

4.18 TRIBAL CULTURAL RESOURCES

This section of the EIR provides an assessment of potential impacts related to Tribal Cultural Resources (TCRs) that could result from implementation of the project. The analysis in this section is based on the results of the Native American consultation conducted by the County for purposes of compliance with CEQA requirements and, in particular, AB 52.

The County, as the CEQA Lead Agency, has provided notification to Native American tribes affiliated with the project area pursuant to AB 52. Letters describing the project and providing information regarding consultation were sent to the County's list of local tribes on June 29, 2021:

- Mona Olivas Tucker and Lori Laguna, yak tit'vu tit'vu yak tilhini -Northern Chumash Tribe of San Luis Obispo County and Region (ytt);
- Karen White and Donna Haro, Xolon Salinan Tribe;
- Fred Segobia, Salinan Tribe of Monterey and San Luis Obispo Counties; and
- Fred Collins, Northern Chumash Tribal Council (NCTC).

The County received requests for consultation from:

- Ms. Tucker, ytt, via email on November 8, 2021; and
- Mr. Collins, NCTC, via email on June 21, 2021.

This section includes the results of the County's consultation and includes mitigation measures to address potential impacts to known and unknown TCRs. For the purposes of this EIR, identified prehistoric archaeological resources within the Dana Reserve Specific Plan Area (DR-001, P-40-002132, and P-40-002273) are considered TCRs.

4.18.1 Existing Conditions

As described in detail in Section 4.5, *Cultural Resources*, the Specific Plan Area contains three prehistoric archaeological sites: DR-001, P-40-002132, and P-40-002273.

4.18.1.1.1 DR-001

Prehistoric archaeological resource DR-001 was documented during the pedestrian survey of the Specific Plan Area. The Extended Phase I study revealed that a portion of the resource contains subsurface deposits, which include Monterey and Franciscan chert debitage, charcoal, ochre, Pismo clam (*Tivela stultorum*) shell fragments, and one groundstone artifact.

4.18.1.1.2 P-40-002132

Prehistoric archaeological resource P-40-002132 was originally recorded by Robert Gibson in 1997. When originally recorded, the site consisted of a low-density lithic scatter of Monterey chert, two chert cores, one denticulate scraper, and weathered and burnt marine shell fragments. A second concentration was identified between the resource and US 101 and was designated as Locus B. In 2005 Gibson revisited the resource and subsurface testing was conducted within Locus A. Testing within Locus B was not conducted at the time due to objections by the property owner. A total of six STPs and one 1- by 1-meter test unit were excavated within Locus A. All STPs were excavated to 80 to 100 cmbs and augered to a total depth of 200 cmbs, while the test unit was excavated to a depth of 100 cmbs. Of the six STPs

excavated, three yielded cultural materials and the excavation unit yielded 10 chert flakes, 10 fragments of mammal bone, and carbon spotting in the 40 to 80 cmbs level.

4.18.1.1.3 P-40-002273

Prehistoric archaeological resource P-40-002273 was originally recorded in 2003 by LSA Associates. The resource consists of a sparse lithic scatter comprised of Monterey chert. The XPI study revealed a portion of P-40-002273 contains subsurface deposits, including Monterey chert debitage.

4.18.2 Regulatory Setting

4.18.2.1 Federal

There are no federal regulations related to TCRs applicable to the project.

4.18.2.2 State

4.18.2.2.1 CALIFORNIA ASSEMBLY BILL 52

AB 52 amended PRC Section 5097.94 and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3.

AB 52 formalizes the lead agency–tribal consultation process, requiring the lead agency to initiate consultation with California Native American groups that are traditionally and culturally affiliated with the project, including tribes that may not be federally recognized. As the lead agency, the County is required to begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report.

4.18.2.2.2 TRIBAL CULTURAL RESOURCES

Section 4 of AB 52 adds PRC Section 21074(a) and (b), which address TCRs and cultural landscapes. Section 21074(a) defines TCRs as one of the following:

- (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. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Section 1(a)(9) of AB 52 establishes that “a substantial adverse change to a tribal cultural resource has a significant effect on the environment.” Effects on TCRs should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 the PRC, which states that parties may propose mitigation measures “capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource.” Further, if a California

Native American tribe requests consultation regarding project alternatives, mitigation measures, or significant effects to TCRs, the consultation shall include those topics (PRC Section 21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (PRC Section 21082.3 [a]).

4.18.2.3 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Tribal Cultural Resources

Table 4.18-1 lists applicable state, regional, and local land use policies and regulations pertaining to cultural resources that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Chapter 3, *Environmental Setting*. Also included in Table 4.18-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.18.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

Table 4.18-1. Preliminary Policy Consistency Evaluation

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
County of San Luis Obispo General Plan		
Conservation and Open Space Element		
Policy CR 1.1 Cultural identity. Establish and support programs that enhance the county's sense of community and identity, such as the collection of oral histories, cultural and genealogical research, and the acquisition of collections of historic artifacts, documents, and memorabilia relevant to the history of the county.	The intent of this policy is to support and enhance the County's sense of community and identity.	Potentially Consistent. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community of Nipomo. Further, mitigation has been included to ensure implementation of the project does not result in adverse effects to known or unknown historic resources, archaeological resources, and TCRs. Mitigation has also been identified to require the incorporation of (to the extent feasible) themes, infrastructure, and placenames associated with local Chumash tribes into the overall project design throughout all phases of future development.
Policy CR 2.3 Living resources. Preserve historic sites and buildings and recognize cultural and archaeological resources as "living resources" that are part of a continuing culture.	The intent of this policy is to preserve historic sites and buildings.	Potentially Consistent. The main project site does not contain significant historic resources; however, off-site improvements have the potential to result in disturbance to off-site historic resources if present within proposed improvement areas. Mitigation has been included to reduce these impacts accordingly. The project site contains known cultural resources that could be adversely affected during construction activities. However, mitigation has been identified to ensure the avoidance of known cultural resource sites during project construction. Mitigation has also been identified for protection of unknown cultural resources. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community.

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
<p>Policy CR 3.1 Historic preservation. The County will provide for the identification, protection, enhancement, perpetuation, and use of features that reflect the County's historical, architectural, Native American, archaeological, cultural, and aesthetic heritage.</p>	<p>The intent of this policy is to preserve historic resources, archaeological resources, and TCRs.</p>	<p>Potentially Consistent. The Specific Plan Area does not contain any structures that could be considered significant historic resources; however, off-site improvements have the potential to result in disturbance to off-site historic resources if present within proposed improvement areas. Mitigation has been included to reduce these impacts accordingly. The project site contains known cultural resources that could be adversely affected during construction activities. However, mitigation has been identified to ensure the avoidance of known cultural resource sites during project construction. Mitigation has also been identified for protection of unknown cultural resources. The DRSP includes specific objectives related to building design intended to maintain the rural and historic nature of the community.</p>
<p>Policy CR 4.2 Protection of Native American cultural sites. Ensure protection of archaeological sites that are culturally significant to Native Americans, even if they have lost their scientific or archaeological integrity through previous disturbance. Protect sites that have religious or spiritual value, even if no artifacts are present. Protect sites that contain artifacts, which may have intrinsic value, even though their archaeological context has been disturbed.</p>	<p>The intent of this policy is to ensure protection of archaeological sites that are culturally significant to Native Americans.</p>	<p>Potentially Consistent. In accordance with AB 52, tribal consultation with appropriate tribes was conducted for the proposed project. Mitigation has been identified in Section 4.5, <i>Cultural Resources</i>, to ensure the avoidance of known cultural resource sites during project construction and the protection of unknown cultural resources and TCRs, including unidentified human remains. In addition, Mitigation Measures TCR/mm-1.1 and TCR/mm-1.2 have been included for protection of TCRs.</p>
<p>Policy CR 4.3 Cultural resources and open space. The county supports the concept of cultural landscapes and the protection and preservation of archaeological or historical resources as open space or parkland on public or private lands.</p>	<p>The intent of this policy is to preserve cultural resources as open space or parkland.</p>	<p>Potentially Consistent. The DRSP includes site design and layout of the property intended to avoid the known cultural resources site and retain culturally sensitive areas in designated open space land.</p>
<p>Policy CR 4.4 Development activities and archaeological sites. Protect archaeological and culturally sensitive sites from the effects of development by avoiding disturbance where feasible. Avoid archaeological resources as the primary method of protection.</p>	<p>The intent of this policy is to ensure avoidance of known cultural resources.</p>	<p>Potentially Consistent. The project site contains known cultural resources that could be adversely affected during construction activities. The project has been designed to avoid known sites to the extent feasible. Mitigation has also been identified to ensure the avoidance and minimization of known and previously unknown culturally sensitive areas during project construction and operation.</p>
<p>Policy OS 1.1 Future open space protection. Continue to identify and protect open space resources with the following characteristics:</p> <ul style="list-style-type: none"> • Recreation areas • Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities, significant marine resources • Archaeological, cultural, and historical resources • Scenic areas 	<p>The intent of this policy is to preserve and protect cultural resources within open space areas.</p>	<p>Potentially Consistent. The project site contains known cultural resources that could be adversely affected during construction activities. The project has been designed to avoid known sites to the extent feasible. Mitigation has also been identified to ensure the avoidance and minimization of known and previously unknown cultural resource sites during project construction and operation.</p>

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
<ul style="list-style-type: none"> • Hazard area • Rural character 		

4.18.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on TCRs if the effects exceed the significance criteria described below, which are based on Appendix G of the State CEQA Guidelines.

- a. 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 or 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:
 - i. 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
 - ii. 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, the lead agency shall consider the significance of the resource to a California Native American tribe.

Each of these thresholds is discussed under Section 4.18.5, *Project-Specific Impacts and Mitigation Measures*, below.

4.18.4 Impact Assessment and Methodology

Methodology to identify cultural resources that may qualify as TCRs, and the resulting findings, are described in detail in Section 4.5, *Cultural Resources*. Based on the results of the XPI study, the County is assuming for the purposes of this project, DR-001, P-40-002132, and P-40-2273, are CRHR-eligible under Criterion D (*Has yielded, or may be likely to yield, information important in prehistory or history*). As such, for the purposes of this project, these archaeological resources (DR-001, P-40-002132, and P-40-2273) are considered historical resources and TCRs under CEQA. As with historical resources, the significance of a TCR may be impacted by direct physical disturbance associated with future development or indirectly through a change in setting or increased use of the area.

This discussion focuses on the County’s coordination with the two tribes (ytt and NCTC) that requested consultation for the project:

4.18.4.1 *yak tityu tityu yak tilhini -Northern Chumash Tribe of San Luis Obispo County*

Subsequent to Ms. Tucker’s original response to the County on November 8, 2021, she sent an email on December 22, 2021, with the following statements:

- There should be a plan to avoid the known resources; and

- Archaeological and Native American monitoring is needed for any excavation activities for this project.

The County responded on December 22, 2021, asking if Ms. Tucker would like to visit the project area or consult further. To date, Ms. Tucker has not provided any further response.

4.18.4.2 Northern Chumash Tribal Council

NCTC's original email response from Chairman Fred Collins stated:

The Northern Chumash Tribal Council would like to consult concerning this proposed project. The Dana Adobe is known to the Chumash as the Black Heart Peoples, disrespectful, discriminatory, racist, uses divide and conquer tactics, and have induced us to work with them to secure a \$3,000,000 dollar grant and then through us under the bus, this organization is a shameful organization, NCTC would like to present all of our work to the County, letter to the State, and DPR so the county can see for themselves how badly we were treated. All the land proposed for building are Chumash sacred Sites, Sacred Landscapes, and should not ever be build on or near. NCTC looks forward to meaningful consultation.

NCTC Chairwoman Violet Sage Walker met with the County at the Specific Plan Area on January 11, 2022, to discuss the proposed project and conduct a field review of the known archaeological resources documented by SWCA. Subsequent to the initial field meeting, the County held virtual meetings with Ms. Walker on March 1 and 16, 2022.

The NCTC requests that all prehistoric archaeological resources in the Specific Plan Area be considered TCRs and avoided by future development. In addition to avoidance, NCTC requests:

- Designated areas for local Chumash tribes to use for various purposes, such as ceremonial gatherings, education, events.
- Planting of native vegetation, specifically species varieties that have significance to the local Chumash tribes.
- Incorporation of informative and interpretive signage.
- Incorporation of tribal names, placenames, and phrases for appropriate project design features.
- Development of designated trails outside of the boundaries of known resources to limit unauthorized use and reduce potential for looting.
- Protection of known resources as Environmentally Sensitive Areas.

If avoidance is not feasible for any or all TCRs, NCTC requests the following:

- A specific location, protected by a deed restriction, be dedicated to repatriate cultural materials encountered during future archaeological study, development, and occupation within the Specific Plan Area. The dedicated location should be placed within archaeological site DR-001.
- Tribal monitoring during future construction phases within the Specific Plan Area should include both NCTC and ytt representatives.
- Tribal monitoring should occur during the duration of ground disturbance within the Specific Plan Area.
- An NCTC representative should participate in the project's Worker Environmental Awareness Training(s).

- NCTC wants weekly updates regarding TCRs and/or data recovered during monitoring efforts.
- Approval of the applicant's archaeological consultant(s) working on the project.
- Preparation of a Data Recovery Plan demonstrating specifically how project related impacts to known TCRs will be mitigated to be included in this EIR.
- The Data Recovery Plan should be prepared in direct coordination with NCTC and NCTC should approve the plan prior to its implementation.

4.18.5 Project-Specific Impacts and Mitigation Measures

As with cultural resources, project-specific impacts to TCRs include similar direct and indirect impacts. Direct impacts result from land modification directly and immediately caused by the construction, landscaping, operation, or maintenance of the proposed development. Indirect impacts also occur as a result of a specific project, but do not result from intentional ground disturbance. Common indirect impacts include erosion, vibration, unauthorized artifact collecting, and vandalism. As currently planned, the proposed project entails ground disturbing construction activities during future construction phases. The remainder of this section discusses the potential impacts to TCRs from the construction and occupation of the proposed DRSP and related off-site improvements.

Because off-site improvements have not been designed and their precise location is not currently known, they are being evaluated at a programmatic level in this EIR. Subsequent environmental review of these improvements, if necessary, would be required as described in Section 2.5.2, *Environmental Review of Subsequent Development Proposals*.

WOULD THE PROJECT 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 OR 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:

- I. 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**
- II. 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, THE LEAD AGENCY SHALL CONSIDER THE SIGNIFICANCE OF THE RESOURCE TO A CALIFORNIA NATIVE AMERICAN TRIBE.**

Specific Plan Area

TCR Impact 1: Proposed development of the Specific Plan Area could directly and indirectly impact CRHR-eligible resources and resources considered by the County to be significant pursuant to PRC Section 5024.1 (DR-001, P-40-02132, and P-40-002273). Impacts would be less than significant with mitigation (Class II).

The County, as the CEQA Lead Agency, has provided notification to Native American tribes affiliated with the project area pursuant to AB 52. As described in Section 4.18.4, *Impact Assessment and Methodology*, the ytt and NCTC have requested consultation for the project. The Specific Plan Area contains two previously documented resources (P-40-002132 and P-40-002273) and one newly identified resource (DR-001). These resources would have potential for listing in the CRHR and are also considered by the County to be significant pursuant to PRC Section 5024.1. For the purposes of this project, these archaeological resources are also considered historical resources and TCRs under CEQA.

Ground-disturbing activities for future buildout of the Specific Plan Area have the potential to directly impact these significant prehistoric archaeological resources and TCRs. The conceptual site design and layout of the Specific Plan Area have been designed to integrate and retain the known cultural resources and culturally sensitive areas in designated open space land, which would avoid disturbance to identified resources to the extent feasible. Additionally, Mitigation Measures CR/mm-1.1 through CR/mm-1.4 have been included to further ensure avoidance of known cultural resource sites, TCRs, and culturally sensitive areas present within the Specific Plan Area, as well as protection of potentially unknown cultural resources, including human remains. Based on consultation with the ytt and NCTC, Mitigation Measures TCR/mm-1.1 and TCR/mm-1.2 have also been included to ensure protection of TCRs in accordance with AB 52. Implementation of the identified mitigation measures would ensure avoidance and minimization of impacts to known and unknown TCRs. The project would also be required to comply with HSC Section 7050.5, LUO Section 22.10.040, and PRC Sections 5097.94, 5097.98, and 5097.99 related to inadvertent discovery of unidentified human remains. Compliance with these regulations would ensure protection of previously unidentified human remains if encountered during project construction. Based on the proposed site design, implementation of identified mitigation measures, and required compliance with state and local regulations, future buildout of the project site would not result in substantial adverse change in the significance of known or unknown TCRs within the Specific Plan Area. Therefore, impacts would be *less than significant with mitigation*.

TCR Impact 1 (Class II)	
Proposed development of the Specific Plan Area could directly and indirectly impact CRHR-eligible resources and resources considered by the County to be significant tribal cultural resources pursuant to PRC Section 5024.1 (DR-001, P-40-02132, P-40-002273).	
Mitigation Measures	
Implement Mitigation Measures CR/mm-2.1 through CR/mm-2.4.	
TCR/mm-1.1	Deeded Repatriation Location. A specific location, protected by a deed restriction, shall be dedicated to repatriate cultural materials encountered during future archaeological study, development, and occupation within the Specific Plan Area. An accessible vault, protected from the elements, and accessible to the tribes shall be constructed within the boundary of DR-001. The specific location, size, and construction methodology of the vault will be developed in direct consultation with the consulting tribes.

TCR Impact 1 (Class II)	
<i>TCR/mm-1.2</i>	<p>Project Design Considerations. <i>The applicant shall incorporate, to the extent feasible, themes, infrastructure, and placenames associated with local Chumash tribes into the overall project design throughout all phases of future development. These design considerations shall include, but not be limited to the following aspects:</i></p> <ol style="list-style-type: none"> 1. <i>Designated areas for local Chumash tribes to use for various purposes, such as ceremonial gatherings, education, and events;</i> 2. <i>Planting of native vegetation, specifically species varieties that have significance to the local Chumash tribes;</i> 3. <i>Incorporation of informative and interpretive signage;</i> 4. <i>Incorporation of tribal names, placenames, and phrases for appropriate project design features; and</i> 5. <i>Development of designated trails outside of the boundaries of known resources to limit unauthorized use and reduce potential for looting.</i>
Residual Impacts	
<p><i>With implementation of Mitigation Measures CR/mm-2.1 through CR/mm-2.4, TCR/mm-1.1, and TCR/mm-1.2, impacts to known and unknown CRHR-eligible resources would be considered less than significant with mitigation (Class II).</i></p>	

Off-Site Improvements

TCR Impact 2: Off-site improvements could result in adverse effects to known and unknown CRHR-Eligible Resources or resources considered by the County to be significant pursuant to PRC Section 5024.1. Impacts would be less than significant with mitigation (Class II).

The exact location of proposed off-site transportation improvements and NCSW water and wastewater system improvements is currently not known, as these project components have not yet been designed and are being evaluated at a conceptual level in this EIR. However, proposed off-site improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglan Avenue, East Tefft Street, North Frontage Road, Pomeroy Road, and Willow Road, among others (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*). Proposed off-site improvements would include installation of water, wastewater, and transportation infrastructure within previously developed roadways and other disturbed areas, which would reduce the potential to uncover previously unidentified TCRs. In addition, based on the nature of proposed improvements, construction of off-site improvements would not be expected to require demolition, destruction, relocation, or alteration of any buildings or other structures. However, since the exact timing and location of off-site improvements are currently not known, and installation of improvements would require ground disturbance and other construction activities, there would still be potential to encounter TCRs if present within the proposed disturbance areas. In order to ensure avoidance and minimization of impacts to historical resources (including TCRs), programmatic mitigation measures have been included to identify, evaluate, and mitigate potential impacts. Mitigation Measures CR/mm-1.3, CR/mm-1.4, and CR/mm-5.1 have been included to ensure avoidance and minimization of impacts to TCRs during installation of off-site improvements. Therefore, impacts would be *less than significant with mitigation*.

TCR Impact 2 (Class II)
Off-site improvements could result in adverse effects to known and unknown CRHR-Eligible Resources or resources considered by the County to be significant tribal cultural resources pursuant to PRC Section 5024.1.
Mitigation Measures
Implement Mitigation Measures CR/mm-2.3, CR/mm-2.4, and CR/mm-3.1.
Residual Impacts
With implementation of Mitigation Measures CR/mm-2.3, CR/mm-2.4, and CR/mm-3.1, impacts to off-site CRHR-eligible would be considered less than significant with mitigation (Class II).

4.18.6 Cumulative Impacts

TCR Impact 3: Project implementation could result in the cumulative disturbance and destruction of tribal cultural resources, including known and unknown CRHR-Eligible Resources and resources considered by the County to be significant tribal cultural resources pursuant to PRC Section 5024.1. Impacts would be less than significant with mitigation (Class II).

Implementation of the project could contribute to the cumulative degradation of significant TCRs in the County. The destruction of TCRs can have the potential for significant cumulative impacts that are inherently important to the descendants of native peoples and make the study of pre-historic and historic life unavailable for study by scientists. Given the prevalence of TCRs (both known and unknown CRHR-Eligible Resources or resources considered by the County to be significant TCRs pursuant to PRC Section 5024.1) within and in the immediate vicinity of the project area, and the number of construction activities that involve disturbance of archaeologically sensitive areas that are not regulated, it is likely that significant pre-historic and historic resources (including TCRs) are often not identified and are permanently lost. For the proposed project, impacts to any known CRHR-eligible resources or resources considered by the County to be significant TCRs pursuant to PRC Section 5024.1 could occur, and mitigation measures are in place to reduce these potential impacts. Based on implementation of recommended mitigation measures, potential cumulative impacts resulting from the proposed project are considered *less than significant with mitigation*.

CR Impact 3 (Class II)
Project implementation could result in the cumulative disturbance and destruction of tribal cultural resources, including known and unknown CRHR-Eligible Resources and resources considered by the County to be significant tribal cultural resources pursuant to PRC Section 5024.1.
Mitigation Measures
Implement Mitigation Measures CR/mm-2.1 through CR/mm-2.4, CR/mm-3.1, TCR/mm-1.1, and TCR/mm-1.2.
Residual Impacts
With implementation of Mitigation Measures CR/mm-2.1 through CR/mm-2.4, CR/mm-3.1, TCR/mm-1.1, and TCR/mm-1.2, cumulative impacts to known and potentially unknown TCRs would be less than significant with mitigation (Class II).