

Carlsbad Tribal Cultural Paleontological Guidelines Update

Monitoring Option 3: Rotating Monitors

Section 8.2.2.4, Tribal Monitoring:

The presence of Native American monitor(s) will be necessary during ground-disturbing activities that have the potential to affect TCRs. Monitoring may be required for an entire site or portions of a site, depending on discussions and consultation with the TCA tribes and other information based on where native soils occur, a site's geomorphology, geotechnical reports, prior grading plans for disturbed soils, or other reasons. In cases where the TCR is also considered a historical resource under CEQA (i.e., it is also significant for archaeological characteristics), archaeological monitoring may also be required. In other cases, where the TCR is not significant archaeologically, only a tribal monitor may be required.

As discussed in Section 4.2, *Ethnography and Native American History*, portions of the City of Carlsbad are within the traditional territory of both Luiseño and Kumeyaay peoples. The Luiseño inhabited all of the land within the city boundaries while the northern border of Kumeyaay territory, by some estimates, extended as far north as Agua Hedionda Lagoon. However, there is potential for territorial overlap within other areas of southern Carlsbad as well. Due to this, a monitor representing the Kumeyaay and a monitor representing the Luiseño peoples may both be included in projects in southern Carlsbad, depending on the outcome of tribal consultation. Projects in northern Carlsbad need only include monitors representing Luiseño tribes.

The monitoring tribe(s) shall be determined through the tribal consultation process discussed in Section 8.1, *Tribal Outreach and Coordination*. In the event that multiple consulting TCA tribes request to have a Native American monitor representing their tribe present during a specific project, the city shall coordinate among the requesting tribes to agree upon a single Native American monitoring entity to represent all requesting tribes. If a single Native American monitoring entity representing all requesting tribes cannot be agreed upon, then the city will assign a monitoring TCA tribe from among the consulting TCA tribes that requested to monitor and that are included on the city's AB 52 list. The tribes that meet these qualifications will be offered Native American monitoring responsibilities on a rotating basis by project. If a tribe is not able to provide Native American monitors for a particular project, they must defer to another TCA tribe that requested monitoring and that is on the city's AB 52 list. The city and archaeological Principal Investigator must continue communication with the other TCA tribes that requested monitoring through consultation to keep them informed of the monitoring program results.