

May 28, 2026

Senior Planner Kyle Van Leeuwen
Faraday Administration Center
1635 Faraday Ave.
Carlsbad, CA, 92008



RE: Tribal, Cultural and Paleontological Guidelines Update

Dear Mr. Van Leeuwen,

On behalf of the Building Industry Association of San Diego County, thank you for the opportunity to provide comments on the City's proposed revisions to the guidelines addressing tribal, cultural, archaeological, historic, and paleontological resources.

As the City considers revisions to these guidelines, it is important that the resulting framework remains balanced, objective, and appropriately tailored to the City's regulatory authority. The guidelines should provide clear direction and meaningful resource protection without creating unnecessary procedural burdens, uncertainty, or requirements that exceed the intent of applicable state law and adopted municipal regulations.

With respect to Section 8.2.2.4 regarding tribal monitoring when multiple tribes request participation, we support Option 3, which would establish a rotational system for tribal monitoring assignments coordinated by the City. Option 3 provides the clearest and most administratively consistent framework among the alternatives presented. A rotation system helps ensure fairness and transparency in the monitoring process while avoiding situations where multiple monitors are assigned to the same project or where applicants are placed in the position of selecting among tribes. By providing a predictable and structured process, Option 3 can reduce conflicts, improve coordination, and create greater certainty for all parties involved.

The City should ensure that monitoring requirements remain focused on identified resource sensitivity and are implemented in a manner that is practical, proportional, and consistent with applicable legal requirements. More broadly, we encourage the City to avoid overreaching in the revised guidelines by maintaining clear limits on discretionary requirements and ensuring that implementation procedures are objective, consistently applied, and supported by adopted policy and state law.

Thank you again for the opportunity to provide input on the proposed revisions. We appreciate staff's continued work on these important issues and look forward to ongoing stakeholder engagement as the guidelines are finalized.

Sincerely,

Aimee Faucett
President & CEO
Building Industry Association of San Diego County