4.13 Tribal Cultural Resources

This section evaluates the potential impacts from implementation of The Cubes at Placentia Industrial Project (Proposed Project) and identifies known and potential Tribal Cultural Resources at the Project Site. Information presented in this section is primarily based on the following document:

- Cultural and Paleontological Resources Assessment Report for the Placentia Avenue Industrial Project, Riverside County, California prepared by Cogstone (2023) and included in Appendix E of this Environmental Impact Report (EIR)

One comment from the Native American Heritage Commission (NAHC) was received in response to the Notice of Preparation regarding tribal cultural resources. The NAHC summarized the requirements for Native American consultation pursuant to Senate Bill (SB) 18 and Assembly Bill (AB) 52, and provided standard guidance on the scope of the analysis of potential impacts to Native American resources and recommendations for mitigation. At the Draft EIR public scoping meeting on December 19, 2023, no comments regarding tribal cultural resources were received from Planning Commissioners, organizations' representatives, or members of the public.

4.13.1 Environmental Setting

4.13.1.1 Regulatory Setting

The treatment of cultural resources is governed by federal and state laws and guidelines. There are specific criteria for determining whether prehistoric and historic sites or objects are significant or protected by law. Federal and state significance criteria generally focus on the resource's integrity and uniqueness, its relationship to similar resources, and its potential to contribute important information to scholarly research. Some resources that do not meet federal significance criteria may be considered significant under state criteria. The laws and regulations seek to mitigate impacts to significant prehistoric or historic resources. The federal and state laws and guidelines for protecting historical resources are summarized below.

Federal

National Historic Preservation Act (U.S. Code, Title 54, Section 300101 et seq.)

The National Historic Preservation Act of 1966 established the National Register of Historic Places as the official federal list of cultural resources that have been nominated by state offices for their historical significance at the local, state, or national level. Listing in the National Register of Historic Places provides recognition that a property is significant to the nation, the state, or the community and assumes that federal agencies consider historical value in the planning for federal and federally assisted projects. Properties listed in the National Register of Historic Places or determined eligible for listing must meet certain criteria for historical

significance and possess integrity of form, location, and setting. Structures and features must usually be at least 50 years old to be considered for listing in the National Register of Historic Places, barring exceptional circumstances. Criteria for listing in the National Register of Historic Places, which are set forth in Code of Federal Regulations, Title 36, Part 60.4, are the quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and that:

A. Are associated with events that have made a significant contribution to the broad patterns of our history; or

B. Are associated with the lives of persons significant in our past; or

C. Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; represent a significant and distinguishable entity whose components may lack individual distinction; or

D. Have yielded, or may be likely to yield, information important in prehistory or history.

Eligible properties must meet at least one of the criteria and exhibit integrity, which is measured by the degree to which the resource retains its historic properties and conveys its historic character, the degree to which the original fabric has been retained, and the reversibility of changes to the property. The fourth criterion is typically reserved for archaeological and paleontological resources. These criteria have largely been incorporated into the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines).

Native American Graves Protection and Repatriation Act (U.S. Code, Title 25, Section 3001 et seq.)

The Native American Graves Protection and Repatriation Act is a federal law passed in 1990. The Native American Graves Protection and Repatriation Act provides a process for museums and federal agencies to return certain Native American cultural items—human remains, funerary objects, sacred objects, or objects of cultural patrimony—to lineal descendants and culturally affiliated Native American Tribes and Native Hawaiian organizations. The Native American Graves Protection and Repatriation Act includes provisions for unclaimed and culturally unidentifiable Native American cultural items, intentional and inadvertent discovery of Native American cultural items on federal and Tribal lands, and penalties for noncompliance and illegal trafficking. Implementation of the Proposed Project would be conducted in compliance with the Native American Graves Protection and Repatriation Act.

Federal curation regulations are also provided in Title 36, Part 79, of the Code of Federal Regulations and apply to collections that are excavated or removed under the authority of the Antiquities Act (16 USC 431–433), the Reservoir Salvage Act (16 USC 469–469c), Section 110

of the National Historic Preservation Act (16 USC 470h-2), or the Archaeological Resources Protection Act (16 USC 470aa–mm). Such collections generally include those that are the result of a prehistoric or historical resources survey, excavation, or other study conducted in connection with a federal action, assistance, license, or permit.

State

Assembly Bill 52: Native Americans: California Environmental Quality Act

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California Native American Tribes as part of the California Environmental Quality Act (CEQA) and equates significant impacts on Tribal Cultural Resources with significant environmental impacts (California Public Resources Code, Section 21084.2). California Public Resources Code, Section 21074, defines Tribal Cultural Resources as follows:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the California Register of Historical Resources.
    b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.

Sacred places can include Native American sanctified cemeteries, places of worship, religious or ceremonial sites, and sacred shrines. In addition, both unique and non-unique archaeological resources, as defined in California Public Resources Code, Section 21083.2, can be Tribal Cultural Resources if they meet the criteria detailed above. The lead agency relies on substantial evidence to make the determination that a resource qualifies as a Tribal Cultural Resource when it is not already listed in the California Register of Historical Resources or a local register.

AB 52 defines a "California Native American Tribe" as a Native American Tribe in California that is on the contact list maintained by the Native American Heritage Commission (NAHC) (California Public Resources Code, Section 21073). Under AB 52, formal consultation with Tribes is required before determining the level of environmental document if a Tribe has requested to be informed by the lead agency of proposed projects and if the Tribe, upon receiving notice of the project, accepts the opportunity to consult within 30 days of receipt of the notice. AB 52 also requires that consultation, if initiated, address project alternatives and mitigation measures for significant effects if specifically requested by the Tribe. AB 52 states that consultation is considered concluded when the parties agree to measures to mitigate or avoid a significant effect on Tribal Cultural Resources or when either the Tribe or the lead agency concludes that mutual

agreement cannot be reached after making a reasonable, good-faith effort. Under AB 52, any mitigation measures recommended by the lead agency or agreed on with the Tribe may be included in the final environmental document and in the adopted Mitigation Monitoring and Reporting Program if the mitigation measures were determined to avoid or lessen a significant impact on a Tribal Cultural Resource.

If the recommended measures are not included in the final environmental document, then the lead agency must consider the four mitigation methods described in California Public Resources Code, Section 21084.3(e). Any information submitted by a Tribe during the consultation process is considered confidential and is not subject to public review or disclosure. It will be published in a confidential appendix to the environmental document unless the Tribe consents to disclosure of all or some of the information to the public.

Assembly Bill 978: California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act, enacted in 2001, required the state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Native American Graves Protection and Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate Tribes.

California Government Code, Sections 6254(r) and 6254.10

Sections 6254(r) and 6254.10 of the California Government Code were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission." Section 6254.10 specifically exempts from disclosure requests for "records 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 Native American tribe and a state or local agency."

California Health and Safety Code, Section 7050.5, and California Public Resources Code, Section 5097.9

California Health and Safety Code, Section 7050.5, addresses the protection of human remains discovered in any location other than a dedicated cemetery and makes it a misdemeanor for any person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law, except as provided in California Public Resources Code, Section 5097.99. It further states that, in the event

of discovery or recognition of any human remains in any location other than a dedicated cemetery, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains will occur until the coroner of the county in which the human remains are discovered has determined that the remains are not subject to the provisions concerning investigation of the circumstances, manner, and cause of any death and that the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to their authorized representative, in the manner provided in California Public Resources Code, Section 5097.98. If the county coroner determines that the remains are not subject to their authority and if the county coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, they shall contact, by telephone and within 24 hours, the NAHC. Whenever the NAHC receives notification of a discovery of Native American human remains from the county coroner, the agency shall immediately notify the most likely decadents if it believes them to be the most likely descendants of the deceased Native American. The most likely descendants may inspect the site of the discovery and make recommendations on the removal or reburial of the remains.

California Register of Historical Resources

The California Register of Historical Resources is a state government program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The California Register of Historical Resources is the authoritative guide to the state's significant historical and archaeological resources and encourages public recognition and protection of resources of architectural, historic, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

The term "historical resource" includes but is not limited to any object, building, structure, site, area, place, record, or manuscript that is historically or archaeologically significant or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California (California Public Resources Code, Section 5020.1[j]). Historical resources may be designated as such through three different processes:

- Official designation or recognition by a local government pursuant to local ordinance or resolution (California Public Resources Code, Section 5020.1[k])
- A local survey conducted pursuant to California Public Resources Code, Section 5024.1(g)
- Listing in or eligibility for listing in the National Register of Historic Places (California Public Resources Code, Section 5024.1[d][1])

To be eligible for listing in the California Register of Historical Resources, a building must satisfy at least one of the following four criteria:

- **Criterion 1.** It is associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
- **Criterion 2.** It is associated with the lives of persons important to local, California, or national history.
- **Criterion 3.** It embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values.
- **Criterion 4.** It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Native American Historic Cultural Sites (California Public Resources Code, Section 5097 et. seq.)

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy a Native American historic or cultural site that is listed or may be eligible for listing in the California Register of Historical Resources.

Senate Bill 18: Traditional Tribal Cultural Places

As of March 1, 2005, Senate Bill 18 (California Government Code, Sections 65352.3 and 65352.4) requires that, before the adoption or amendment of a General Plan proposed on or after March 1, 2005, a city or county must consult with Native American Tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects within that jurisdiction. The consultation intends to establish a meaningful dialogue regarding potential means to preserve Native American places of importance. It allows for Tribes to hold conservation easements and for Tribal Cultural Places to be included in open space planning.

Local

The specific policies outlined in the City's General Plan that are related to Tribal Cultural Resources and the Proposed Project are listed in Table 4.10-3, City of Perris General Plan Consistency Analysis, of Section 4.10, Land Use and Planning, of this EIR.

4.13.1.2 Existing Conditions

Section 4.4, Cultural Resources, of the PVCCSP EIR, includes a detailed discussion of the environmental setting for cultural resources, including geologic setting, ethnohistoric setting, archaeological setting, and historic setting. This information remains applicable to the Proposed Project. Section 4.4, Cultural Resources, of this EIR summarizes Project-specific existing setting

information presented in the technical reports prepared for this Project based on the research and field surveys conducted. Following is a summary of information provided in the Project-specific technical report relevant to Tribal Cultural Resources.

The following sections describe the history of the Project Site and discuss known Tribal Cultural Resources in or around the project's area of potential effect. The area of potential effect includes area within a one-mile radius from the Project Site.

Prehistory

Paleo Indian, Archaic Period Milling Stone Horizon, and the Late Prehistoric Takic groups are the three general cultural periods represented in Riverside County. The discussion of the cultural history of Riverside County presented in the Cultural and Paleontological Resources Assessment included in Appendix E references the San Dieguito Complex, Encinitas Tradition, Milling Stone Horizon, La Jolla Complex, Pauma Complex, and San Luis Rey Complex, since these culture sequences have been used to describe archaeological manifestations in the region. The Late Prehistoric component present in the Riverside County area was represented by the Cahuilla, Gabrielino, and Luiseño Indians. Absolute chronological information, where possible, is incorporated in the Cultural and Paleontological Resources Assessment to examine the effectiveness of continuing to interchangeably use these terms. Reference is made to the geological framework that divides the culture chronology of the area into four segments: the late Pleistocene (20,000 to 10,000 YBP [years before the present]), the early Holocene (10,000 to 6,650 YBP), the middle Holocene (6,650 to 3,350 YBP), and the late Holocene (3,350 to 200 YBP). These periods are summarized in Section 4.4 of this EIR, and further described in the Cultural and Paleontological Resources Assessment included in Appendix E; the ethnohistoric periods, which are particularly relevant to Tribal Cultural Resources are summarized below.

Ethnohistory

The Project Site is located within the traditional cultural territory occupied by several different Tribes, the Cahuilla, the Luiseño, the Gabrielino, and the Serrano. Locating Tribal use of the Project Site is complicated by Spanish colonization and the displacement of the Native American communities through the American Period. Thus, the Cultural and Paleontological Resources Assessment (Appendix E) recognizes that the Cahuilla, Luiseño, Gabrielino, and Serrano nations have used the area of potential effect and this section will review the ethnohistorical information for each Tribe.

Cahuilla. The Cahuilla occupied the San Gorgonio Pass (referred to as the Pass Cahuilla), San Jacinto and Santa Rosa Mountains (Mountain Cahuilla), and the Coachella Valley and the northern end of the Imperial Valley (Desert Cahuilla). The Cahuilla are linked to other Takic language family groups such as the Serrano and Luiseño and share many aspects of culture and religion with those Tribes. Each clan was an independent, politically autonomous land-holding unit. In addition

to lineage residence areas and clan territory owned in common with other clan members, each lineage had ownership rights to various food collecting and hunting areas. Individuals also "owned" specific areas rich in plant resources, as well as hunting grounds, rock quarry locations, and sacred spots used only by shamans, healers, and ritual practitioners. Clans were generally situated so that each lineage or community was located near a reliable water source and in proximity to significant food resources. Usually, an area within one to 3 miles contained the bulk of materials needed for daily subsistence, although territories of a given clan might be larger, and longer distances were traveled to get precious exotic resources, usually found in the higher elevations of the surrounding mountains.

While most daily secular and religious activities took place within the community, there were locations at some distance from the community where people camped for extended periods to harvest acorns or piñon nuts. Throughout the area, there were sacred places used primarily for rituals, intergroup or inter-clan meetings, caches for sacred materials, and locations for use by shamans or medicine men. Generally, hilly, rocky areas, cave sites, or walled cave sites were used for temporary camping, storage of foods, fasting by shamans, and as hunting blinds. Between the mid-1500s and the 1800s, the Cahuilla were variously contacted by Spanish explorers, then Mexican ranchers, and later American settlers. By the mid-1800s, the Cahuilla were fully exposed to new peoples with new cultural ways, opportunities, and constraints.

Luiseño. Luiseño also speak a language of the Cupan group of the Takic subfamily of Uto-Aztecan. Luiseño social structure included complex ranks of shamans and secular leaders who guided the rancheria in community social and political tasks and for successful resource exploitation (White 1963:121). More specific details of Luiseño social structure are difficult to reconstruct due to the effects of missionization. It is clear, however, that Luiseño society was patrilineal and exogamous (White 1963). Certain parcels of land containing oak trees and other food resources traditionally used were generally recognized as belong to a specific lineage (Dubois 1908). It is unclear whether Luiseño lineages formed larger kinship units prior to historic contact.

The integral geographic and sociopolitical unit of the ethnohistoric Luiseño was the rancheria, which included one or more village locations. Abundant natural resources along the valley floor sustained semi-permanent villages whose residents claimed additional lands on Palomar Mountain (Gifford 1918). The traditional settlement pattern consisted of secondary and autonomous village groups, each with specific hunting, collecting, and fishing areas located in diverse ecological zones. Typically, these were in valley bottoms, along streams or along coastal strands near mountain ranges.

Two or more permanent base camps were used along with number of special purpose camps such as quarry sites, hunting blinds and milling stations. These base camps were established during the winter and during the late summer/fall. Winter villages were generally located in sheltered valleys

and often featured pictographs associated with rituals. This was occupied continuously for 4–6 months and was where most ceremonies took place. The late summer/fall base settlement was the acorn-gathering and hunting camp, located near oak trees owned by the village group. In spring, the winter village group was divided into smaller family groups. These would occupy different areas where fresh vegetables resources were available, or they would go to the coast for shellfish gathering. The spring disaggregation is a normal occurrence in gathering societies. It occurs after winter supplies have been depleted and compensates for the paucity of spring resources. The late summer/fall camps were also subdivisions of the main villages group and were occupied by kin-groups. The major coalescence occurred in the winter villages, after the varied resources were gathered and the subsistence of the village was assured for a period of time.

Gabrielino (Tongva). The name Gabrielino is Spanish in origin and was used in reference to the Native Americans associated with the Mission San Gabriel. It is unknown what these people called themselves before the Spanish arrived, but today they call themselves Tongva, meaning "people of the earth." Much of the Southern California archaeological literature argues that the Gabrielino moved into Southern California from the Great Basin around 4,000 Before Present (B. P.), "wedging" themselves between the Hokan-speaking Chumash, located to the north, and the Yuman-speaking Kumeyaay, located to the south. This Shoshonean Wedge, or Shoshonean "intrusion" theory, is counter to the Gabrielino community's knowledge about their history and origins. Oral tradition states that the Gabrielino have always lived in their traditional territory, with their emergence into this world occurring at Puvungna, located in Long Beach.

The Tongva speak a language that is part of the Takic language family and at the time of Spanish contact, their territory encompassed a vast area stretching from Topanga Canyon in the northwest, to the base of Mount Wilson in the north, to San Bernardino in the east, Aliso Creek in the southeast and the Southern Channel Islands, in all an area of more than 2,500 square miles. At European contact, the Tribe consisted of more than 5,000 people living in various settlements throughout the area. Some of the villages could be quite large, housing up to 150 people.

The Tongva are considered to have been one of the wealthiest Tribes and to have greatly influenced Tribes they traded with. Houses were domed and circular structures thatched with tule or similar materials. The best-known artifacts were made of steatite and were highly prized. Many common everyday items were decorated with inlaid shell or carvings reflecting an elaborately developed artisanship.

The main food zones utilized were marine, woodland, and grassland. Plant foods were, by far, the greatest part of the traditional diet at contact. Acorns were the most important single food source. Villages were located near water sources necessary for the leaching of acorns, which was a daily occurrence. Grass seeds were the next most abundant plant food used along with chia. Seeds were parched, ground, and cooked as mush in various combinations according to taste and availability.

Greens and fruits were eaten raw or cooked or sometimes dried for storage. Bulbs, roots, and tubers were dug in the spring and summer and usually eaten fresh. Mushrooms and tree fungus were prized as delicacies. Various teas were made from flowers, fruits, stems and roots for medicinal cures as well as beverages.

The principal game animals were deer, rabbit, jackrabbit, woodrat, mice, ground squirrels, antelope, quail, dove, ducks and other birds. Most predators were avoided as food, as were tree squirrels and most reptiles. Trout and other fish were caught in the streams, while salmon were available when they ran in the larger creeks. Marine foods were extensively utilized. Sea mammals, fish and crustaceans were hunted and gathered from both the shoreline and the open ocean, using reed and dugout canoes. Shellfish were the most common resource, including abalone, turbans, mussels, clams, scallops, bubble shells, and others.

Serrano. The name Serrano comes from a Spanish word meaning "mountaineer" or "highlander." The Serrano were nomadic and migratory, and according to lore passed down, they migrated to the cool, pine forests of the San Bernardino Mountains to the west during the summer and returned to the desert regions during the winter. The Serrano language is considered part of the Takic subfamily of the larger Uto-Aztecan language. The Serrano culture area extends from the San Bernardino Mountains south to Yucaipa Valley, east to the Mojave River watershed, and north to the Twentynine Palms region. Most Serrano village sites were located in the foothills of the upper Sonoran zone with a few outliers located near permanent water sources on the desert floor, or in the forest transition zone.

The Serrano traded with the Mojave to the east and the Gabrielino to the west. They also traded with their close neighbors, the Cahuilla in the San Jacinto and Santa Rosa Mountains, the Banning Pass area, and the greater Coachella Valley. In addition, the Serrano traded with the Chemehuevi who occupied the lower Colorado River region, some of whom migrated westward toward the Proposed Project area of potential effect.

Prior to European contact, the Serrano were primarily hunters and gatherers. Women were responsible for most of the gathering and acorns, piñon nuts, and mesquite beans were collected as staple foods. Spring cactus fruits and berries were consumed fresh for both food and water. Flower blossoms were roasted and eaten. Yucca blossoms and stalks were blanched before being eaten. Roots were used for food and medicine, and leaves and stems were used for making tea. Digging sticks were frequently used to dig for plants and roots for subsistence and medicinal purposes (Johnston 1965:8). One main seed resource was chia, and stands of chia were periodically burned in order to increase yield. Other major plant foods included mesquite beans and the nuts from piñon pine and acorn. Acorns were leached by placing baskets of pounded and shelled acorn meal into a sandy hole with just enough water to allow the dissolved tannic acid to seep out. Other plant seeds were parched and made into a mush by boiling or cooking and dropping a heated stone into a water-

tight basket filled with seeds and water. Some seeds were dried and stored in baskets. Baskets were made from willow and mesquite branches and woven with bone awls.

Because of their migratory nature, the Serrano and neighboring Tribes "cached" many of their possessions and provisions instead of transporting these often heavy items long distances. These "caches" were guarded by "spirit sticks" that were left upright adjacent to the cache. Today there are 324 (alone) people who identify as Serrano (514 in any combination) according to the 2010 United States Census.

History

The history of the Project Site, as well as that of the City of Perris and Riverside County, are discussed further in Section 4.4 of this EIR.

Tribal Cultural Resources

As previously discussed in Section 4.4 of this EIR, Cogstone conducted a records search at the Eastern Information Center located at the University of California, Riverside, which is the State of California's official cultural resource records repository for the County of Riverside. The results of the records search are provided in the confidential appendix to the Cultural and Paleontological Resources Assessment. Based on the results of the records search, no Tribal Cultural Resources have been recorded on the Project Site. Outside the Project Site, but within one-mile radius of the scope of the records search, the Eastern Information Center records indicated that a total of 35 cultural resource studies were conducted within a one-mile radius of the Project Site. As a result of these studies, 5 cultural resource properties were located within 1 mile of the Project. These properties consist of one historic resource adjacent to the Project Site, one historic archaeological site within a quarter mile of the Project Site, two historic archaeological sites within a quarter to half mile of the Project Site and one historic built environment resource within a half to 1 mile of the Project Site.

During preparation of the Cultural and Paleontological Resource Assessment Report, and as further discussed under Threshold TCR-1, below, Cogstone contacted various Native American Tribes regarding the Proposed Project and requested a records search of the Sacred Lands Files from the NAHC. Further, the City of Perris provided a notification of the Proposed Project to Tribes that have requested such notice, as required by AB 52, and entered into consultation with Tribes that requested consultation.

The NAHC responded with a positive Sacred Lands Files search result and said that the Pechanga Band of Indians should be contacted for information and provided contact information for the Tribal Chairperson and the Cultural Resources Coordinator. During Native American scoping the Pechanga Band of Mission Indians indicated that the area of potential effect is near one traditional cultural landscape and two other Traditional Cultural Properties, as well as such other resources as village complexes. The Soboba Band of Luiseño Indians have indicated that the area of potential

effect is part of a Tribal cultural landscape determined eligible for the National Register of Historic Places and is extremely culturally sensitive.

As further discussed in Section 4.4 of this EIR, Cogstone conducted pedestrian surveys of the Project Site on April 6, 2022. No Tribal Cultural Resources (or any other resources) were discovered during the survey.

4.13.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the project would have a significant impact on Tribal Cultural Resources if it would:

- **Threshold TCR-1:** Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
    - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
    - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.13.3 Regulatory Requirements

The regulatory requirements for the discovery of human remains are reflected in Project-level mitigation measure MM CUL-2 as implemented by the City of Perris.

4.13.4 Environmental Impacts

4.13.4.1 Applicable PVCCSP Standards and Guidelines and Mitigation Measures

There are no Standards and Guidelines included in the PVCCSP related to cultural resources. The PVCCSP EIR includes mitigation measures MM Cultural 1 through MM Cultural 4 and MM Cultural 6 relevant to the analysis of cultural resources impacts. PVCCSP EIR mitigation measure MM Cultural 1 below outlines the requirements for preparation of a Cultural and Paleontological Resources Assessment, which has been prepared for the Proposed Project and is included in Appendix E of this EIR. Project-level mitigation measure MM CUL-1 presented under Section 4.4.7, Mitigation Measures, implements PVCCSP EIR mitigation measures MM Cultural 2

through MM Cultural 4, as it relates to archaeological and Tribal Cultural Resources as subsequently modified by the City of Perris for the Proposed Project. PVCCSP EIR mitigation measure MM Cultural 6 related to human remains would be implemented through Project-level mitigation measure MM CUL-2.

MM Cultural 1 Prior to the consideration by the City of Perris of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division, a Phase I Cultural Resources Study of the subject property prepared in accordance with the protocol of the City of Perris by a professional archeologist shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following:

1. Records searches at the Eastern Information Center (EIC), the National or State Registry of Historic Places and any appropriate public, private, and tribal archives.
2. Sacred Lands File record search with the NAHC followed by project scoping with tribes recommended by the NAHC.
3. Field survey of the implementing development or infrastructure project site.

The proponents of the subject implementing development projects and the professional archaeologists shall also contact the local Native American tribes (as identified by the California Native Heritage Commission and the City of Perris) to obtain input regarding the potential for Native American resources to occur at the project site.

Measures shall be identified to mitigate the known and potential significant effects of the implementing development or infrastructure project, if any. Mitigation for historic resources shall be considered in the following order of preference:

1. Avoidance.
2. Changes to the structure provided pursuant to the Secretary of Interior's Standards.
3. Relocation of the structure.
4. Recordation of the structure to Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standard if demolition is allowed.

Avoidance is the preferred treatment for known and discovered significant prehistoric and historical archaeological sites, and sites containing Native American human remains. Where feasible, plans for implementing projects shall be developed to avoid known significant archaeological resources and sites containing human remains. Where avoidance of construction impacts is possible, the implementing projects shall be designed and landscaped in a manner, which would ensure that indirect impacts from increased public availability to these sites are avoided. Where avoidance is selected, archaeological resource sites and sites containing Native American human remains shall be placed within permanent conservation easements or dedicated open space areas.

The Phase I Cultural Resources Study submitted for each implementing development or infrastructure Project shall have been completed no more than three (3) years prior to the submittal of the application for the subject implementing development project or the start of construction of an implementing infrastructure project.

MM Cultural 2 If the Phase I Cultural Resources Study required under MM Cultural 1 determines that monitoring during construction by a professional archaeologist is needed for the implementing development project; the project proponent shall retain a professional archaeologist prior to the issuance of grading permits. The task of the archaeologist shall be to verify implementation of the mitigation measures identified in the approved Phase I Cultural Resources Study and to monitor the initial ground-altering activities[1] at the subject site for the unearthing of previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the archaeologist has been approved by the City.

The archaeological monitor shall be responsible for maintaining daily field notes, a photographic record, and reporting all finds in a timely manner. The archaeologist shall also be equipped to record and salvage cultural resources that may be unearthed during initial ground-altering activities. The archaeologist shall be empowered to temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources.

[1] For the purpose of this measure, ground-altering activities include, but are not limited to, debris removal, vegetation removal, tree removal, grading, trenching, or other site preparation activities. Initial ground-altering activities refer to the first time that the existing materials are altered by construction-related activities. Materials that have already been disturbed by construction-related activities do not require subsequent monitoring.

In the event that cultural resources are discovered at the development site, the handling of the discovered resources will differ. However, it is understood that all artifacts with the exception of human remains and related grave goods or sacred objects belong to the property owner. All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find shall stop, the project developer and project archaeologist shall notify the City of Perris Planning Division, the Pechanga Band of Luiseño Indians and the Soboba Band of Mission Indians, and a Native American observer of Luiseño descent shall be asked retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items found in association with Native American human remains will be considered grave goods or sacred in origin and subject to special handling (see MM Cultural 6, below). Native American artifacts that cannot be avoided or relocated at the project site will be prepared in a manner for curation and the archaeological consultant will deliver the materials to an accredited curation facility approved by the City of Perris within a reasonable amount of time.

Non-Native American artifacts will be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation or returned to the property owner, as deemed appropriate.

Once ground-altering activities have ceased or the professional archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Perris Planning Division.

A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Eastern Information Center (EIC).

MM Cultural 3 If the Phase I Cultural Resources Study required under MM Cultural 1 determines that monitoring during construction by both a professional archaeologist and a Native American representative is needed for the implementing development project, the project proponent shall retain a professional archaeologist and a Native American representative of Luiseño descent prior to the issuance of grading permits. The professional archaeologist and Native American observer shall be required on site during all initial ground-altering activities. The Native American observer shall have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow the evaluation of cultural resources with the project archaeologist. The evaluation and treatment provisions of mitigation measure MM Cultural 2 shall apply to this measure.

MM Cultural 4 In the event that cultural resources are discovered at a development site that is not monitored by a professional archaeologist, all activities in the immediate vicinity of the find shall stop, the project developer shall notify the City of Perris Planning Division, and the project developer shall retain a professional archaeologist to analyze the find for identification as prehistoric and historical archaeological resources. The evaluation and treatment provisions of mitigation measure MM Cultural 2 shall apply to this measure.

MM Cultural 6 In the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the construction contractors shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division and the coroner will be permitted to examine the remains.

If the coroner determines that the remains are of Native American origin, the coroner will notify the NAHC and the Commission will identify the "Most Likely Descendent" (MLD).[2] Despite the affiliation of any Native American representatives at the site, the Commission's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of the Native American human remains and may recommend to the project proponent means

[2] The "Most Likely Descendent" ("MLD") is a reference used by the California Native American Heritage Commission to identify the individual or population most likely associated with any human remains that may be identified within a given project area. Under California Public Resources Code section 5097.98, the Native American Heritage Commission has the authority to name the MLD for any specific project and this identification is based on a report of Native American remains through the County Coroner's office. In the case of the City of Perris, the Native American Heritage Commission may identify any Luiseño descendent, but generally names the Soboba or Pechanga bands of Mission Indians (both Luiseño populations) and alternates between the two groups. The City of Perris will recognize any MLD identified by the Native American Heritage Commission without giving preference to any particular population. In cases where the Native American Heritage Commission is not tasked with the identification of a Native American representative, the City of Perris reserves the right to make an independent decision based upon the nature of the proposed project.

for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in consultation with the City of Perris, the project proponent, and the MLD. The City of Perris will be responsible for the final decision, based upon input from the various stakeholders.

If the human remains are determined to be other than Native American in origin, but still of archaeological value, the remains will be recovered for analysis and subject to curation or reburial at the expense of the project proponent. If deemed appropriate, the remains will be recovered by the coroner and handled through the Coroner's Office.

Coordination with the Coroner's Office will be through the City of Perris and in consultation with the various stakeholders.

The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings shall be filed with the Eastern Information Center (EIC).

The following sections address various potential impacts relating to Tribal Cultural Resources that could result from implementation of the project.

4.13.4.2 Threshold 1: Tribal Cultural Resources

Impact Analysis

As discussed in Threshold CUL-1 in Section 4.4 of this EIR, a records search and literature review of the Project Site and surrounding area was undertaken at the Eastern Information Center at University of California, Riverside. Based on searches of and review of existing literature related to cultural and historic resources within the Project Site, no Tribal Cultural Resources listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources were previously identified.

The City requires consultants completing cultural resources studies to contact NAHC for a Sacred Lands Files search. A records search of the Sacred Lands Files from the NAHC was requested by Cogstone and came back positive. The NAHC stated that the Pechanga Band of Indians should be contacted for information and provided contact information for the Tribal Chairperson and the Cultural Resources Coordinator. The NAHC also recommended 20 other Native American Tribal

organizations and individuals be contacted for further information regarding the Project vicinity. In accordance with NAHC recommendations, Cogstone sent Native American scoping letters to these 22 Native American Tribal organizations and individuals on April 22, 2022, via United States Postal Service certified mail. Follow-up emails were sent on May 4, 2022 and telephone calls were made on May 20, 2022. Further details and discussion regarding responses can be found in the Cultural and Paleontological Resources Assessment (Appendix E). The following responses were received:

- On May 6, 2022, Augustine Band of Cahuilla Indians Tribal Vice-Chairperson Victoria Martin responded and indicated that the Tribe was not aware of specific cultural resources that may be affected by the Project but requested to be contacted should cultural resources be identified.
- On May 6, 2022, the Quechan Tribe of the Fort Yuma Reservation Historic Preservation staff responded that they do not wish to comment on the Project and defer to more local Tribes.
- On May 11, 2022, the Morongo Band of Mission Indians Tribal Historic Preservation Officer Bernadette Ann Brierty responded that the Proposed Project is located within the ancestral territory and traditional use area of the Cahuilla and Serrano people of the Morongo Band of Mission Indians. Tribal Historic Preservation Officer Brierty said that the Tribe anticipates requesting AB 52 consultation and listed information that would be requested at that time.
- On May 12, 2022, the Rincon Band of Luiseño Indians Tribal Historic Preservation Officer Cheryl Madrigal responded indicating the Project is in a culturally sensitive area and the Tribe believes that the potential exists for cultural resources to be identified during further research and survey work. The Tribe recommends working closely with the Pechanga Band of Indians and Soboba Band of Luiseño Indians and requested a copy of the cultural resources study.
- On May 20, 2022, Agua Caliente Band of Cahuilla Indians Cultural Resource Analyst Arysa Gonzales Romero responded and indicated that the Proposed Project is not within the Tribe's reservation land but is within its traditional use area. She requested an assessment be completed of the area of potential effect, the results of the Eastern Information Center records search, and any cultural resources documentation generated for the Proposed Project.

The Pechanga Band of Indians, Soboba Band of Luiseño Indians, Morongo Band of Mission Indians, and the Rincon Band of Luiseño Indians requested consultation with the City regarding the Proposed Project. It should be noted that most of the written and oral communication between the Native American Tribes and the City of Perris is considered confidential in respect to places that have traditional Tribal cultural significance (OPR 2017), and although relied upon in part to inform the preparation of this EIR section, those communications are treated as confidential and

are not available for public review. In summary, the City provided information to the Tribes, as requested, including the technical reports prepared (including the Cultural and Paleontological Resources Assessment provided in Appendix E of this EIR), Proposed Project plans, and proposed mitigation measures. The Tribes indicated they would provide additional information and comments to the City, including comments on the proposed mitigation measures, following review of the requested materials. At present, no further comments have been received from Tribes. Currently, the City of Perris is conducting consultations in order to meet the requirements of AB 52 and SB 18.

As previously discussed, no cultural resources, including Tribal Cultural Resources, were observed during the Project Site field survey. However, given the results of the NAHC Sacred Lands Files search and Tribes' responses, the Proposed Project has the potential to impact Tribal Cultural Resources during ground-disturbing activities. Project-level mitigation measure MM CUL-1 (stated below and in Section 4.4.7), which modifies PVCCSP EIR mitigation measures MM Cultural 2 through MM Cultural 4 for the Proposed Project, requires that an archaeological monitor and a Tribal representative be present during ground-disturbing activities and identifies steps that would be taken if any artifacts of Native American origin are discovered to ensure potential impacts to Tribal Cultural Resources are less than significant. With implementation of Project-level mitigation measures MM CUL-1 and MM CUL-2, potential impacts to Tribal Cultural Resources would be less than significant.

Significance of Impact

Less Than Significant With Mitigation Incorporated.

4.13.5 Cumulative Impacts

The following sections address various potential cumulative impacts relating to Tribal Cultural Resources that could result from implementation of the project.

4.13.5.1 Cumulative Threshold TCR-1: Tribal Cultural Resources

This cumulative impact analysis considers development of the Proposed Project in conjunction with other development projects and planned development in the City, including the Perris Valley Commerce Center area that have a potential for uncovering Tribal Cultural Resources. As noted previously, Cogstone requested a Sacred Lands Files search from the NAHC, which came back positive. During Native American scoping the Pechanga Band of Indians indicated that the area of potential effect is near one traditional cultural landscape and two other Traditional Cultural Properties, as well as such other resources as village complexes. The Soboba Band of Luiseño Indians have indicated that the area of potential effect is part of a Tribal cultural landscape determined eligible for the National Register of Historic Places and is extremely culturally sensitive. While no Tribal Cultural Resources were observed during the Project Site field surveys,

the Proposed Project, as well as other cumulative developments within the region, have the potential to result in impacts to subsurface Tribal Cultural Resources. Therefore, the Proposed Project's potential impacts to subsurface Tribal Cultural Resources represents a cumulatively considerable contribution to a significant cumulative impact, prior to mitigation. As discussed in Threshold TCR-1 with implementation of Project-level mitigation measures MM CUL-1 and MM CUL-2, the Proposed Project's potential impact to Tribal Cultural Resources would be less than significant. Each development proposal received by the City undergoes environmental review and would be subject to the same resource protection requirements as the Proposed Project. Neither the Proposed Project nor other cumulative developments are expected to result in significant impacts to Tribal Cultural Resources provided site-specific surveys are conducted and required measures to protect the Tribal Cultural Resources are implemented. As such, the Proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact to Tribal Cultural Resources.

4.13.6 Level of Significance Before Mitigation

4.13.6.1 Threshold TCR-1: Tribal Cultural Resources

The Proposed Project could cause a substantial adverse change in the significance of a Tribal Cultural Resource.

4.13.7 Mitigation Measures

MM CUL-1 **Archaeological Resource – Monitoring.** Prior to the issuance of grading permits, the Project Proponent shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities at both the Project Site and any off-site Project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the Project archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no ground-disturbing activities shall occur at the Project Site or within the off-site Project improvement areas until the Project archaeologist has been approved by the City.

The Project archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The Project archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment within a 50-foot radius of the

find to allow time for the recording and removal of the resources. Work may continue outside of the 50-foot radius.

The Project Proponent shall also enter into an agreement with either the Soboba Band of Luiseño Indians, the Pechanga Band of Indians, or the Agua Caliente Band of Cahuilla Indians for a Native American tribal representative (observer/monitor) to work along with the Project archaeologist. This tribal representative will assist in the identification of Native American resources and will act as a representative between the City, the Project Proponent, and Native American Tribal Cultural Resources Department. The Native American tribal representative should be on-site during all ground-disturbing of each portion of the Project Site including clearing, grubbing, tree removals, grading, trenching, etc. The Native American tribal representative should be on-site any time the Project archaeologist is required to be on-site. Working with the Project archaeologist, the Native American representative shall have the authority to halt, redirect, or divert any activities in areas where the identification, recording, or recovery of Native American resources are on-going.

The agreement between the Project Proponent and the Native American tribe shall include, but not be limited to:

- An agreement that artifacts will be reburied on-site and in an area of permanent protection;
- Reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist;
- Native American artifacts that cannot be avoided or relocated at the project site shall be prepared for curation at an accredited curation facility in Riverside County that meets federal standards (per 36 CFR Part 79) and available to archaeologists/researchers for further study; and
- The Project archaeologist shall deliver the Native American artifacts, including title, to the identified curation facility within a reasonable amount of time, along with applicable fees for permanent curation.

The Project Proponent shall submit a fully executed copy of the agreement to the City of Perris Planning Division to ensure compliance with this condition of approval. Upon verification, the City of Perris Planning Division shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.

In the event that archaeological resources are discovered at the Project Site or within the off-site Project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with

California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for Native American/tribal cultural/archaeological resources. However, it is understood that all artifacts, with the exception of human remains and related grave goods or sacred/ceremonial/religious objects, belong to the Property Owner. The Property Owner shall commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.

If any Native American artifacts are identified when Native American tribal representative is not present, all reasonable measures shall be taken to protect the resource(s) in situ and the City Planning Division and Native American tribal representative(s) shall be notified. The designated Native American tribal representative will be given sufficient time to examine the find. If the find is determined to be of sacred or religious value, the Native American tribal representative will work with the City and project archaeologist to protect the resource in accordance with tribal requirements as may be feasible. All analysis will be undertaking in a manner that avoids destruction or other adverse impacts.

In the event that human remains are discovered at the project site or within the off-site project improvement areas, mitigation measure MM CUL-2 shall immediately apply and all items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.

Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation, as deemed appropriate, or returned to the Property Owner.

Once grading activities have ceased and/or the Project archaeologist, in consultation with the designated Native American tribal representative, determines that monitoring is no longer warranted, monitoring activities can be discontinued following notification to the City of Perris Planning Division.

A report of findings, including an itemized inventory of artifacts, shall be prepared upon completion of the tasks outlined above. The report shall include all data outlined by the Office of Historic Preservation guidelines, including a conclusion of the significance of all recovered, relocated, and reburied artifacts. A copy of the report shall also be filed with the City of Perris Planning Division, the South Coastal Information Center, and the Native American tribe(s) involved with the Project.

MM CUL-2 In the event that human remains (or remains that may be human) are discovered at the Project Site or within the off-site Project improvement areas during ground-disturbing activities, the construction contractors, Project archaeologist, and/or designated Native American Tribal representative shall immediately stop all activities within 100 feet of the find. Work outside of the 100-foot radius may continue. The Project Proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).

If the coroner determines that the remains are of Native American origin, the coroner shall notify the Native American Heritage Commission (NAHC), which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Native American Tribal representative(s) at the site, the NAHC's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of Native American human remains and may recommend to the Property Owner means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in consultation between the Property Owner and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and median with the NAHC will make the applicable determination (see Public Resources Code Section 5097.98I and 5097.94(k)).

The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the South Coastal Information Center.

4.13.8 Level of Significance After Mitigation

4.13.8.1 Threshold TCR-1: Tribal Cultural Resources

With implementation of Project-level mitigation measures MM CUL-1 and CUL-2, potential impacts to Tribal Cultural Resources would be reduced to less than significant levels. No significant and unavoidable impacts would remain.

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