

4.5 CULTURAL RESOURCES

This section outlines the regulatory context as it applies to cultural resources, followed by a cultural context and impact analysis related to the prehistoric, ethnographic and historic-era background of the planning area. Existing setting information was obtained from the *Cultural Resources Technical Background Report, City of Hemet General Plan Update*, prepared by Applied EarthWorks, Inc. in January 2006 (see Appendix D to this EIR).

4.5.1 REGULATORY SETTING

Cultural resources in California are protected by a number of federal, State, and local regulations and ordinances. The following provides a brief outline of the regulations, policies, and ordinances applicable to the Draft General Plan.

FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of their actions, and those they fund or permit, on properties that may be eligible for or listed on the National Register of Historic Places (NRHP), and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on effects to listed or eligible properties. To determine if an undertaking could affect NRHP-listed or eligible properties, all cultural sites that could be affected must be inventoried and evaluated.

Although compliance with Section 106 is the responsibility of federal agencies, others can undertake the work necessary for compliance. The Section 106 process would need to be completed by any federal agency issuing a permit for future development consistent with the Draft General Plan, but it is not specifically required for CEQA compliance.

STATE PLANS, POLICIES, REGULATIONS, AND LAWS

California Environmental Quality Act and California Register of Historical Resources

CEQA states that if a proposed project would result in an impact that might cause a substantial adverse change in the significance of a cultural resource (termed a “historical resource”), then an EIR must be prepared and mitigation measures and alternatives must be considered. A “substantial adverse change” in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired (14 California Code of Regulations [CCR] Section 15064.5[b][1], also described as Section 15064.5[b][1] of the CEQA Guidelines). Because only significant cultural resources need be addressed, the significance of cultural resources must be determined before mitigation measures are developed.

California Public Resources Code (PRC) Section 5024.1 and Section 15064.5 of the CEQA Guidelines define a historical resource as “a resource listed or eligible for listing on the California Register of Historical Resources.” A historical resource may be eligible for inclusion in the California Register of Historical Resources (CRHR) if it:

- (1) is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- (2) is associated with the lives of persons important to our past;
- (3) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- (4) has yielded, or may be likely to yield, information important in prehistory or history.

CEQA also distinguishes between two classes of archaeological resources: archaeological sites that meet the definition of a historical resource as above, and “unique archaeological resources.” Under CEQA (PRC Section 21083.2[g]), an archaeological resource is considered “unique” if it:

- ▶ contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information,
- ▶ has a special and particular quality such as being the oldest of its type or the best available example of its type, or
- ▶ is directly associated with a scientifically recognized important prehistoric or historic event or person.

Section 15064.5[c] of the CEQA Guidelines also provides specific guidance on the treatment of archaeological resources, depending on whether they meet the definition of a historical resource or a unique resource. If the site meets the definition of a unique archaeological resource, it must be treated in accordance with the provisions of Section 21083.2.

In addition, excavation must be stopped whenever human remains are uncovered, and the county coroner must be called in to assess the remains (Section 15064.5[e] of the CEQA Guidelines). If the county coroner determines that the remains are those of a Native American, the Native American Heritage Commission (NAHC) must be contacted within 24 hours, and the provisions for treating or disposing of the remains and any associated grave goods as described in Section 15064.5 of the CEQA Guidelines must be followed.

Senate Bill 18

California Senate Bill (SB) 18 states that prior to a local (city or county) government’s adoption of any general plan or specific plan, or amendment to general and specific plans, or a designation of open space land proposed on or after March 1, 2005, the city or county shall conduct consultations with California Native American tribes for the purpose of preserving or mitigating impacts to Cultural Places. A Cultural Place is defined as:

- ▶ Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (PRC Section 5097.9), or;
- ▶ Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historic Resources pursuant to Section 5024.1, including any historic or prehistoric ruins, any burial ground, or any archaeological or historic site (PRC Section 5097.995).

The intent of SB 18 is to establish meaningful consultation between tribal governments and local governments (“government-to-government”) at the earliest possible point in the planning process so that cultural places can be identified and preserved and to determine necessary levels of confidentiality regarding Cultural Place locations and uses. According to the Government Code (GC) Section 65352.4, “consultation” is defined as:

The meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties’ cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American Tribes shall be conducted in a way that is mutually respectful of each party’s sovereignty. Consultation shall also recognize the tribes’ potential needs for confidentiality with respect to places that have traditional tribal cultural significance.

While consultation is required to take place on a government-to-government level, the SB 18 process begins with a letter from the local government to the Native American Heritage Commission requesting a list of tribal organizations appropriate to the plan or plan amendment area or proposed open space designation. Once contacted by the local government, the tribes have up to 90 days to respond and request consultation regarding the preservation and treatment of known cultural place(s) if any have been identified by the tribe.

REGIONAL AND LOCAL PLANS, POLICIES, REGULATIONS AND ORDINANCES

Hemet General Plan

The 1992 Hemet General Plan established criteria for evaluating projects affecting cultural resources, and procedures for protecting and designating significant cultural resources (City of Hemet 1992:II-E-40-41). These criteria are used as thresholds for analysis in Section 4.5.3, below.

4.5.2 ENVIRONMENTAL SETTING

Please refer to the *Cultural Resources Technical Background Report, City of Hemet General Plan Update*, prepared by Applied EarthWorks, Inc., in January 2006 for additional information. This document is attached as Appendix D to this EIR.

PREHISTORIC AND ETHNOGRAPHIC CULTURAL RESOURCES TYPES

The fertile valleys and canyons fed by the San Jacinto River, other smaller creeks, and their tributaries, are sheltered by the San Jacinto and Lakeview mountains, as well as the Santa Rosa and Domenigoni Hills, and were home to the Cahuilla and Serrano Indians, and possibly the Luiseño Indians, who had inhabited the area for many hundreds, if not thousands, of years.

Prehistoric and ethnohistoric archaeological sites likely to be found within the City's planning area include: villages represented by residential bases with house features (stone and/or adobe), storage features, human burials and cremations, rock art (pictographs and/or petroglyphs); temporary encampments represented by flaked and ground stone scatters with fire hearths and possibly storage features; resource procurement and processing sites represented by bedrock milling stations, tool stone quarries, flaked and ground stone artifact scatters, and/or hunting blinds; trails demarked by cairns and possibly rock art; isolated cultural features such as rock art, intaglios, and/or shrines; isolated flaked or ground stone artifacts; and traditional cultural landscapes/sacred places that may include important gathering or collecting places, springs, mountain tops or rock outcroppings, or burial grounds.

Two prehistoric and/or ethnohistoric resources are located in the planning area and are listed on the California State Historical Landmark Inventory for Riverside County: the village site of Pochea and the Hemet Maze Stone. The Indian village site of Pochea (No. 104) was one of a cluster of Indian villages forming the very large settlement of Pahsitnah, which extended along the ridge east and west of the Ramona Bowl. Pahsitnah reportedly was a thriving settlement when the Spanish first passed through the area in 1774. Legends speak of a tragic tale in which the Pahsitnah Indians contracted smallpox from the Europeans, resulting in a deadly epidemic. Some survivors reportedly fled the area and settled in the present location of the Soboba Reservation. The Hemet Maze Stone (No. 557) is a very large petroglyph (rock carving) that represents an outstanding example of a prehistoric rock art style in the form of a carved maze design.

HISTORICAL RESOURCE TYPES

Historical resources in the Hemet planning area primarily consist of historical structures and districts which may be of historical significance.

Historical Structures

Historic resource surveys in planning area have occurred sporadically since the early 1980s. As a result of these surveys, approximately 220 historical structures have been documented. Appendix D, Table 1 (pp. 48-55) lists the 220 structures that have been recognized at the state and local levels; no historical resources within the City's planning area have been recognized at the national level. Most structures listed in Table 1 were documented

during a 1982 historical survey. The City has not assessed whether these structures have been extensively modified or removed in the past 24 years.

The City has identified the Hemet-Ryan Airport, the Hemet Stock Farm, the Santa Fe Depot, Downtown Hemet, and the Patterson House as historic resources. In addition, the State of California has designated the Maze Stone, the site of the Indian Village of Pochea, and the site of the Ramona Pageant as historic landmarks.

In addition to these structures, members of the Hemet Historical Society have identified the following eight historical neighborhoods that contain potentially significant structures (Walters, pers. comm., 2006):

- ▶ Park Hill and Northeast Hemet,
- ▶ Northeast Central Hemet,
- ▶ Northwest Hemet,
- ▶ Central Hemet and Hemet Fairgrounds,
- ▶ Fruitvale,
- ▶ Southeast Central Hemet,
- ▶ Southwest Central Hemet, and
- ▶ Hemet Downtown.

Two other neighborhoods identified as having historical structures include the Little Lake area, and the area roughly bounded by Acacia Avenue to the north, Meridian Street to the east, Stetson Avenue to the south and San Jacinto Street to the west.

SUMMARY OF ARCHAEOLOGICAL RESOURCES

For prehistoric and historical archaeological resources, a literature and records search of Study Area was completed by two Applied EarthWorks archaeologists at the Eastern Information Center (EIC) at varying times in September 2005. For purposes of this investigation, maps examined included the Lakeview, Winchester, San Jacinto, Hemet, Lake Fulmor, and Blackburn Canyon 1:24,000-scale USGS topographic maps. Data included plotting the locations of all archaeological sites identified previously, a listing of all manuscript files pertaining to cultural resources studies, and estimations regarding previous archaeological survey coverage per square mile within the planning area by Section Number and Township/Range. Applied EarthWorks plotted the most up-to-date information available at the EIC; however, based on more than 10 years of archaeological studies in support of Diamond Valley Lake development, the EIC database is outdated by several years.

Results of the archaeological literature and records search indicate that more than 300 cultural resource investigations have been completed within the planning area. These cultural resource studies resulted in identification and documentation of 440 prehistoric and historical archaeological sites. Specifically, within the Hemet Sphere of Influence, 370 prehistoric sites, 54 historical sites, and 16 sites containing both prehistoric and historical archaeological remains have been documented.

Prehistoric archaeological site types are predominately bedrock milling stations containing bedrock milling slicks and/or mortar cups. Other prehistoric site types include: flaked and/or ground stone scatters; lithic quarry locations exploited for stone tool manufacture; isolated rock art (pictograph and petroglyph) panels; and several large village locations containing flaked and ground stone tools, bedrock milling features, pictographs and petroglyphs, and house pit features. Historical archaeological site types include: canals and canal remnants, such as various segments of the Little Lake Flume and associated features dating to the 1890s; mining adits; historical structural remains associated with former homestead locations; and historical refuse scatters. Other types of historical archaeological resources, such as buried hollow features (e.g., privies and cisterns) containing historical refuse deposits, are often associated with standing historical structures.

CULTURAL RESOURCES SENSITIVITY RANKING

The archaeological sensitivity of the planning area has been evaluated and subsequently ranked based on data gathered during the literature and records searches, as well as extensive knowledge of the prehistoric archaeology of the general region. The ranking was conducted by Applied EarthWorks and consisted of several steps, as described in detail in the *Cultural Resources Technical Background Report, City of Hemet General Plan Update*.

As shown in Exhibit 4.5-1, the rankings for the geographical sensitivity are low, medium, and high. A low classification does not preclude the existence of archaeological sites, but predicts a low site density in a section of land where environmental variables are no longer observable due to urban development. This predictive method also poorly predicts deeply buried prehistoric sites, because the geographic features used for prediction are no longer represented on the surface; therefore, all valley sections where Holocene sediments could be quite deep should be classified as unknown for buried sites. In summary, the literature and records searches indicate that much of the planning area has a fairly high sensitivity for containing prehistoric archaeological resources, historical archaeological resources, and historical resources.

4.5.3 IMPACTS AND MITIGATION MEASURES

ANALYSIS METHODOLOGY

The following assessment of impacts and proposed mitigation measures is based upon a review of previous cultural resources work conducted within the planning area. In some cases, further work will be required to identify and assess for significant prehistoric and historic-era resources that may be present as part of future project-level environmental review.

THRESHOLDS OF SIGNIFICANCE

Based on Appendix G of the State CEQA Guidelines, the proposed project would result in a potentially significant impact on cultural resources if it would:

- ▶ cause a substantial adverse change in the significance of a unique archaeological resource or a historical resource as defined in Section 21083.2 of CEQA and Section 15064.5 of the State CEQA Guidelines, respectively; or
- ▶ disturb any human remains, including those interred outside of formal cemeteries.

Section 15064.5 of the State CEQA Guidelines defines “substantial adverse change” as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings.

The City has established criteria for evaluating projects affecting cultural resources, and procedures for protecting and designating significant cultural resources (City of Hemet 1992:II-E-40-41). Based on these criteria, the City considers a resource to be of significant cultural value if it possesses one or more of the following characteristics:

- ▶ It exemplifies or reflects the broad cultural, political, economic, or social history of the United States, California, or the City of Hemet.
- ▶ It has yielded or has the potential to yield information important in history or prehistory.
- ▶ It is representative of one of the diverse styles and variations of residential and commercial architecture found in the City of Hemet, whether vernacular or a work of identifiable artisans, master craftsmen, builders, or architects important locally or with wider significance.

- ▶ It is an object of significance because of its design or pleasing appearance in a setting.
- ▶ It is a site or structure that is important to the prehistory or history of the community.
- ▶ It is a surviving site, route, or structure important to the early settlement, economic origins, or technological development of the locale.
- ▶ It is a grouping or set of structures, historic sites or features, design components, natural features, and landscape architecture, or other interesting details, which together create an exceptionally rich historic or cultural ambiance.
- ▶ It is a hill, geologic formation, body of water, arroyo, remaining natural vegetation, or other striking or familiar physical characteristic important to the special character, historic identity, or aesthetic setting of the community.

4.5.4 ANALYSIS APPROACH

The analysis of impacts is based on the likely consequences of adoption and implementation of the Draft General Plan, including future land uses consistent with the Land Use Plan, and supporting roadways, infrastructure, and public services; along with implementation of Draft General Plan policies and programs.

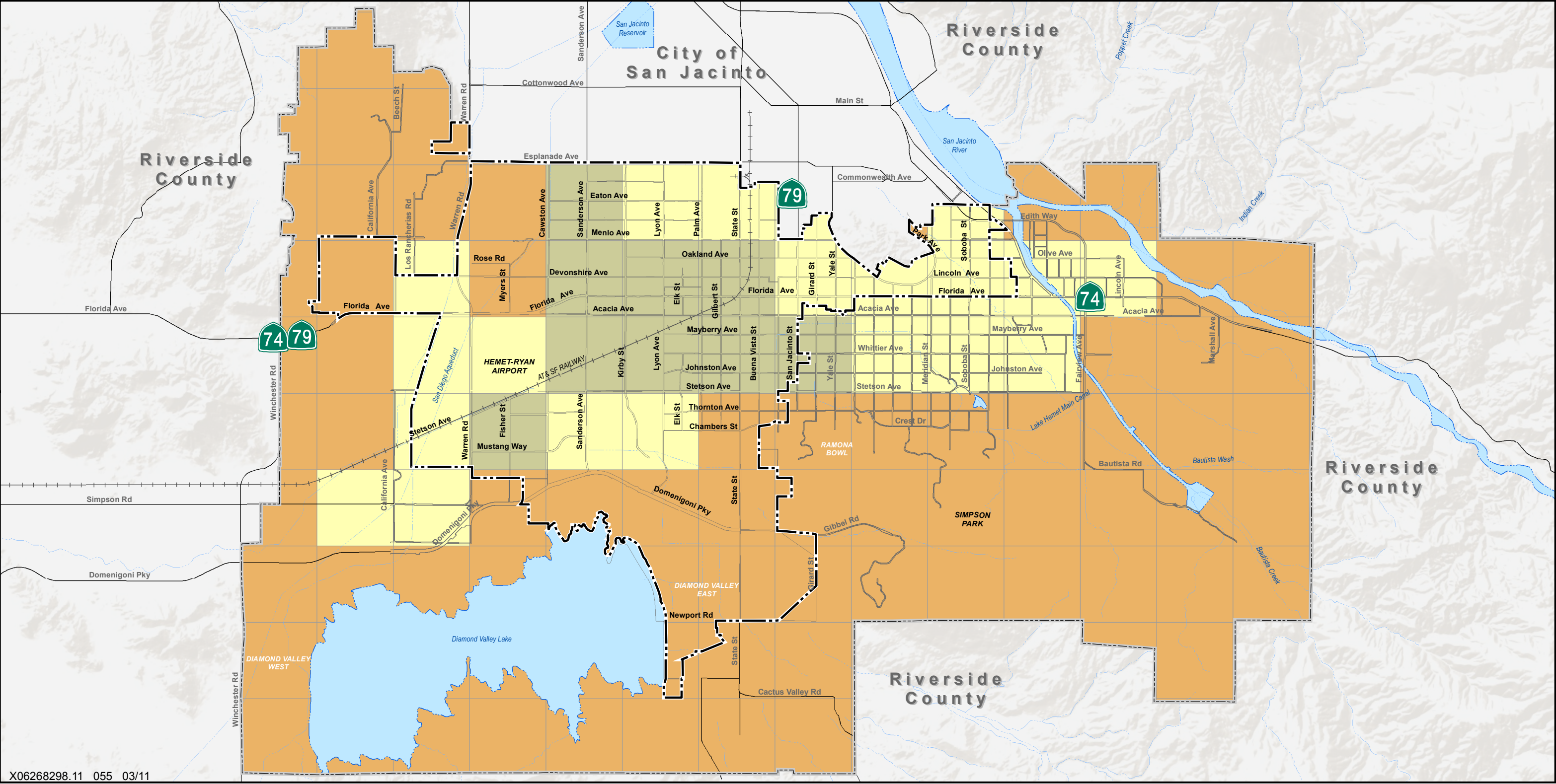
For cultural resource impacts, compliance with existing regulations presented in Section 4.5.1, “Regulatory Framework,” and/or implementation of Draft General Plan policies and programs listed below results in a less-than-significant impact. Policies and programs that reduce cultural resource impacts include:

Policies

- ▶ **HR-1.4 Demolition Alternatives** Require development applications that include the demolition of structures older than 50 years or are listed in the Eastern Information Center Historic Data File for Riverside County, to consider alternatives to demolition such as architecturally compatible rehabilitation, adaptive reuse, and relocation.
- ▶ **HR-2.1 Consultation.** Consult with the Soboba Band and any other interested Indian tribes to identify and appropriately address cultural resources and tribal sacred sites through the development review process. Require a Native American Statement as part of the environmental review process of development projects with identified cultural resources.
- ▶ **HR-2.2 Monitoring.** Require monitoring of new developments where resources or potential resources have been identified in the review process.
- ▶ **HR-2.3 Evaluation.** Resources found prior to or during site development shall be evaluated by a qualified archaeologist or paleontologist, and appropriate mitigation measures applied before resumption of development activities. Development project proponents shall bear all costs associated with the monitoring and disposition of cultural resources management within the project site.

Programs

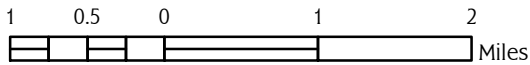
- ▶ **HR-P-1 Demolition Delay Ordinance.** Establish a 30-day demolition delay requirement for all resources listed on the 1983 historic resources inventory, the EIC Historic Data Files for Riverside County, structures located within the downtown historic area shown in Figure 9-3, or otherwise noted as historically significant to the City of Hemet. The delay allows staff enough time to determine the appropriate level of environmental mitigation. No permit for alteration or demolition of properties identified by the City shall be issued until



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Sources:
Census Tiger Line Data 2005
Applied Earthworks 2010
ESRI 2010



LEGEND

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|---------------------------|---------------------------|
| Archeological Sensitivity | — — — Hemet City Boundary |
| Low | — — — Planning Area |
| Medium | — Street |
| High | —+— Railroad |
| | — Creek/Canal |
| | — River/Lake |

alternatives to demolition have been considered. At a minimum, the standards of the California Environment Quality Act shall prevail.

- ▶ **HR-P-9 Inventory of Archaeological Sites.** Maintain a secure inventory of known archaeological sites as a resource for the review of development proposals.
- ▶ **HR-P-10 Studies and Surveys.** Use the development and environmental review processes for private sector, public facilities, and public infrastructure projects to require effective mitigation where development may affect archaeological or paleontological resources. Require appropriate archaeological and paleontological surveys and documentation of findings prior to project approval.
- ▶ **HR-P-11 Tribal Consultation.** The City shall establish a formal process regarding development projects proposed on previously undeveloped property that involve major earth-disturbing activities, or that are located in areas with previously identified cultural resources. The process will include the following criteria:
 - All projects shall be evaluated by a qualified archeologist by conducting a site records search, and if feasible, a Phase I walkover survey, and if necessary, a Phase II survey prior to project approval to identify the potential for the presence of significant cultural resources.
 - If significant resources are located on the project site, or a high probability for cultural resources exists, the local band of Indians shall be consulted in the identification of mitigation measures to address impacts consistent with California requirements, including provisions to address inadvertent discoveries.
 - During on-site grading activities in areas with cultural resources, or with a high potential for cultural resources, a qualified archeologist shall be on-site to monitor grading operations; tribal monitors shall also be consulted.
 - In the event of the discovery of a burial site, human bone or suspected human bone, grading in the immediate area shall be immediately halted, the site protected, and the county coroner and representatives from the local bands of Indians notified.

LU-P-18 Downtown Core Historic Inventory. The City shall conduct an inventory of historic buildings and resources in the downtown core area. The inventory should prioritize identified resources for future rehabilitation. Funds shall be set aside to correct building conditions to meet the most up to date Uniform Building Code standards for those structures eligible for historic status.

IMPACT 4.5-1	<i>Destruction of or Damage to Historical Resources. Numerous significant or potentially significant cultural resources have been identified in the planning area. These include historic structures recognized at the State and local level. However, Draft General Plan programs would ensure that potential historic features are assessed for their significance in advance of future development. Impacts to these resources that could affect potential historic significance could then be mitigated. Implementation of these programs would reduce this impact to a less-than-significant level and no mitigation is required.</i>
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Approximately 220 historical structures have been documented in the City as a result of surveys conducted intermittently since the early 1980s. Table 1 in Appendix D lists the properties that have been recognized at the State and local levels; no historical resources within the planning area have been recognized at the national level. Most structures identified were documented during a 1982 historical survey. The City has not assessed whether these structures have been extensively modified or removed in the past 24 years. In addition to these structures, members of the Hemet Historical Society have identified eight neighborhoods that contain potentially significant historical structures.

Although implementation of the Draft General Plan would not direct the destruction of (or damage to) historical resources, future land uses and infill development permitted under the Draft General Plan could result in changes that affect historic structures or the historic character of neighborhoods or districts. Actions that could directly affect historical structures include demolition, seismic retrofitting, and accidents or vibration caused by nearby construction. Draft General Plan policies encourage conservation of historical resources. Although these policies illustrate the City's intent to maintain its historic resources and character, most do not require or prevent specific actions related to conservation of these resources, and therefore were not used in evaluating the significance of this impact.

However, the Draft General Plan does contain specific policy and program requirements aimed at protecting historic resources. New Program Preservation would require development applications which include demolition of potentially historic structures to consider alternatives, including relocation, architecturally-compatible rehabilitation, or adaptive reuse. Program HR-P-1 establishes a 30-day demolition delay for historic resources to allow time to determine an appropriate level of mitigation, and would require that alternatives to demolition be considered for all structures listed on the inventory (Table 1 in Appendix D). Program LU-P-18 requires the City to conduct an inventory of historic buildings and resources in the Downtown Core area. This program also prioritizes resources for future rehabilitation, and sets aside funds to correct building conditions to meet the most up to date Uniform Building Code standards for those structures eligible for historic status. Adherence to these programs would reduce this impact to a **less-than-significant** level. No mitigation measures are required.

IMPACT 4.5-2	<i>Destruction of or Damage to Archaeological Resources. Development associated with proposed land uses could affect buried archaeological resources. However, Draft General Plan policies and programs would ensure that the discovery of archaeological resources is considered during future development. Implementation of these policies and programs would reduce impacts to a less-than-significant level and no mitigation is required.</i>
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Cultural resource studies completed within the planning area resulted in the identification and documentation of 440 prehistoric and historical archaeological sites. Specifically, within the Hemet Sphere of Influence, 370 prehistoric sites, 54 historical sites, and 16 sites containing both prehistoric and historical archaeological remains have been documented. Two prehistoric and/or ethnohistoric resources are located in the Sphere of Influence and are listed on the California State Historical Landmark Inventory for Riverside County: the village site of Pochea (No. 104) and the Hemet Maze Stone (No. 557). Other prehistoric and ethnohistoric archaeological sites are likely to be found within the planning area.

Individual development projects would involve grading, excavation, or other ground-disturbing activities, which could disturb or damage as-yet-undiscovered archaeological resources or human remains. It is also possible that archaeological or architectural resources have been covered by later deposits that could be removed, exposing the cultural deposits during project-related construction. Prehistoric archaeological site types are predominately bedrock milling stations containing bedrock milling slicks and/or mortar cups. Other prehistoric site types include: flaked and/or ground stone scatters; lithic quarry locations exploited for stone tool manufacture; isolated rock art (pictograph and petroglyph) panels; and several large village locations containing flaked and ground stone tools, bedrock milling features, pictographs and petroglyphs, and house pit features. Historical archaeological site types include: canals and canal remnants, such as the various segments of the Little Lake Flume and associated features dating to the 1890s; mining adits; historical structural remains associated with former homestead locations; and historical refuse scatters.

Future land uses proposed within the Draft General Plan could result in development of land with as-yet unknown archaeological resources. Implementation of Draft General Plan policies and programs would reduce impacts associated with damaging or destroying archaeological resources. Policy HR-2.1 requires consultation with appropriate Indian tribes during the site review process to identify potential cultural resources or sacred tribal sites. Policy HR-2.2 requires monitoring of major earth-moving activities in previously undisturbed areas or in areas with known archaeological resources. Program HR-2.3 requires a trained archaeologist to evaluate any

cultural resources discovered during site construction activities and to apply mitigation measures prior to resuming construction work. Program HR-P-9 would provide an inventory of known archaeological sites that can be reviewed prior to the development phase so that appropriate mitigation can be implemented if an archaeological resources are known to be present. Program HR-P-10 requires that appropriate archaeological surveys and documentation of findings be completed prior to project approval. Program HR-P-11 directs the City to develop a formal process for consulting with local Indian tribes regarding inadvertent discovery of cultural resources during site excavation. Adherence to these policies and programs would reduce this impact to a **less-than-significant** level. No mitigation measures are required.

IMPACT 4.5-3 *Discovery of human remains. Hemet and the surrounding area are known to have been heavily used by Native American groups; in addition, the project area was settled by Spanish immigrants in the late-18th century. While some burial grounds (generally from the historic era) are known, it is possible that ground disturbing activities in the planning area could encounter prehistoric or historic human remains. This impact is considered less than significant and no mitigation is required.*

The planning area was home to the Cahuilla and Serrano Indians, and possibly the Luiseño Indians, who had inhabited the area for many hundreds, if not thousands, of years. Spanish settlers first passed through the area in 1774. While some burial grounds (generally from the historic era) are known, it is possible that ground disturbing activities in the planning area could encounter prehistoric or historic human remains.

Proposed land uses and development within the Draft General Plan could result in major earth-moving activities in previously undisturbed areas or in areas known to contain archaeological resources. California law recognizes the need to protect interred human remains and associated items of patrimony from vandalism and inadvertent destruction. Procedures for the treatment of human remains are contained in California Health and Safety Code Section 7050.5 and Section 7052, and California Public Resources Code Section 5097. In accordance with the California Health and Safety Code, if human remains are uncovered during ground disturbing activities, all such activities in the vicinity of the find shall be halted immediately and the Lead Agency or the Lead Agency's designated representative shall be notified. The Lead Agency or the archaeological monitor shall immediately notify the county coroner. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The responsibilities of the Agency for acting upon notification of a discovery of Native American human remains are identified in the California Public Resources Code Section 5097.9. The Agency or their appointed representative and the professional archaeologist will consult with a Most Likely Descendent (MLD) determined by the NAHC regarding the removal or preservation and avoidance of the remains and determine if additional burials could be present in the vicinity.

In addition to the aforementioned State laws, the Draft General Plan provides policies and programs that would address the discovery of human remains. Policy HR-2.1 requires consultation with appropriate Indian tribes upon discovery of human remains. Program HR-P-11 implements Policy HR-2.1 by directing the City to develop a formal process to consult with local Indian tribes regarding the inadvertent discovery of cultural resources during site excavation. This consultation process would reduce impacts to the discovery of human remains by describing the necessary actions to be taken should human remains be discovered during project construction. Policy HR-2.2 requires a certified archaeologist to monitor major earth-moving activities in previously undisturbed areas or in areas with known archaeological resources, and would reduce impacts by ensuring a trained professional is on-site to address human remains should they be discovered during construction activities. Adherence to existing State regulations (along with Draft General Plan policies and programs) would reduce impacts on human remains to a **less-than-significant** level. No mitigation measures are required.