

## 4.13 TRIBAL CULTURAL RESOURCES

This section of the Draft Environmental Impact Report (EIR) evaluates the potential for the proposed Ganahl Lumber Project (proposed project) to impact tribal cultural resources in the City of San Juan Capistrano. Other potential impacts to cultural resources, including historic and archaeological resources, are evaluated in Section 4.4, Cultural Resources, of this Draft EIR. The analysis in this section summarizes pertinent information and findings in the *Cultural Resources Survey for the Ganahl Lumber Project* prepared by ECORP Consulting, Inc. (Revised January 2019) (Cultural Resources Survey) provided in Appendix D.

### 4.13.1 Scoping Process

The City of San Juan Capistrano (City) received 11 comment letters during the public review period of the Initial Study/Notice of Preparation (IS/NOP). For copies of the IS/NOP comment letters, refer to Appendix A of this Draft EIR. Two comment letter(s) included comments related to Tribal Cultural Resources.

The letter from the Native American Heritage Commission (NAHC) received on June 7, 2019, indicated that the NAHC had received the NOP for the project. The letter outlines applicable regulations related to tribal cultural resources, including specific provisions in Assembly Bill (AB) 52. The comment concludes with a recommendation that the City consult with California Native American tribes affiliated with the project area, and consult with the City's legal counsel regarding compliance with AB 52 and Senate Bill (SB) 18.

The letter, from Michael Mirelez from the Torres Martinez Desert Cahuilla tribe received on June 10, 2019, thanked the City for notifying the Torres Martinez Desert Cahuilla Indians of the proposed project. The letter goes on to state that the project is outside of the tribe's traditional use area, and as such, the tribe would defer review of the project to other tribes closer to the project site.

### 4.13.2 Methodology

In order to identify tribal cultural resources on the project site and analyze potentially significant impacts associated with construction and implementation of the project, the City conducted Native American consultation in accordance with AB 52 requirements.

A Sacred Lands File (SLF) was requested from the NAHC for the proposed project, as was a list of potential Native American contacts for consultation. The search was requested to determine whether there are sensitive or sacred Native American resources on or near the site that could be affected by the proposed project. The NAHC responded on September 28, 2017, to say that the SLF search was negative for the project area. The NAHC provided a Tribal Consultation List that included the following 11 Native American representatives to be contacted:

- Ralph Goff, Chairperson, Campo Band of Mission Indians
- Michael Garcia, Vice Chairperson, Ewiiapaayp Tribal Office
- Robert Pinto, Chairperson, Ewiiapaayp Tribal Office
- Erica Pinto, Chairperson, Jamul Indian Village
- Sonia Johnston, Chairperson, Juaneño Band of Mission Indians

- Matias Belardes, Chairperson, Juaneño Band of Mission Indians Acjachemen Nation – Belardes
- Joyce Perry, Tribal Manager, Juaneño Band of Mission Indians Acjachemen Nation – Belardes
- Teresa Romero, Chairperson, Juaneño Band of Mission Indians Acjachemen Nation – Belardes
- Javaughn Miller, Tribal Administrator, La Posta Band of Mission Indians
- Gwendolyn Parada, Chairperson, La Posta Band of Mission Indians
- Angela Elliott Santos, Chairperson, Manzanita Band of Kumeyaay Nation

In addition to the aforementioned tribal representatives, the City maintains a list of the following tribal representatives that have requested consultation under AB 52:

- Joseph Ontiveros, Cultural Resource Director, Soboba Band of Luiseno Indians
- Joyce Perry, Tribal Manager, Juaneño Band of Mission Indians Acjachemen Nation – Belardes
- Michael Martinez Mirelez, Cultural Resource Coordinator, Torres Martinez Desert Cahuilla Indians

The City sent letters for the purposes of AB 52 consultation to individuals on the City's AB 52 list on May 1, 2019.

In a letter dated June 3, 2019, Michael Mirelez responded indicating that the Torres Martinez Desert Cahuilla Indian tribe wishes to defer all future project notifications to tribes that are closer to the City's jurisdictional area. Mr. Mirelez also sent a subsequent letter to the City (dated June 10, 2019), indicating that the project site is located outside of the Torres Martinez Desert Cahuilla Indian tribe traditional use area.

No additional responses or requests for consultation have been received.

In addition to AB 52 compliance, records searches, site surveys, and background research were conducted as part of the Cultural Resources Survey for the project. The purpose of these efforts was to identify the location of known cultural resources on the site. No cultural resources were identified as part of Cultural Resources Survey (refer to Section 4.4, Cultural Resources, for further discussion).

#### **4.13.3 Existing Environmental Setting**

Tribal cultural resources are defined as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe." Additionally, a lead agency can, at its discretion and supported by substantial evidence, choose to treat a resource as a tribal resource. AB 52 requires lead agencies to conduct formal consultations with California Native American tribes during the California Environmental Quality Act (CEQA) process to identify tribal cultural resources that may be subject to significant impacts by a project.

According to the Cultural Resources Survey, the project area was formed as part of the territory occupied by the Juaneño Native American tribe in 1769. The Juaneño Native American tribe consisted of semi-sedentary hunters and gatherers. Much like many of the island tribes, one of the most important sources of food for the Juaneño Native American tribe were acorns gathered from oak groves in canyons, drainages, and foothills. Acorns were ground into flour using mortars and pestles. Seeds from sage, grasses, and other native plant species were collected and ground into

meal with manos and metates. The primary sources of protein were meat from deer, rabbits, and other animals hunted with bow and arrow or trapped using snares, nets, and deadfalls. Coastal tribes also collected shellfish and used carved shell hooks for fishing.

The Juaneño Native American tribe lived in villages consisting of up to 250 people located near permanent sources of water and food. Villages were located at the center of an established territory, from which resources were gathered. Small groups left the village for short periods to hunt, fish, and gather plants. When traveling away from the village, small groups established temporary camps and created locations where food and other materials were processed. Evidence of these areas include manos and metates for seed grinding, bedrock mortars for acorn pulverizing, and lithic scatters indicating manufacturing or maintenance of stone tools used for hunting or butchering.

Within the vicinity of the project site, the Juaneño village of *Toovannga* was located near the mouth of the San Juan Creek.

#### 4.13.4 Regulatory Setting

This section describes applicable federal, State, regional, and City regulations.

##### 4.13.4.1 Federal Regulations

**Native American Heritage Commission (NAHC).** In 1976, the California State Government passed AB 4239, creating the Native American Heritage Commission (NAHC). The NAHC is responsible for identifying and categorizing Native American cultural resources as well as preventing damages to designated sacred sites and associated artifacts and remains. Legislation passed in 1982 authorized the NAHC to identify a Most Likely Descendant (MLD) when Native American remains are found outside of any place other than a designated cemetery. An MLD has the authority to make recommendations in regards to the treatment and disposition of the discovered remains.

**The Native American Historic Resource Protection Act.** The Native American Historic Resource Protection Act, or Assembly Bill 52 (AB 52), defines guidelines for reducing conflicts between Native Americans and development projects and activities. Projects are subject to AB 52 if a notice of preparation for an EIR is filed or a notice of intent to adopt a Negative or Mitigated Negative Declaration is filed on or after July 1, 2016. "Tribal cultural resources" (TCR) are protected under CEQA and are defined as a site, feature, place, cultural landscape (must include the size and scope of landscape), sacred place, and object with a cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register of Historical Resources (California Register), or included in a local register of historical resources. At the lead agency's discretion, a resource can be treated as a TCR if a Native American Tribe provides substantial evidence. Additionally, AB 52 allows tribes to engage in consultation with lead agencies and sets guidelines for such consultation.

**Archaeological Resources Protection Act.** The Archaeological Resources Protection Act was enacted in 1979 with the purpose of securing the protection of archaeological resources and sites on public lands and Native American lands, and to foster increased cooperation and exchange of information

between governmental authorities, the professional archaeological community, and private individuals.

**Native American Graves Protection and Repatriation Act.** The Native American Graves Protection and Repatriation Act (NAGPRA) was passed in 1990 with the purpose of outlining a process for museums and federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants, and culturally affiliated Indian tribes. The Act also establishes procedures for the inadvertent discovery or planned excavation of Native American cultural items on federal or tribal lands. While these provisions do not apply to discovery or excavations on private or State lands, the collections portions of the Act may apply to cultural items if they are under control of an institution that receives federal funding. The Act also makes it a criminal offense to traffic in Native American human remains without right of possession or in cultural items obtained in violation of the Act.

#### 4.13.4.2 State Regulations

**California Public Resources Code 5097.9–5097.991.** California Public Resources Code (PRC) 5097.9–5097.991 provides protection to Native American historical and cultural resources (including sanctified cemeteries, places of worship, religious sites, or sacred shrines) and sacred sites and gives the NAHC enforcement authority.

Specifically, California PRC 5097.98 outlines procedures in the event human remains are discovered. The County Coroner shall make a determination within two working days from the time the person responsible for the excavation, or designee, notifies the County Coroner of the discovery or recognition of the human remains. If the County Coroner identifies the remains to be of Native American origin, or has reason to believe that the remains are those of Native American origin, the County Coroner must contact the California NAHC within 24 hours. The NAHC representative will then alert a Native American MLD to conduct an inspection of the site and to determine the following course of treatment and action. Additionally, *State CEQA Guidelines* Section 15064.5 sets forth a procedure if human remains are found on land outside of federal jurisdiction.

**Health and Safety Code Section 7050.5.** Section 7050.5 of the California Health and Safety Code protects Native American burials, remains, and associated grave artifacts in the event that they are discovered in any location other than a designated cemetery. The Health and Safety Code mandates the immediate stop of excavation in the site as well as any adjacent or overlying area where the remains or associated item is found, and provides for the sensitive disposition of those remains. Should remains be discovered, the County Coroner must determine that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or designee, in the manner provided in PRC Section 5097.98.

#### 4.13.4.3 Regional Regulations

There are no regional regulations that are applicable to tribal cultural resources relevant to the proposed project.

#### 4.13.4.4 Local Regulations

**City of San Juan Capistrano Historical, Archaeological, and Paleontological Resource Management Guidelines.** In 1997, the City revised City Council Policy 601 and renamed this policy, “Historical, Archaeological, and Paleontological Resource Management Guidelines.” These guidelines aim to ensure that cultural resource evaluations for projects within the City are conducted by qualified individuals. The policy also establishes procedures for reviewing these reports and mitigation measures to address potential impacts to previously unknown cultural resources during construction activities. In the event cultural resources are discovered, these guidelines require that the locations of all significant historic resources within the City be recorded. These guidelines also outline specific circumstances during which a Native American monitor would be required during construction.

#### 4.13.5 Thresholds of Significance

The thresholds for tribal cultural resources impacts used in this analysis are consistent with Appendix G of the *State CEQA Guidelines* and the City’s *Local Guidelines for Implementing CEQA* (2019). The proposed project may be deemed to have a significant impact with respect to tribal cultural resources if it would:

**Threshold 4.13.1: 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)**

**Threshold 4.13.2: 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: 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.**

The Initial Study, included as Appendix A, substantiates that there would be no impacts associated with Threshold 4.13.1 because the project site is not listed or eligible for listing in the California Register, or in a local register of historical resources. This threshold will not be addressed in the following analysis.

#### 4.13.6 Project Impacts

**Threshold 4.13.2:** **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, 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: 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.**

***Less than Significant Impact with Mitigation Incorporated.*** As noted above, a Cultural Resources Survey, a SLF through the NAHC, and AB 52 Native American consultation were conducted for the proposed project. The purpose of these efforts was to identify known tribal cultural resources on or near the project site. No cultural resources were identified as part of the records search and field survey conducted as part of the Cultural Resources Survey. Similarly, the SLF search and the AB 52 consultation process did not present any evidence that the proposed project would result in a substantial adverse change in the significance of a tribal cultural resource, as defined in PRC section 21074. Although there is no evidence of tribal cultural resources on the City, the City requires monitoring for development projects in culturally sensitive areas. Due to the location of the project site in an area near the San Juan Creek, which was previously occupied by the Juaneño village of *Toovanna*, the project area is considered potentially sensitive for tribal cultural resources. As such, monitoring by an archaeological monitor under the supervision of an Orange County Certified Archaeologist and by a Native American representative is required (see Mitigation Measure CUL-1 in Section 4.4., Cultural Resources, of this Draft EIR). Mitigation Measure CUL-1 would reduce any potential impacts to previously undiscovered tribal cultural resources to a less than significant level.

#### 4.13.7 Level of Significance Prior to Mitigation

The proposed project would result in potentially significant impacts with respect to tribal cultural resources without the implementation of applicable mitigation measures.

#### 4.13.8 Regulatory Compliance Measures and Mitigation Measures

##### 4.13.8.1 Regulatory Compliance Measures (RCMs)

No regulatory compliance measures are required for the proposed project.

##### 4.13.8.2 Mitigation Measures (MMs)

The proposed project would comply with the following mitigation measures.

**MM CUL-1 Cultural Resources Monitoring and Accidental Discovery.** Prior to the issuance of grading permits, and in adherence to the recommendations of the cultural resources survey, the project Applicant shall retain, with approval of the City of San Juan Capistrano (City) Development Services Director, or designee, a qualified archaeological monitor. A monitoring plan should be prepared by the archaeologist

and implemented upon approval by the City. Prior to issuance of grading permits, the project Applicant, with City approval, shall also retain a Native American monitor to be selected by the City after consultation with interested tribal and Native American representatives. Both monitors shall be present on the project site during ground-disturbing activities to monitor rough and finish grading, excavation, and other ground-disturbing activities in the native soils. Because no cultural resources were identified on the project site, both monitors are not required to be present on a full-time basis, but shall spot check ground-disturbing activities to ensure that no cultural resources are impacted during construction activities.

If cultural materials are discovered during site preparation, grading, or excavation, the construction contractor shall divert all earthmoving activity within and around the immediate discovery area until a qualified archaeologist can assess the nature and significance of the find. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. To the extent feasible, project activities shall avoid these deposits. Where avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing on the California Register of Historical Resources. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to: excavation of the deposit in accordance with a data recovery plan (see California Code of Regulations [CCR] Title 4(3) Section 5126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials. The City Development Services Director, or designee, shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of the findings and recommendations.

**MM CUL-2** **Human Remains.** Consistent with the requirements of CCR Section 15064.5(e), if human remains are encountered during site disturbance, grading, or other construction activities on the project site, the construction contractor shall halt work within 25 feet of the discovery; all work within 25 feet of the discovery shall be redirected and the Orange County (County) Coroner notified immediately. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the City, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48

hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City shall consult with the MLD identified by the NAHC to develop an agreement for the treatment and disposition of the remains.

Upon completion of the assessment, the consulting archaeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate, and in coordination with the recommendations of the MLD. The report shall be submitted to the City Development Services Director, or designee, and the South Central Coastal Information Center. The City Development Services Director, or designee, shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of the findings and recommendations.

#### **4.13.9 Level of Significance after Mitigation**

The proposed project would result in less than significant impacts with respect to tribal cultural resources following implementation of Mitigation Measures CUL-1 and CUL-2.

#### **4.13.10 Cumulative Impacts**

As defined in the *State CEQA Guidelines*, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for tribal cultural resources. The cumulative study area for tribal cultural resources is the geographical area of the City of San Juan Capistrano, which is the geographical area covered by the City's General Plan, including all goals and policies therein. Future development in the City could include excavation and grading that could potentially impact tribal cultural resources. The cumulative effect of the proposed project would be the continued loss of these resources. The proposed project, in conjunction with other development in the City, has the potential to cumulatively impact tribal cultural resources; however, it should be noted that each development proposal requiring a discretionary approval received by the City would undergo environmental review pursuant to CEQA. If there is a potential for significant impacts to tribal cultural resources, an investigation would be required to determine the nature and extent of the resources and to identify appropriate mitigation measures. If subsurface cultural resources are assessed and/or protected as they are discovered, impacts to these resources would be less than significant. In addition, applicable City ordinances and General Plan policies would be implemented as appropriate to reduce the effects of additional development to tribal cultural resources within the City.

#### **4.13.11 Project Alternatives**

##### **4.13.11.1 Alternative 1**

Alternative 1 would allow for the future construction of a 161,385-square-foot (sf) Ganahl Lumber hardware store and lumber yard and a 399-space vehicle storage facility, but no drive-through



restaurant uses would be developed. This alternative represents a reduction of 6,000 sf of drive-through restaurant use as compared to the proposed project. Under Alternative 1, Area A would provide 150 parking spaces, compared to 62 parking spaces provided in Area A as part of the proposed project.

Most components of the proposed project, such as outdoor lighting, circulation and access, signage, utilities and drainage, sustainability features, landscaping, and construction phasing, and grading, would not significantly change with the implementation of Alternative 1. Components specific to Area A, such as the location of walkways, retaining walls fences, and gates, would also not change under Alternative 1. The modification and installation of existing and new utilities and infrastructure associated with the proposed project would still occur under Alternative 1.

Alternative 1 would have less than significant impacts with respect to tribal cultural resources with the incorporation of mitigation, similar to the proposed project. Though Alternative 1 would not involve the development of structures on Area A as the proposed project would, the entirety of Area A would still be cleared, excavated, graded, and paved to accommodate surface parking. Because the area of disturbance would be the same under the proposed project and Alternative 1, potential impacts to unknown tribal cultural resources would be similar under Alternative 1 to those of the proposed project. Mitigation Measures CUL-1 and CUL-2 would still be applicable under Alternative 1 to reduce potential impacts to any unknown tribal cultural resources to a less than significant level. Overall, impacts to tribal cultural resources under Alternative 1 would be similar to the proposed project's impacts.

Because impacts related to cultural resources for Alternative 1 would be less than those associated with the proposed project, implementation of Mitigation Measures CUL-1 and CUL-2 would also ensure that Alternative 1, together with cumulative projects, would not result in a significant cumulative impact to unique archaeological resources and previously undiscovered buried human remains.

#### 4.13.11.2 Alternative 2

Alternative 2 would allow for the future construction of a 161,385 sf Ganahl Lumber hardware store and lumber yard, a 399-space vehicle storage facility, and 2,000 sf of drive-through restaurant uses, which represent a reduction of 4,000 sf of drive-through restaurant uses as compared to the proposed project. Specifically, Alternative 2 would provide 80 parking spaces, compared to 62 parking spaces provided in Area A as part of the proposed project.

Most components of the proposed project, such as outdoor lighting, circulation and access, signage, utilities and drainage, sustainability features, landscaping, and construction phasing and grading, would not significantly change with the implementation of Alternative 2. Components specific to Area A, such as the location of walkways, retaining walls, fences, and gates, would also not change under Alternative 2. The modification and installation of existing and new utilities and infrastructure associated with the proposed project would still occur under Alternative 2.

Alternative 2 would have less than significant impacts with respect to tribal cultural resources with mitigation incorporated, similar to the proposed project. Although Alternative 2 would not involve the development of structures on Area A as the proposed project would, the entirety of Area A

would still be cleared, excavated, graded, and paved to accommodate surface parking and a building pad. Because the area of disturbance would be the same under the proposed project and Alternative 2, potential impacts to unknown tribal cultural resources would be similar under Alternative 2 to those of the proposed project. Mitigation Measures CUL-1 and CUL-2 would still be applicable under Alternative 2 to reduce potential impacts to any unknown tribal cultural resources to a less than significant level. Overall, impacts to tribal cultural resources under Alternative 2 would be similar to the proposed project's impacts.

Because impacts related to cultural resources for Alternative 2 would be less than those associated with the proposed project, implementation of Mitigation Measures CUL-1 and CUL-2 would also ensure that Alternative 2, together with cumulative projects, would not result in a significant cumulative impact to unique archaeological resources and previously undiscovered buried human remains.

#### 4.13.11.3 Alternative 3

Alternative 3 would allow for the future construction of a 161,385 sf Ganahl Lumber hardware store and lumber yard, a 399-space vehicle storage facility, and 4,000 sf of drive-through restaurant uses, which represents a reduction of 2,000 sf of drive-through restaurant use as compared to the proposed project. Specifically, Area A would provide 101 parking spaces, compared to 62 parking spaces provided as part of the proposed project. Under Alternative 3, these additional parking spaces would be used by the drive-through restaurant use.

Most components of the proposed project, such as outdoor lighting, circulation and access, signage, utilities and drainage, sustainability features, landscaping, construction phasing, and grading, would not significantly change under the implementation of Alternative 3. Components specific to Area A, such as the location of walkways, retaining walls, fences, and gates, would also not change under Alternative 3. The modification and installation of existing and new utilities and infrastructure associated with the proposed project would still occur under Alternative 3.

Alternative 3 would have less than significant impacts with respect to tribal cultural resources with mitigation incorporated, similar to the proposed project. Though Alternative 3 would not involve the development of structures on Area A as the proposed project would, the entirety of Area A would still be cleared, excavated, graded, and paved to accommodate surface parking and a building pad. Because the area of disturbance would be the same under the proposed project and Alternative 3, potential impacts to unknown tribal cultural resources would be similar under Alternative 3 to those of the proposed project. Mitigation Measures CUL-1 and CUL-2 would still be applicable under Alternative 3 to reduce potential impacts to any unknown tribal cultural resources to a less than significant level. Overall, impacts to tribal cultural resources under Alternative 3 would be similar to the proposed project's impacts.

Because impacts related to cultural resources for Alternative 3 would be less than those associated with the proposed project, implementation of Mitigation Measures CUL-1 and CUL-2 would also ensure that Alternative 3, together with cumulative projects, would not result in a significant cumulative impact to unique archaeological resources and previously undiscovered buried human remains.