting. Per National Register Bulletin # 15, 'Feeling is the property's expression of the aesthetic or historic sense of a particular period of time.' Even if the setting has been altered, the structures may retain integrity of feeling as WSA Igloo provided there is sufficient presence of physical features that, taken together, convey the property's historic character."

Response 4: The WSA and its individual buildings were determined not eligible under NRHP, CRHR, or MJPA CEQA Guidelines criteria for historic resources. Integrity of association was assessed by evaluating if the resources represent the place where the historic event or activity occurred and are sufficiently intact to convey that relationship to an observer. As discussed under CRHR and MJPA Criteria 1 and 2/NRHP Criteria A and B, the WSA buildings, individually or collectively, are not associated with an important

historic event or person and, therefore, have never possessed integrity of association. Integrity of feeling was assessed by evaluating whether or not the resources' features, in combination with their setting, conveyed a historic sense of the property during the period of significance. Although the WSA's period of significance was the Cold War, Igloos A1 to A14 were constructed in the same style as World War II igloos and Buildings B to G were constructed in the Utilitarian style with no distinctive features related to their use. The WSA buildings' features do not express a historic sense of the Cold War. Therefore, the WSA buildings, individually or collectively, have never possessed integrity of feeling. The integrity of association and feelings analyses have been updated.

Comment 5 (Section 4.4.5 / 14): "The Impacts Analysis for Threshold 1 only discusses California Register and National Register eligibility and should include local register eligibility. This analysis may need to be adjusted based on previous comments."

Response 5: As MJPA is the lead agency for this project, the WSA buildings were evaluated under NRHP, CRHR, and MJPA criteria. See Response 2, above, for a discussion of the WSA under the County of Riverside criteria for informational purposes.

Comment 6 (Section 4.4.5 / 15): "The analysis may need to be adjusted based on previous comments."

Response 6: The analysis in the WSA report has been updated.

* * *

If you have any additional comments regarding the responses to comments or require any report revisions, please contact me.

Sincerely,

Brian F. Smith

July 18, 2023

Tuba Ebru Ozdil
Cultural Analyst
Pechanga Cultural Resources Department
P.O. Box 2183
Temecula, California 92593

Subject: Response to Pechanga Tribe Comments on the Draft Environmental Impact Report for West Campus Upper Plateau

Dear Ms. Ozdil:

BFSA Environmental Services, a Perennial Company (BFSA), has been asked to respond to comments submitted to March Joint Powers Authority (MJPA) Planning Director Dan Fairbanks on March 9, 2023, by the Pechanga Band of Luiseño Indians. Comments requiring a response along with their response are presented below.

Comment 1: "The Tribe submits these comments concerning the Project's potential impacts to Tribal Cultural Resources (TCR) in conjunction with the environmental review of the Project. The Tribe has been in consultation directly with March Joint Powers Authority (March JPA) on the sensitivity of the Project and its impacts to the cultural resources. After review of the Draft Environmental Impact Report (EIR), the Tribe has several concerns. First and foremost, the Tribe is especially concerned that the Draft Environmental Impact Report (DEIR) has been issued and mitigation measures were included in the cultural and TCR section of the document, while Phase II archeological testing plan and AB 52 consultation is still outstanding. The purpose of a Phase II investigation is to continue needed information gathering work toward the identification/nature, boundaries, and significance of a cultural resources. Careful and detailed documentation need to be included in Phase II reports. If and when the site boundaries are determined and significance assumed, then the project require either further avoidance and preservation, or to include mitigation measures to reduce or avoid my potentially significant impacts. The Tribe is disconcerted that the draft EIR does not assume significance, but rather mitigates the project for an Archeological Testing Plan (ATP) as identified in MM-CUL-1. The Tribe requests the Phase II testing plan to be completed, the development design to be finalized,

and additional TCR measures to be incorporated, if needed, prior to the release of the Final EIR."

Response 1: The Phase II testing and evaluation program has been completed and was done in consultation with both the Pechanga and Soboba Bands. Consultation between representatives from the MJPA, the Soboba Band of Luiseño Indians, and the Pechanga Band of Indians resulted in an agreement regarding the scope and methods for the Archaeological Test Plan (ATP), which were approved by MJPA in March 2023. Archaeological testing in compliance with the ATP occurred between March 20 and 31, 2023. The archaeological testing and evaluation within the Area of Potential Effect (APE) included sites CA-RIV-4067, CA-RIV-5420, Temp-2, Temp-3, and Temp-9 to Temp-15. While Site CA-RIV-5420 contains features both within and outside of the APE, testing at this location primarily focused upon those within the APE. Due to their proximity to the APE, the areas of sites CA-RIV-5811, CA-RIV-5812, and CA-RIV-5819 containing milling features were marked and not tested to ensure all milling features would not be impacted by the project. Testing at these sites was instead conducted within adjacent areas, primarily within the APE, to confirm the site boundaries do not extend into the APE. At the request of the consulting tribes, seven additional exploratory shovel test pits were excavated within the APE at locations of their choosing. In total, 75 STPs were excavated, and no archaeological material was identified.

No testing occurred at CA-RIV-5421 since the site was previously tested and evaluated as not eligible for the National Register of Historic Places (NRHP) by McDonald and Giacomini in 1996. Testing was also not conducted at CA-RIV-4068 since the site is clearly outside of the APE, but has been included in the study at the request of MJPA and the consulting tribes.

Based upon the records search, surveys, and testing program, sites CA-RIV-4067, CA-RIV-5420, CA-RIV-5421, Temp-2, Temp-3, and Temp-9 to Temp-15 are not eligible for the California Register of Historical Resources (CRHR) or the NRHP. Sites CA-RIV-4068, CA-RIV-5811, CA-RIV-5812, and CA-RIV-5819 were not evaluated for significance as they were found to have no elements within the APE.

Recommendations for conditions are presented in the Phase II archaeological technical document, which were formulated based upon input by the Pechanga Band. Consultation between the tribes, MJPA, and the applicant has led to the development of several conditions (MM XX) related to the prehistoric sites that shall be implemented into a Mitigation Monitoring and Reporting Program (MMRP). These conditions primarily consist of efforts to either preserve in place or relocate (move) bedrock milling features, monitoring of ground-disturbing activities by an archaeologist and Native

American observer, and controlled grading within the vicinity of any recorded site to ensure the timely and proper handling of any inadvertent finds.

Comment 2: "Secondly, the Ethnographic Section clearly identifies that the project area is within *'Atáaxum* (Luiseño) territory, however, there is a section on the Gabrielino. The territory description in the Gabrielino section does not even include the project area. In addition, the Gabrielino are not listed in Native American Heritage Commissions list of Native American Contacts under the assembly Bill 52/Senate Bill 18 list for the project. Please see Table 4.16-2 for your reference. The Tribe requests all ethnographic information and references to the Gabrielino to be removed from the Draft EIR."

Response 2: The detailed discussion of the Gabrielino has been removed from the Phase II archaeological technical study.

Comment 3: "It has been the intent of the Federal Government and the State of California that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the March Joint Powers Authority consult with the Tribe in order to guarantee an adequate knowledge base for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures."

Response 3: MJPA has consulted with the Pechanga Band in accordance with all applicable laws and regulations.

Comment 3: "The Pechanga Tribe asserts that the Project area is part of *'Atáaxum* (Luiseño), and therefore the Tribe's, aboriginal territory as evidenced by the existence of *'Atáaxum* place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive associated artifact record within and in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Indians because of the Tribe's cultural ties to this area as well as extensive history with both this Project and other projects within the area.

The Tribe's knowledge of their ancestral boundaries is based on reliable information passed down to them from their elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and Linguistic accounts. Many anthropologists and historians who have presented boundaries of the *'Atáaxum* traditional territory have included Moreno Valley, the March Air Reserve Base (MARB) and the March

Joint Powers Authority (March JP A) areas in their descriptions (Drucker 193 7; Heiser and Whipple 1957; Kroeber 1925; Smith and Freers 1994), and such territory descriptions correspond with what was communiicated to the Pechanga people by their elders. While historic accounts, anthropological and linguistic theories are important in determining traditional *'Atáaxum* territory; the Tribe asserts that the most critical sources of information used to define their traditional territories are their songs, creation accounts and oral traditions.

'Atáaxum history originates with the creation of all things at *'Éxva Teméeku,* in the present-day City of Temecula, and dispersing out to all comers of erection (what is today known as Luiseño territory). It was at Temecula that the *'Atáaxum* deity *Wuyóot* lived and taught the people, and here that he became sick, finally expiring at Lake Elsinore. Many of the *'Atáaxum* songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs, and finally to those at Elsinore, where he died (DuBois 1908). He was cremated at *'Éxva Teméeku.* It is the *'Atáaxum* creation account that connects Elsinore to Temecula, and thus to the Temecula people who were evicted and moved to the Pechanga Reservation. From Temecula, the people spread out, establishing villages and marking their territories. The first people also became the mountains, plants, animals and heavenly bodies.

Tóota yixélval (rock art) is also an important element in the determination of *'Atáaxum* Luiseño territorial boundaries. *Tóota yixélval* can consist: of petroglyphs (incised) elements, or pictographs (painted) elements. The science of archaeology tells us that places can be described through these elements. Riverside and Northern San Diego Counties are home to red-pigmented pictograph panels. Archaeologists have adopted the name for these pictograph versions, as defined by Ken Hedges of the Museum of Man, as the San Luis Rey style. The San Luis Rey style incorporates elements which include chevrons, zjg-zags, dot patterns, sunbursts, handprints, net/chain, anthropomorphic (human-like) and zoomorphic (animal-like) designs. Tribal historians and photographs inform us that some design elements are reminiscent of *'Atáaxum* ground paintings. A few of these design elements, particularly the flower motifs, the net/chain and zig-zags, were sometimes depicted in *'Atáaxum* basket designs and can be observed in remaining baskets and textiles today.

An additional type of . *Tóota yixélval,* identified by archaeologists also as rock art or petroglyphs, are cupules. Throughout *'Atáaxum* territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small pecked and ground indentations, or cupules. One of these cupule boulders have been identified within the Project. Additionally, according to historian Constance DuBois:

> When the people scattered from Ekvo Temeka, Temecula., they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have

> that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albaña's ancestors had theirs, and Lucario's people had theirs, and their own song;; of Munival to tell how they traveled from Teme'ula, of the spots where they stopped and about the different places they claimed (1908: 158).

Thus, the *'Atáaxum* songs and stories, indigenous place names, as well as academic works, demonstrate that the *'Atáaxum* people who occupied what we know today as Riverside, Moreno Valley, Perris and the surrounding landscape are ance3tors of the present-day *'Atáaxum* /Pechanga people, and as such, Pechanga is culturally affiliated to this geographic area. Further, the Pechanga Tribe was designated as the affiliated Tribe by LSA Associates for the March JPA and the MARB (Schroth 1999).

The Tribe welcomes the opportunity to meet with the March JPA A to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction."

> **Response 3:** The information is noted and as explained by the Pechanga Band, it is recognized that they were designated as the affiliated tribe by LSA Associates, Inc. for the MJPA and the MARB. MJPA has consulted with the Pechanga Band in accordance with all applicable laws and regulations.

Comment 4: "Pechanga is not opposed to this Project; however, we are opposed to any direct, indirect and cumulative impacts this Project may have to TCR's. The Tribe's primary concerns stem from the Project's proposed impacts on Native American cultural resources, which includes both the protection of unique and irreplaceable cultural resources, such as *'Atáaxum* village sites, sacred sites and archaeological items which would be displaced by ground disturbing work on the Project, and on the proper and lawful treatment of cultural items. Native American human remains and sacred items likely to be discovered in the course of the work.

The proposed Project is on land that is within the traditional territory of the Pechanga Band of Indians. The Pechanga Band is not opposed to this Project; however, we are opposed to any direct, indirect and cumulative impacts this Project may have to tribal cultural resources. The Tribe's primary concerns stem from the Project's proposed impacts on Tribal Cultural Resources (TCR's) and Traditional Cultural Landscapes (TCL's). The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as landscapes, *'Atáaxum* village sites, sacred sites and TCR' s which would be displaced by ground disturbing work on the Project, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work."

> **Response 4:** See response to Comment 1. The Phase II testing and evaluation

program has been completed in consultation with both the Pechanga and Soboba Bands. No CRHR-eligible sites are located within the development area. However, to protect against any potential impacts to previously undefined or unanticipated resources, the measures of the MMRP regarding cultural and tribal cultural resources have been developed through consultation with the Pechanga and Soboba Bands.

Comment 5: "The Tribe does not agree with the inclusion of the cultural resources reports in the public Draft EIR documents, and that they are accessible online under the technical appendix section. Public Resource Code §6254(r) strictly prohibits publications of 'records of Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects…'. We request that this information, as well as sensitive information provided in Appendix E-1 and E-2 be removed from the Draft ER documents listed on the March JPA website and included in the confidential Appendix."

Response 5: This information should not be made available for public review and the MJPA website no longer makes these documents publicly available.

Comment 6: "As stated above, the Tribe requests the archeological Phase II testing plan to be completed, in coordination with the Tribe prior to the finalization of the Final EIR. The site boundaries and significance determinations need to be completed in consultation with the Tribes, as well as agreement to avoidance measures and appropriate mitigation measures, if needed. Please note that the Tribe will provide some edits to the mitigation measure in this document as it is proposed; however, there might be additional avoidance and measures requested once the Phase II testing and report has been completed. CEQA environmental documents cannot be completed until the proper assessment is done. The Tribe urges March JPA to be cautious of getting into the realm of deferred mitigation on this subject matter."

Response 6: See response to Comment 1.

Comment 7:"In addition, the DEIR should summarize the information conducted during the entitlement process (Phase I & II archaeological reports) and should not include the actual report, especially information regarding site record search data or cultural resources. Therefore, the entirety of section **4.16.1 Existing Conditions** should be removed and summarized **except for the Native American Coordination and Consultation.** *If* these sections are to be included, the Tribe requests that the Final EIR acknowledge the Tribe's following comments and concerns."

Response 7: The EIR will not include **4.16.1 Existing Conditions** or the Phase I and II archaeological report as requested by the Pechanga Band. Rather, the EIR will summarize the archaeological efforts and results along with a summary of the Native

American coordination and consultation.

Comment 8: "Section **4.16.1 Late Prehistoric Period and Ethnographic Section** makes the statement that, 'Many Luiseño hold the world view that as a population they were created in southern California; however, archaeological and anthropological data proposes a scientific/archaeological perspective. Archaeological and anthropological evidence suggests that at approximately 1,350 YBP, Takic-speaking groups from the Great Basin region moved into Riverside County, marking the transition to the Late Prehistoric Period' and 'the Luiseño were Takic-speaking people more closely [related] linguistically and ethnographically to the Cahuilla, Gabrielino, and Cupeño to the north and east rather than the Kumeyaay who occupied territory to the south'. The above statements are a misclassification of the *'Atáaxum,* language and their territory. The *'Atáaxum* recognize that the world was created in this the area now known as Temecula, and the *'Atáaxum* People have been in this area since the beginning of time, the *'Atáaxum* never migrated into the area. Linguistic theory and archaeological data now support the view that the *'Atáaxum* were in California before the 'Shoshonean Intrusion' occurred. The preconception that Luiseño is a Shoshonean language was a theory introduced in the 1890s and has long since been abandoned. The Tribe further maintains that this supposed theory has *never* been proven, by way of the Scientific Method and it should at best, be considered an abandoned hypothesis being put forth by archaeologists not linguists. Beginning in the 1960s and 70s linguistic researched reclassified the Ute-Aztecan language family into two branches the Northern and Southern. Within those branches the Shoshonean language falls within the Numic branch of the larger U-A family. 'Shoshonean' is not a recognized language group, but it falls within the Central Numic sub-branch and is a language spoken by Shoshonean people. Luiseño is recognized as being within the southern Uto-Aztecan language family in the Takic sub-branch. Some current sources on the Uto-Aztecan family are as follows: Victor Golla, 2011, California Indian Languages, University of California Press, Berkeley, Pg. 169- 88; Lyle Campbell, 1997, American Indian Languages: The Historical Linguistics of Native America, Oxford University Press, New York, pgs. 133-138; Marianne Mithun, 1999, The Languages of Native North America, Cambridge University Press, Cambridge, pgs. 539-548. Therefore, the Tribe would like to assert that the 'Shoshonean Wedge' theory is no longer supported by current research and all mention of the 'Shoshonean Intrusion' be removed throughout the cultural section of the DEIR for this project. Additionally, the statement that the Luiseño had no word for their nationality is wildly incorrect. The Luiseño called themselves *'Atáaxum*, which means 'people,' and traditional songs refer to the people as Payómkawichum, 'people of the west.' (Constance Goddard DuBois, 1908, The Religion of the Luiseño Indians of Southern California, University of California Publications in American Archaeology and Ethnography, pgs. 138, 159.) The people were also associated with their villages, for example, today the Pechanga people refer to themselves as the 'Pecháangayam,' the people of Pechanga."

Response 8: The Phase II technical study continues to detail the accepted

archaeological data, which includes appropriate citations from accepted scientific literature (see Section 3.2.5 "Protohistoric Period [Late Holocene: circa 1542 to circa 1769]" of the technical report). However, the document has always maintained there is a difference in view between the archaeological perspective and the Native American community regarding origin (see Section 3.2 "Cultural Setting – Archaeological Perspectives").

Although the Phase II technical study does discuss the "Takic expansion," it does not reference the "Shoshonean Wedge," nor does it state that the "Luiseño had no word for their nationality." However, information presented by the tribe above has been incorporated into the technical study.

The information referencing "'*Atáaxum*, which means 'people,' and traditional songs refer to the people as Payómkawichum, 'people of the west'" has been added to the technical report. In addition, the Pechanga Band's information that "the world was created in this the area now known as Temecula …" has also been included with the existing , the archaeological data, which discusses the Luiseño's presence in southern California prior to the Takic expansion. The technical study has always noted that the Luiseño were likely not a Takic group expanding into the territory, but "rather a northern San Diego County/southern Riverside County Yuman population who adopted the Takic language" (see Section 3.2.4 "Late Prehistoric Period [Late Holocene: 1,300 YBP to 1790]" of the technical report).

Comment 9: "At this time, the Tribe has several edits to the proposed mitigation measures; however, more specific measures might need to be included in the Final EIR after the completion of the Phase II archeological testing plan. We request that these mitigation measures be incorporated into the final EIR, with the revisions and editions provided below, and into any other appropriate final environmental documents approved by the March JPA."

Response 9: The tribe follows this comment with 13 measures that are primarily changes to the existing measures, as well as some additional mitigation measures in strike-out/underline. BFSA has incorporated all of these requests into new recommendations in the Phase II technical study.

* * *

The Phase II archaeological technical document, which incorporates many of the above comments, has been submitted to MJPA and the findings and appropriate changes, as identified in the responses above, will be incorporated into the EIR. If you have any additional comments regarding the responses to comments, please contact us.

Sincerely,

Andrew J. Garrison
AJG:eg

July 25, 2023

Susan A. Philips
Professor of Environmental Analysis
Associate Dean, Pitzer College
Director, Robert Redford Conservancy for Southern California Sustainability
742 North Amherst Avenue
Claremont, California 91711

Subject: Response to Comments for Public Comment on Record for the West Campus Upper Plateau Project, Environmental Impact Report, State Clearinghouse No. 2021110304

Dear Dr. Philips:

BFSA Environmental Services, a Perennial Company (BFSA), has been asked to respond to comments submitted to March Joint Powers Authority (MJPA) Planning Director Dan Fairbanks on March 9, 2023, and have prepared the following responses for your review and consideration.

Comment 1: "According to DEIR p 4.4-15 'based upon the records search and literature results, there is a high potential to discover both prehistoric and historic resources within the APE beyond the already recorded sites.' We agree with this assertion, and would like to know how the conflict between likely discovery of prehistoric and historic resources and the use of blasting at the site will be resolved."

Response 1: Phase II testing of resources within the Area of Potential Effect (APE) has been completed and it has been determined that no significant archaeological resources are present within the project's Development Area. Although no archaeologically significant resources will be impacted by the project, the bedrock milling features are still viewed as culturally important to the Soboba and Pechanga Bands. Consultation between the tribes, MJPA, and the applicant has led to the development of several conditions related to the prehistoric sites, which have been incorporated as mitigation measures in

the Final Environmental Impact Report (EIR). These conditions primarily consist of efforts to either preserve in place or relocate (move) bedrock milling features, monitoring of ground-disturbing activities by an archaeologist and Native American observer, and controlled grading in the vicinity of any recorded site to ensure the timely and proper handling of any inadvertent finds (see Mitigation Monitoring and Reporting Program [MMRP]). Further, as recommended by the Paleontological Assessment, Mitigation Measure XX requires that alternative rock breaking methods, such as expanding chemical agents (epoxy resin), be used in the area of identified resources and therefore there will not be a conflict as suggested by the comment.

Comment 2: "We urge you to follow the recommendation in Appendix E that an archaeological significance evaluation of the sites be completed to evaluate if the resources are eligible for listing on the California Register of Historical Resources (CRHR) and NRHP. We find the conclusion that the significance of cultural resources and tribal archaeological resources are ineligible for listing to merit further investigation. In fact, it is feasible not only to consider individual instances of buildings as cultural resources, but to consider such resources collectively, as well as to consider this site's unique confluence of prehistory and history, between tribal and military history as a whole – cumulatively as opposed to broken into categories."

Response 2: Phase II testing has been completed and the results of the updated technical study will be incorporated into the Final EIR. The Phase II testing and evaluation program was done in consultation with both the Pechanga and Soboba Bands. Consultation between representatives from the MJPA, the Soboba Band of Luiseño Indians, and the Pechanga Band of Indians resulted in an agreement regarding the scope and methods for the Archaeological Test Plan (ATP), which were approved by the MJPA in March 2023. Archaeological testing in compliance with the ATP occurred between March 20 and 31, 2023. Based upon the records search, surveys, and testing program, sites CA-RIV-4067, CA-RIV-5420, CA-RIV-5421, Temp-2, Temp-3, and Temp-9 to Temp-15 are not eligible for the California Register of Historical Resources (CRHR) or the National Register of Historic Places (NRHP). Sites CA-RIV-4068, CA-RIV-5811, CA-RIV-5812, and CA-RIV-5819 were not evaluated for significance as they were found to have no elements within the APE.

Regarding the Cold War-era March ARB Weapons Storage Area (WSA) found within the project, these elements are studied independently from the prehistoric resources as there is no tangible connection between the historic and prehistoric land use. Rather, the historic land use of the property actually diminishes any potential integrity of some of the prehistoric sites. See response to Comment 13 below.

Comment 3: "We request access to the documents related to AB 52 consultation, including the draft Testing Plan under review, which are reported to be on file with March JPA. If such materials cannot be made public due to tribal sensitivity, we request that the DEIR approval process be halted until the draft Testing Plan and tribal consultations is complete."

Response 3: The Assembly Bill 52 government-to-government consultation process is confidential between the lead agency and tribal governments. This information is not for public review. Likewise, any study that shows cultural resources is protected from public review. Section 6254.10 of Government Code § 6250 et seq. specifically exempts from disclosure requests for:

> [R]ecords that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the [Native American Heritage Commission], another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency.

Phase II testing has been completed and the results from the updated technical study will be incorporated into the Final EIR. See response to previous comment for a summary of the archaeological testing results.

Comment 4: "Some places in the document indicate that tribal consultation is ongoing, and that tribal representatives will be present for the staking of the site and any associated archaeology. Other places in the DEIR indicate that tribal consultation has been halted. We found this paragraph particularly concerning: 'At the direction of March JPA, Brian F. Smith and Associates, Inc. contacted the Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians to solicit their involvement with the proposed Project. A site visit with representatives from both tribes and March JPA was conducted on February 16, 2022. The local tribal governments suggested the presence of a Traditional Cultural Property (TCP) and potentially a Traditional Cultural Landscape (TCL) within the vicinity of or overlapping the APE. However, the recorded boundary of a potential TCP/TCL was not fully identified or formally presented to Brian F. Smith and Associates, Inc. Since the boundary of the potential TCP/TCL is unknown, effects cannot be determined without direct consultation with the local Native American tribes through government-to-government consultation.' If you continue to work with tribal representatives, then it follows that further information about potential TCP and TCL can be solicited from those representatives.

We request that DEIR approval be postponed until a recorded boundary for the TCP/TCL is

identified and considered in collaboration with tribal representatives.

> **Response 4:** At this time, consultation is ongoing and both the Pechanga and Soboba Bands have been active partners with MJPA and the consulting archaeologist on the identification of resources, Phase II testing, and appropriate conditions for development of the property.

Comment 5: "We also request further information regarding the following: 'Under Alternative 4, Barton Street would be realigned to the east to avoid a known cultural resource site that otherwise would be directly impacted under the proposed Project during construction activities.' Which known cultural resource is this referring to? Please provide information about this known cultural resource site for public consideration."

> **Response 5:** All archaeological resources in proximity to Barton Street were evaluated as not eligible for the CRHR and therefore not significant under California Environmental Quality Act criteria. Further, cultural and tribal resources are protected from public review. Section 6254.10 of Government Code § 6250 et seq. specifically exempts from disclosure requests for:
>
> > [R]ecords that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the [Native American Heritage Commission], another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency.

Comment 6: "'While Buildings A1 to A14 are the only United States Air Force associated munitions storage igloos in California, they are not unique, military-related munitions storage structures in California.' Please clarify what this means. If they are the only examples of such buildings associated with the USAF, it follows that they are unique examples of munitions storage igloos."

> **Response 6:** The WSA report erroneously stated the WSA igloos were the only United States Air Force-associated munitions storage igloos in California. Travis Air Force Base in Fairfield includes munitions storage igloos as part of the Travis AFB ADC Readiness National Register Historic District Area. Munitions bunkers are also found at Beale Air Force Base in Marysville and Edwards Air Force Base in Edwards. Further, the WSA igloos are not unique or distinctive examples of munitions storage igloos in California or the local region and are among the most common military-related weapons storage

constructions. For example, similar igloos are regionally found at the Fallbrook Ammunition Depot, Naval Weapons Station Seal Beach, and Marine Corps Air Station El Toro. Additionally, Concord Naval Weapons Station in San Francisco includes a larger weapons storage area that features various underground and overground bunkers constructed in different periods and styles. Sierra Army Depot in Herlong includes over 800 munitions storage igloos and igloos remain from the closed Benicia Arsenal in Benicia. The WSA and its individual buildings were determined not eligible under NRHP, CRHR, or MJPA California Environmental Quality Act (CEQA) Guidelines criteria for historic resources. The WSA report has been revised to accurately describe the state and regional context for the WSA igloos.

Comment 7: "In one part of the document (4.4-19), the DEIR states that buildings A1-A14 'retain both integrity of design and integrity of materials,' while later the same section indicates that 'none of the buildings retain high degree of integrity.' It's unclear if this statement is referring simply to buildings B-F or also includes A1-A14 which are referenced earlier in the paragraph."

Response 7: The WSA and its individual buildings were determined not eligible under NRHP, CRHR, or MJPA CEQA Guidelines criteria for historic resources. The statement was updated to reflect that of the seven aspects of integrity, Igloos A1 to A14, Buildings B, D, E, F, and G, and the WSA buildings, collectively, were determined to retain integrity of location, design, and materials. Building C was determined to only retain integrity of location. None of the buildings, individually or collectively, retain integrity of setting, and they never possessed integrity of workmanship, feeling, or association.

Comment 8: "Please provide an explanation for why adaptive reuse of the buildings is not an option. Adaptive reuse is often an excellent option that can minimize the carbon footprint of a project, further qualifying construction for LEEDS certification."

Response 8: This comment will be addressed separately in the Final EIR.

Comment 9: "We would also like further clarification about the DEIR's focus on the 'evolution' igloo styles. Repeated several times throughout the DEIR and Appendix E are the criteria for listing on the NRHP and CRHR, which are based on four main areas of significance: architecture, archeology, engineering, and culture. The cultural significance criterion, applicable in this case is defined as 'properties 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.' Excluding the igloo styles from NRHP categories based on their lack of representing a 'transitional style,' or 'evolution from one style to the next,' is repeated

several times in the DEIR. Being in a transitional style or representing the evolution of an architectural style is not a criterion for listing on the NRHP or CRHR. The igloos are properties that 'embody the distinctive characteristics of a type, period, or method of construction,' and thus fall within NRHP and CRHR guidelines."

Response 9: Most of the ammunition and explosive magazines were constructed during and after World War II. The construction of these storage structures started as a part of the nation's large-scale mobilization during World War II. From 1939 to 1945, the United States government spent hundreds of millions of dollars to construct 77 new military industrial facilities and 16 major ordnance depots. These igloos were commonly covered with earth and featured concrete building material. Although the floor is at or above the ground level, because the magazine is covered with earth on three sides, it is considered underground. The structure underneath the earth-covered portion is barrel-arched and constructed from reinforced concrete. The use of the barrel-arch design directs the force of a potential explosion upward, rather than outward, decreasing the chance of a chain explosion.[1] The design of the munitions storage igloos remained the same until the mid-1950s. The design of the earth-covered magazines also changed in the period following the Korean War. Although the general design and the arched-roof structure of the igloos remained the same, wider openings with double-leaf steel doors began to be featured to facilitate the transportation of larger munitions. Older magazines were modified with the installation of access ramps and wider doors to allow the storage of heavier munitions. The most radical change in the igloo design took place in 1954, when the Chief of Ordnance recommended a new igloo design named "Stradley" after its designer. This design, which was also known as the yurt, featured vertical side walls, an elliptical arch for the roof, and large sliding doors. The vertical walls of this design created additional storage space and allowed the munitions to be stacked vertically.[2]

According to historic aerial photographs, Igloos A1 to A9 were constructed between 1948 and 1953, and Igloos A10 to A14 were constructed between 1953 and 1962. In terms of their construction, all munitions storage igloos exhibit typical characteristics of the explosive magazines constructed during World War II between 1939 and 1945. While the WSA munitions storage igloos feature reinforced concrete constructions and barrel-arched bodies, they were constructed after the period of significance for this World War II weapons storage construction type and technique and, therefore, cannot be considered significant examples of the barrel-shaped igloos.

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[1] Joseph Murphey, Dwight Packer, Cynthia Savage, Duane E. Peter, and Marsha Prior, Army Ammunition and Explosives Storage in the United States: 1775-1945. U.S. Army Corps of Engineers Forth Worth District and Geo Marine, Inc. Special Publications Number 7, 2000.

[2] Kathryn M. Kuranda, Kathryn Dixon, Dean A. Doerrfeld, Rebecca Gatewood, Kirsten Peeler, Christine Heidenrich, and Katherine E. Grandine, Army Ammunition and Explosives Storage During the Cold War (1946-1989), prepared for U.S. Army Environmental Command, Aberdeen Proving Ground, Maryland, 2009.

The barrel-shaped igloo design was extensively used by the United States military in the construction of weapons storage facilities before it was replaced by "Stradley"-style magazines, which were extensively used in the 1950s. However, WSA igloos are not examples of "Stradley"-style magazines.

Ammunitions storage igloos might be significant if they exhibit features reflecting the changes in ammunition storage as a result of the Cold War.[3] Igloos A1 through A14, however, fail to show the stylistic and technical transition between the barrel-shaped igloos and "Stradley"-style igloos and, therefore, cannot be considered significant examples.

Further, as detailed in Response 6, above, the WSA igloos are not unique or distinctive examples of munitions storage igloos in California or the local region and are among the most common military-related weapons storage constructions.

The analysis of the WSA igloos in terms of their style, construction, and type does not solely focus upon the "evolution" of the igloo styles, but rather mentions it as a part of the analysis and the technical study has been revised to reflect this. However, the WSA igloos also do not embody the distinctive characteristics of a type, period, or method of construction, as mentioned in the comment. The technical study has been revised for clarification.

Comment 10: "The remains of Camp Haan also present some very important opportunities for historical and archaeological research and appear to be clearly eligible for listing in the NRHP under Criterion A and D (and consequently, for listing in the CRHR under Criteria 1 and 4).

As the only Air Force Igloo style military munitions storage bunkers in California, as the site of Camps Hahn, which housed prisoners or war, as a site with multiple tribal, cultural, and paleological resources below mean that this site has a very rich cultural history that should be learned from, incorporated into site design, and made publicly accessible. Placing warehouses on this site is ill advised when the preservation, enhancement, and integration of the valuable cultural resources have such clearly powerful potential. Job growth is the only criteria used to justify the proposal to build the warehouse project. But warehouse jobs are both low density and low quality, and will be further automated. Industrial zoning will additionally cause more intensive uses, and thus decreased engagement with, and potentially wholesale destruction of, this incredible cluster of cultural resources."

[3] John L. Nau, Program Comment for World War II and Cold War Era (1939 – 1974) Ammunition Storage Facilities. Advisory Council on Historic Preservation, Washington, D.C., 2006.

Response 10: The West Campus Upper Plateau Project is located outside of and north of the boundaries of Camp Haan. Camp Haan is located south of the West Campus Upper Plateau project area. The project will not impact Camp Haan (see attached figure). The remainder of this comment will be addressed separately in the Final EIR.

Comment 11: "Additionally, moving forward with the project as it stands may constitute a violation of CEQA. If a project 'defers mitigation,' according to CEQA, it also needs to name a performance standard. We note that in the Cultural Resources section, the project defers mitigation but does not give a performance standard (example of performance standards could be that all cultural impacts will be avoided, or significant artifacts will go into a museum, etc.) Since there is no performance standard, it is not clear to the public what the plan is. This is a violation of CEQA disclosure requirements."

Response 11: As the necessary Phase II testing and evaluation have been completed, no proposed mitigation is being deferred. As no CRHR-eligible or -designated cultural resources are located within the project, no site-specific mitigation measures are warranted. However, the established conditions found within the MMRP do include performance standards or processes to follow in the event that any inadvertent resources are discovered, steps for evaluating any inadvertent discovery, and guidelines regarding final deposition of any artifacts.

Comment 12: "Multiple cultural resource sites (CA-RIV-4067, CA-RIV-4068, CA-RIV-5420, CARIV-5811, CA-RIV- 5812, CA-RIV-5819, Temp-2, Temp-3, and Temp-9 to Temp-14) have been identified within the archaeological survey. This project may represent a direct or indirect adverse impact to the cultural resources/historic properties. A great deal of work has been done over the decades in how to approach bedrock milling sites, for example, and what can be learned from them. Blood protein residue analysis has shown that it may be possible to identify seasonal procurement of various small fauna used for food by taking samples from milling surfaces. Other studies have attempted to quantify probabilities for the presence of artifact deposits at the foot of bedrock milling features. In other words, the significance of the milling sites and the research they might produce will likely increase with changes in technology-and indeed already has since these were made."

Response 12: Phase II testing has been conducted and the results will be implemented into the Final EIR. No interpolation of potential artifact quantities is warranted since testing throughout the APE failed to identify any archaeological artifacts or deposits.

Regarding pollen and protein residue analyses at bedrock milling sites, these studies rarely provide any information that is not anticipated. The results tend to reflect the

processing of known plants and animals in the region and many studies are inconclusive due to impacts to the milling features, natural weathering and contamination. The studies are outside the accepted scope of any significance testing program and no special circumstances exist here warranting more in depth analysis. When such studies were conducted at bedrock milling Site CA-RIV-1330/H, located approximately three miles south of the subject property, it did not provide any information that was unusual or not anticipated. These studies reflected plants that were known to have been used prehistorically, as well as plants that are associated with non-native species from agriculture and landscaping. Another similar study conducted at bedrock milling Site RIV-6506 found the sample was dominated by elongate forms with no interpretive data beyond representing the presence of grasses and possibly sedges. Further, cotton fibers were also present, indicating possible contamination. Due to the fact that prehistoric bedrock milling features such as those found within and surrounding the project are the most ubiquitous archaeological features found in the Riverside area, the lack of any recovered associated artifacts, and the sites' being not CRHR-eligible, the redundant or inconclusive data that may be obtained from pollen and protein residue analysis would not alter the evaluation of the sites.

Finally, all archaeological work, including the potential for special studies, has been done in consultation with the Pechanga and Soboba Bands which do not seek pollen and protein residue analysis.

Comment 13: "March is one of the oldest airfields operated by the United States military, being established as Alessandro Flying Training Field in February 1918. It was one of thirty-two Air Service training camps established after the United States entry into World War I. The attack on Pearl Harbor in December of 1941 quickly brought March Field back into the business of training aircrews.

The March Field Historic District is the most significant cultural resource identified within the planning area. The March Field Historic District has been nominated for listing on the NRHP upon concurrence by SHPO. Furthermore, under the governance of the U.S. Air Force, a Cultural Resource Management Plan (CRMP) for March AFB was prepared, which includes a maintenance manual for the Historic District.

There is case law in California supporting the historical preservation of multiple buildings as a collective. Please assess how separate military buildings (and tribal resources) can be listed as one collective resource, and therefore, should merit preservation. One key case in California where cultural resources were treated collectively instead of individually is the Native American Heritage Commission v. County of Santa Clara case in 1997. The court ruled that under CEQA

that the EIR for the proposed development project must take into account the cumulative impact on all tribal cultural resources in the area, not just those that were individually identified. Please assess the collective impact of tribal archaeological and historic resources, rather than just taking them as individual or separate sites."

Response 13: The March Field Historic District was approved for inclusion in the NRHP in 1994. However, the district, which is also referred to as the "historic triangle," is located approximately three miles southeast of the WSA and the project is not within the March Field Historic District. The buildings located within the historic triangle were constructed in the mid- and late-1920s in the Mission Revival style. The importance of the historic district comes from its importance during World War II, its association with architect Myron Hunt, who established the Mission Revival Style for the base, and City Planner George B. Ford, who designed the base's distinctive triangular plan. No further effort was made to continue Mission Revival-style construction on the base after the 1920s.[4] In fact, the architecture outside the historic triangle looks so "strikingly similar" to other United States Air Force facilities constructed or expanded in the post-World War II period, which relied upon standardized architectural designs and diagrammatic floor plans.[5] None of the WSA buildings are constructed in Mission Revival style, have any ties to World War II, or are associated with Myron Hunt or George B. Ford. The construction of the WSA buildings took place much later than the period of significance for the March Field Historic District. Additionally, they are geographically separated from the historic district and cannot be evaluated through any connection. The technical study evaluated the WSA buildings, individually and collectively, and determined they did not qualify as historic resources.

Regarding tribal and archaeological resources, Phase II testing has been completed to address the archaeological sites impacted by the project individually and collectively. This information will be incorporated into the Final EIR. None of the resources impacted by the project are individually or collectively significant under CEQA. Prehistoric bedrock milling features such as those found within and surrounding the project are the most ubiquitous archaeological features found in the Riverside area due to the flat exposure of granitic bedrock common to the southern California batholiths. Further, the lack of any recovered associated artifacts or habitation debris firmly illustrates the prehistoric bedrock milling sites within the APE represent a location or landscape used only for the most expedient extraction of resources.

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[4] Stephen D. Mikesell, Stephen R. Wee, and Meg McDonald, Cultural Resources Management Plan for March AFB, California, JRP Historical Consulting Services and ASM Affiliates, Inc., prepared for Army Corps of Engineers, Los Angeles District and March Air Force Base, 1996.

[5] Terri Caruso Wessel, Historic Building Inventory and Evaluation, March Air Force Base, Riverside County, California. William Manley Consulting and EARTH TECH. Submitted to and on file with the U.S. Department of the Air Force, Brooks Air Force Base, Texas, 1995.

While CEQA requires consideration of cumulative impacts of historic resources and prehistoric resources, combining analysis of prehistoric resources with the historic resources as a single site is not appropriate. There is no tangible connection between the two; rather, the historic land use of the property actually diminishes any potential integrity of some of the prehistoric sites. However, as no significant archaeological material was recovered from the Phase II testing, the prehistoric sites do not individually or collectively qualify as significant resources and, therefore, do not qualify for preservation as a site-specific mitigation measure. Regardless, as discussed above, through consultation between MJPA and the Pechanga and Soboba Bands, due to the cultural importance of such milling features, several methods of preservation/relocation of features are conditioned for the project. Features clearly outside of the APE shall be preserved in place and attempts shall be made to preserve those within the APE but outside of the grading envelope. For features within areas of cut, an attempt shall be made to relocate (move) them to open space and those in areas of fill shall be attempted to be buried in place. Finally, the case cited by the comment could not be located.

Comment 14: "Please indicate how grinding stone clusters will be avoided in construction, as well as taken as a collective resource that deserves public access and public education information. We argue that the in-situ grinding stones be avoided and incorporated into the proposed alternative plans, that mitigation for construction involve education about tribal communities that utilizes these in-situ resources, as well as maintaining the public's ability to visit the sites."

Response 14: Phase II testing of resources within the APE has been completed and no significant archaeological resources are located within the area of proposed project construction. Although no archaeologically significant resources will be impacted by the project consultation between the tribes, MJPA, and the applicant has led to the development of several conditions related to the prehistoric sites. These conditions primarily consist of efforts to either preserve in place or relocate (move) bedrock milling features, monitoring of ground-disturbing activities by an archaeologist and Native American observer, and controlled grading within the vicinity of any recorded site to ensure the timely and proper handling of any inadvertent finds (see MMRP). Further, the locations of archaeological resources, including bedrock milling features, whether in-situ or relocated, are protected from disclosure to the public. Consultation with both the Pechanga and Soboba Bands on similar projects has led to requests from both groups to make the locations of any features remain confidential, whether significant under CEQA or not.

Comment 15: "Preserving the buildings and cultural resources as a collective can be

incorporated into each of the projects proposed in the Community Alternatives letter. The alternative buildings could seamlessly integrate into and enhance projects such as veteran housing, public park space, or UCR campus. We believe site preservation would provide added value to any proposed housing project surrounding this historic site and could act as a site for experiential learning at UCR as well as providing blue-green jobs."

Response 15: This comment will be addressed separately in the Final EIR.

Comment 16: "As you may know, the US Fish and Wildlife has been instrumental in protecting some of the most significant natural and cultural resources in the United States. Through its management and preservation efforts, the USFW has helped to protect not only the natural beauty of our parks but also important cultural resources, including military sites. The Air Force Natural Resource Partnership have conserved over 10 million acres on Air Force lands that include over 100 military sites. The cultural heritage of this site merits same principles of preservation and management to be applied to the West Campus Upper Plateau Project, ensuring that any development in the area is conducted in a responsible and sustainable manner. A decision to preserve this land instead of developing it into a warehouse will constitute an approach to protecting land and cultural resources that can serve as a model for responsible development and preservation efforts throughout the region."

Response 16: This comment will be addressed separately in the Final EIR.

Comment 17: "The West Upper Plateau lies above the Elsinore Fault Zone and on the east by the San Jacinto Fault Zone. Public Law 74-292 (the National Natural Landmark Program, implemented by Title 36 CFR 62) cites that paleontological resources with significant value are those with 'illustrative character, present condition, diversity, rarity, and value for science and education.' The geology mapped at the Project site is mostly underlain by the Cretaceous-aged Val Verde tonalite, a type of crystalline plutonic rock related to granite. Scattered linear outcrops of Cretaceous granite dikes, Paleozoic biotite. The eastern portion of the development site includes lower Pleistocene fan deposits which have a 'high' paleontological sensitivity for the occurrence of terrestrial vertebrate fossils at shallow depths. Disturbance of any potential terrestrial vertebrate fossils within the Pleistocene fan deposits, therefore, could result in potentially significant impacts to paleontological resources. How will grading be monitored to assure that these paleontological resources will not be impacted?

Response 17: As described in Section VI of the revised paleontological assessment, research has confirmed the existence of potentially fossiliferous Pleistocene very old alluvial fan deposits mapped at the eastern end of the project. Approximately 1.18 acres of mapped deposits have the potential to be disturbed by the project ("Qvofa" on Figure 3). Although the paleontological locality search did not indicate the presence of any

known fossil localities within the project site or surrounding area, the occurrence of terrestrial vertebrate fossils at shallow depths from Pleistocene older alluvial fan sediments across the Inland Empire of western Riverside County is well-documented. These Pleistocene older alluvial fan sediments are typically assigned a "High" paleontological sensitivity rating for yielding paleontological resources. Full-time monitoring of undisturbed Pleistocene old alluvial fan deposits at the project is recommended starting at the surface. Monitoring is not warranted for outcrops or exposures of tonalite and other crystalline rocks composing the majority of the project. A Paleontological Resource Impact Mitigation Program (PRIMP) covering the approximately 1.18 acres of Pleistocene alluvial fan deposits proposed for development is recommended for the project for approval by the MJPA before the issuance of the grading permit.

Comment 18: "Additionally, given the presence of quaternary-age fossils and Pleistocene fan deposits in 'alluvial deposits near the planning area,' such as in San Timoteo Canyon north of the site, the assessment that the planning area does not contain significant paleontological resources is unclear. It is however stated in the report that the 'eastern portion of the development site includes lower Pleistocene fan deposits which have a "high" paleontological sensitivity for the occurrence of terrestrial vertebrate fossils at shallow depths,' exemplifying that the significant disregard of any potential paleontological significance in all areas of the site. Will the paleontological considerations provided to the conservation easement in the eastern portion of the site be matched for other areas of the site? Even more concerning is the admittance that, despite the already severe lack of paleontological precautions and assessments under MM-CUL-1 and MM-CUL-6, the Project will nonetheless result in 'significant and unavoidable impacts to historical and archaeological resources,' as well as paleontological ones that will be further disregarded if they are deemed insignificant.

Response 18: Three museums with significant paleontological resource holdings from localities throughout southern California were consulted to demonstrate the potential presence of any fossil localities that may lie within or near the project. Their findings are attached in Appendix B and are summarized in Section IV of the revised paleontological assessment. As stated in the "Fossil Locality Search" segment of Section IV, the nearest-known fossil locality is eight miles east of the project from Pleistocene-aged alluvial deposits. Alluvial fan deposits of a similar age are present within approximately 1.18 acres proposed for development at the eastern end of the project, which have a high potential to yield significant paleontological resources, as stated in Sections IV, V, and VI of the paleontological assessment. Accordingly, the report addresses the potential for adverse impacts to the paleontological resources that these deposits may contain at the project, as stated in Sections V and VI. The remainder of the project (*i.e.,* west of the Pleistocene alluvial fan deposits as mapped in Figure 3) is geologically mapped as

tonalite, which possesses minor granite and metamorphic rock inclusions. Tonalite, granite, and these metamorphic rocks do not yield fossils. Tonalite and granite are categorized within the granitic suite of plutonic rocks, having crystalized several miles below the earth's surface from a molten state, and were subsequently uplifted to the surface via the action of plate tectonics. As such, fossils do not exist in tonalite and granite. The metamorphic rocks within the project were probably previously sedimentary rocks that were subsequently subject to such intensive heat and pressure during subduction and exhumation that they physically altered to an interlocking, crystalline state. As such, fossils do not exist in these metamorphic rocks. Therefore, the potential for adverse impacts to paleontological resources in these rocks does not exist and monitoring for paleontological resources is not recommended in areas mapped as tonalite, granite, or any metamorphic rocks on Figure 3, as stated in Section VI. Finally, San Timoteo Canyon lies several miles to the north within a different geologic setting than that of the project, and contains different, unrelated geologic formations. Therefore, a paleontological comparison between the two sites is not appropriate.

The revised paleontological assessment includes recommended mitigation measures to demarcate the area alluvial fan deposits proposed for development and monitor this area through an approved PRIMP. With implementation of these mitigation measures, the project's impacts to paleontological resources would be less than significant.

Comment 19: "This lack of thorough examination is especially concerning given the assertion in the Executive Summary that the March JPA intends to reduce monitoring of paleontological resources in the case that "potentially fossiliferous units are not present in the subsurface" or if discovered fossils in these areas are determined to have "low potential to contain or yield fossil resources" by a qualified paleontological personnel. It should be emphasized that this qualified personnel should be an independent third-party with no connections to the developers or contractors that may bias their assessment. Furthermore the DEIR states that the report, "when accepted as satisfactory by the March JPA, will signify satisfactory completion of the project program to mitigate impacts to paleontological resources," highlighting how a concerning lack of third-party or unbiased input on paleontological standards may yield biased assessment and outcome. How will the project ensure its use of unbiased contractors in consultation about paleontological resources? We also note that the County of Riverside may be the enforcement agency during the grading process and thus March JPA should harmonize its standards to the same levels as County requirements.

Response 19: The recommended mitigation measures for the project have been revised in the revised paleontological assessment to better clarify the role of the qualified professional paleontologist, the extent of monitoring, and the required measures in the PRIMP. Approximately 1.18 acres of Pleistocene alluvial fan deposits proposed for

development, plus a 100-foot buffer, will be demarcated, both on grading plans and in the field, by a qualified geologist. The PRIMP will follow the guidelines and recommendations of the MJPA and Society of Vertebrate Paleontology and must be drafted by a qualified professional paleontologist with a master's or doctorate degree in paleontology or geology who is knowledgeable in professional paleontological procedures and techniques. The qualified paleontologist will attend the preconstruction meeting to consult with the grading and excavation contractors and will direct the paleontological monitoring program. Fieldwork may be conducted by a qualified paleontological monitor, defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor shall always work under the direction of a qualified professional paleontologist.

Full-time monitoring of grading or excavation activities will be performed starting at the surface in undisturbed areas of Pleistocene sedimentary deposits. The paleontological monitor will be present on-site to inspect for paleontological resources during the excavation of previously undisturbed deposits. The monitor will be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner.

The PRIMP will include methods for salvage and recovery, preparation, sorting and cataloging, and donation of paleontological resources. Upon completion, the qualified paleontologist will prepare a final monitoring and mitigation report of findings and significance to the MJPA for approval.

With regard to potential bias, the qualified professional paleontologist will be subject to the mandatory and aspirational standards of the Society of Vertebrate Paleontology Ethics Code,[6] which addresses scientific misconduct, fossil collection, collections management, working with specimens, and paleontological research.

Comment 20: "The EIR mentions the use of Blasting & Rock Handling of up to 20 acres per day. The EIR says 'Full time monitoring of grading or excavation activities shall be performed starting at a depth of 4 feet below the surface in undisturbed areas of Pleistocene sedimentary deposits within the project's boundaries' (Table 1.2 in Executive Summary, page 73). How will full-time monitoring occur if blasting is used as a method at the project site?

Response 20: As recommended by the Paleontological Assessment, prior to grading, the

[6] Society of Vertebrate Paleontology, "SVP Ethics Code," https://vertpaleo.org/code-of-conduct/ (July 18, 2023).

professional paleontologist shall demarcate, both on the grading plans and in the field, the extent of the Pleistocene very old alluvial fan deposits within the area of ground disturbance in the project site. Blasting within demarcated areas shall not occur until after the completion of paleontological monitoring, or at the discretion of the professional paleontologist. In the event conditions arise that would require blasting within the demarcated area, the applicant shall utilize alternative rock breaking methods, such as expanding chemical agents (epoxy resin).

Comment 21: "An example of a military site as well as tribal cultural resources, referencing CEQA, is the case of Jamul Action Committee v. Chaudhuri in 2017. In this case, the court ruled that the EIR for a proposed casino project should have included an analysis of the cumulative impact on both the Jamul Indian Village's cultural resources and the adjacent Camp Lockett, a former military training site that was also identified as a cultural resource. The court held that the EIR's analysis of the project's impact on cultural resources was deficient because it did not properly evaluate the cumulative impact on these two distinct but interconnected cultural resources. This project presents an analogous example. We request more information about the cumulative impacts on all the cultural resources listed in Appendix E and in the DEIR."

Response 21: While CEQA requires consideration of cumulative impacts of historic resources and prehistoric resources, combining analysis of prehistoric resources with the historic resources as a single site is not appropriate as they are not interconnected. The case cited by the comment could not be located.

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If you have any additional comments regarding the responses to comments or require any report revisions, please contact me.

Sincerely,

Brian F. Smith
BFS:ag