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DUDEK
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Attn.: Troy White

Peer Review
Santa Monica Mountain Project
Malibu Parks Public Access Enhancement Plan
Public Works Plan Final EIR
and Cultural Resource Appendix

Ladies & Gentlemen:

The follow constitutes a report of my cultural resources peer review of the following documentation relative to the project referenced above:

- 1) Phase 1 Archaeological Resources Report prepared by Stone Archaeological Consulting (April 2007) and subsequent Phase 1 surveys prepared for the Santa Monica Mountains Conservancy Mountain Recreation and Conservation Authority, Malibu, California;
- 2) Subsequent Phase 1 archaeological surveys conducted for the proposed plan in October 2009 and January 2010; and
- 3) Malibu Parks Public Access Enhancement Plan Public Works Plan Final EIR

Peer review has consisted of determining consistency of the Phase 1 report with current professional archaeological standards and practices as presented in the California Office of Historic Preservation "Archaeological Resource Management Reports (ARMR): Recommended Contents and Format dated February 1990 and Checklist for Preparing and Reviewing Archaeological Resource Management Reports; the City of Malibu General Plan Conservation Element and the City of Malibu General Plan, the Los Angeles Malibu Local Coastal Program Land Use Plan, California Coastal Zone Management Plan, and California Environmental Quality Act guidelines and policies. Peer review shall also include a cursory site visit using aerial photographs provided by Dudek and U.S.G.S. Malibu and Triunfo Canyon 7.5-Minute Quadrangles of the project area. Access was limited during the visit to the site area and resurvey of the project area was not included in the peer review.

Consistent with the Dudek's Request For Proposal (dated 7-12-10), I have provided the following:

- Verbal communication and brief written work product(s) to Dudek FEIR team to ensure agreement with and adequacy of FEIR environmental review and responses.
- Reviewed FEIR Project Description, Environmental Setting, Executive Summary, and Alternatives sections. Reviewed FEIR sections and technical report applicable to my field/ discipline.
- Prepare a "Final" peer review, based on receipt of Conservancy/ MRCA comments on August 18, 2010.

Additional information reviewed for this peer review included project location maps showing individual project elements as configured for the Draft EIR and an aerial map of the project area, copies of the site records search conducted within or adjacent to project site elements. Aerial photographs are helpful in identifying previous project disturbance and archaeological site locations. Review included color copies of SCCIC maps showing archaeological site locations and previous site surveys. Selected site records and updates were also reviewed at the SCCIC on August 17, 2010.

Methods for peer review of the above cited documents followed standard professional procedures that included a review of the record search results provided by the South Central Coast Information Center (#9869.6788) dated September 28, 2009 and subsequent records search results provided by the SCCIC (#10178.7015) dated January 25, 2010 provided to Stone (2007) for the original Phase 1 report and DEIR and FEIR, respectively as well as the request for Sacred Lands File Search and Native American Contacts verified by Letter Dated January 19, 2010.

Review of the records searches verified that the much of the proposed site area had been previously surveyed for cultural resources. My review of USGS topographic quadrangles for Triunfo Canyon and Malibu verified areas that exceeded a grade of 20% which were excluded from intensive field survey. A list of known resources within or adjacent to the planned project facilities was compiled from SCCIC information and selected site records were reviewed at the SCCIC for accuracy of presentation and interpretation in terms of potential project effects and treatment plans to mitigate such effects incorporated into the FEIR.

The intensive archaeological field survey reports dated November 2006 and March 2007 conducted by Stone Archaeological Consulting (2007) was reviewed for adherence to the requirements of City of Malibu and Coastal Commission guidelines and California Office of Historic Preservations Archaeological Resource Management Reports (ARMR) recommended content and format and Checklist for Preparing and Reviewing Archaeological Resource Management Reports. Subsequent Phase 1 arch surveys

conducted October 2009 and January 2010 as part of the EIR preparation by Dudek archaeologists are not presented as a separate Phase 1 survey report and addendum but are incorporated directly into the FEIR.

My review found that the report prepared by Stone Archaeological Consulting (2007) largely adhered to ARMR requirements in terms of contents, management summary, scope (i.e., explanation of undertaking), brief synopsis of both natural and cultural settings, research design for Phase 1 cultural resources reports and survey method, presentation of findings both of the literature review/records search and intensive field survey, need for further research, potential for project effects on extant (i.e., known) cultural resources. Previous research in the project area was covered only in terms of extant archaeological sites. Previous archaeological surveys and/or excavations were identified by number only in the SCCIC documentation reviewed. A listing of those documents was not provided.

Subsequent survey results presented in the Draft and Final EIR included refinement of survey findings, delineation of specific project effects and recommended mitigations, in terms of the original project, modified project and project alternatives, residual and cumulative impacts. As such the combined initial survey (Stone, 2007) and Final EIR presents a substantively complete inventory of both extant cultural resources and management plans for treatment of affected resources as well as the potential of the specific project environments for the occurrence of unknown, yet to be identified, cultural resources.

As such the documents are evaluated as adhering to current professional practices, procedures and requirements and therefore adequate in terms of research, method and results provided both in the initial intensive field survey (Stone, 2007) and those incorporated within the Final EIR. Presentation of specific procedures to mitigate all potential impacts of the proposed undertaking are evaluated as meeting current professional practices and procedures for mitigation procedures including the requirement for site treatment plans specific to the proposed undertaking and for potential but not as yet documented cultural resources that may be documented during project construction and operations. Specific heritage issues are also included and discussed in the documents reviewed and included in the proposed archaeological mitigation measures presented in the mitigation section of the Final EIR.

The modified redesign alternative was received for review August 18, 2010. The project impacts and mitigation measures presented in this additional document represent current standard and acceptable professional practices and procedures for the treatment of cultural resources and heritage issues during all phases of the project. They include mitigation of potential project impacts due to biological mitigations. Potential affected sites within the area of potential effect are identified (CA-LAN-310 and CA-LAN-1915) and specifically cited within mitigation measures presented,

Mitigation measures presented include pre-construction workshop conducted by a qualified archaeologist and Native American representative, construction monitoring by a qualified archaeologist and Native American representative and requirement for site specific monitoring treatment plans for existing and newly discovered cultural resources, Phase 2 evaluation of new discoveries, the need for buffer areas to protect existing and newly discovery resources from construction, biological, and post construction impacts, the treatment of human remains and the treatment of paleontological resources. Such requirements have been effective in dealing with discovery and immediate treatment of newly discovered cultural resources. Pre-construction workshops make all workers aware of the potential for accidental discovery of as yet unidentified cultural resources and in enhancing sensitivity to specific heritage issues concerning archaeological sites and artifacts and the occurrence and treatment of human remains. Mitigation measures also include development of educational materials informing visitors that disturbance to archaeological sites may irreversibly damage the resource.

The survey methodology is presented adequately and follows standard archaeological procedures including exclusion of steep hillsides have a slope exceeding 20%, Sites recorded are presented for each facility. Survey results and procedures for mitigation of impacts in the areas of potential effect are presented within the body of the EIR. Visibility of the ground surface in the areas surveyed were variable. Reliability of the field survey was evaluated by Stone (2007) and Dudek (2010) as good.

The regulatory setting (State, Federal and local regulations are adequately cited and explained. Impact analyses and thresholds of significance for cultural resources are adequately discussed.

Proposed plan policies and implementation of measure to protect cultural resources are clearly outlined and include further survey (inventories), subsurface site evaluation through the use of shovel test pits to determine the presence of subsurface resources and Phase 2 evaluation in areas of potential project impacts on cultural resources and Phase 3 data recovery if adverse impact can not be avoided, and monitoring of all disturbance including archaeological testing by archaeologists and consultations with native American representative..

Archaeological preservation measures are discussed including avoidance of impacts by facility relocation, “capping” with clean soil, and data recovery through surface collection excavation where avoidance proves infeasible.

In addressing response to comments, both archaeologists meet requirements for membership in the Register of Professional Archaeologists. As such they are constrained to meeting current professional ethical and procedural standards.

In summary, I find that the initial archaeological survey and subsequent survey results incorporated into the text of the FEIR are adequate and meet current professional standards and procedures for cultural resource surveys and specifically meet the

requirements of the Office of Historic Preservation. I agree that implementation of mitigation measures outlined in the FEIR will adequately mitigate site disturbance to insignificant levels.

If you would like to discuss this peer review or findings please do not hesitate to contact me at (805) 659-2657 (Office/Fax) or email me at h.macfarlane@roadrunner.com.

Yours truly,



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