

CULTURAL RESOURCES
INVENTORY REPORT FOR THE
4004 ARROYO SORRENTO RD PROJECT,
CITY OF SAN DIEGO,
COUNTY OF SAN DIEGO, CALIFORNIA

Prepared for / Submitted to:

Mr. Robert Riddle
10404 Greenford Drive
San Diego, CA 92126

Spindrift Project No. 2018-006

Prepared by Arleen Garcia-Herbst

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SPINDRIFT ARCHAEOLOGICAL
CONSULTING, LLC

8895 Towne Centre Drive #105-248
San Diego, California 92122
Phone: 858-333-7202 Fax: 855-364-3170

TABLE OF CONTENTS

Executive Summary	ES-1
Section 1 Introduction	1-1
1.1 Project Location	1-1
1.2 Project Description	1-1
1.3 Regulatory Context Summary	1-1
1.4 Area of Potential Effects (APE)	1-2
1.5 Report Organization	1-2
Section 2 Setting	2-1
2.1 Existing Conditions	2-1
2.1 Regulatory Setting	2-12
Section 3 Methods	3-1
3.1 Personnel Qualifications	3-1
3.2 Record Search Methods	3-2
3.3 Native American Coordination Methods	3-2
3.4 Field Methods	3-2
Section 4 Results and Management Recommendations	3-2
4.1 Records Search	4-1
4.2 Native American Consultation Results	4-1
4.3 Field Survey Results	4-1
4.4 Management Considerations	4-2
Section 5 References	5-1
Figures	
Figure 1	Project Location Map
Figure 2	Project Area Map
Figure 3	Records Search Boundary Map
Figure 4	Survey Coverage Map
Appendices	
Appendix A	Records Search Confirmation
Table A-1	Previous Investigations Within a 1-mile Radius of the Project APE
Table A-2	Previously Recorded Sites
Table A-3	Caltrans Bridges within the Project APE and Vicinity
Appendix B	Native American Coordination
Appendix C	Photos and Photo Log
Appendix D	Confidential DPR Forms (Bound Separately)

List of Acronyms and Abbreviations

AD	Anno Domini
APE	Area of Potential Effects
BC	Before Christ
BP	Before Present
BOR	Bureau of Reclamation
Caltrans	California Department of Transportation
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CHL	California Historical Landmarks
CHRIS	California Historical Resources Information System
cmbs	centimeters below the ground surface
County	County of San Diego
CRHR	California Register of Historical Resources
CRM	Cultural Resource Management
EIR	Environmental Impact Report
HRG	Historical Resources Guidelines
LDC	Land Development Code
LF	Linear Feet
NAHC	Native American Heritage Commission
NEPA	National Environmental Protection Act
NFHL	National Flood Hazard Layer
NHPA	National Historic Preservation Act
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
MLD	Most Likely Descendant
Project	4004 Arroyo Sorrento Rd
PI	Principal Investigator
PRC	Public Resources Code
SCIC	South Coastal Information Center
SDMoM	San Diego Museum of Man
SFHA	Special Flood Hazard Area
SSURGO	Soil Survey Geographic
Spindrift	Spindrift Archaeological Consulting, LLC
UCSB	University of California Santa Barbara
USGS	United States Geological Survey

National Archaeological Database

Author: Arleen Garcia-Herbst

Consulting Firm: Spindrift Archaeological Consulting

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Prepared by: Spindrift Archaeological Consulting, 8895 Towne Centre Drive #105-248, San Diego, California 92122

Submitted to: Mr. Robert Riddle

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Acreage approximately 2.21 acres

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EXECUTIVE SUMMARY

In 2018, Mr. Robert Riddle retained Spindrift Archaeological Consulting, LLC (Spindrift) to conduct a cultural resources inventory of the 4004 Arroyo Sorrento Rd Project (hereafter known as Project) in the County of San Diego. The entire Project Area of Potential Effects (APE) is composed of approximately 2.21 acres.

The records search results indicated that one-hundred thirty-six (136) previous cultural resources studies were conducted within a one-mile radius of the Project APE, and one-hundred thirty-nine (139) cultural resources have previously been recorded within a one-mile radius of the Project APE. One (1) cultural resource has been previously documented within the Project APE (P-37-003703).

A field site visit was conducted as part of this study. The previously documented site within the project APE (P-37-003703) was not re-located, and no (0) new archaeological sites were identified during the field site survey. Recommendations for site evaluations and the management of unanticipated discoveries are provided in this report.

SECTION 1 INTRODUCTION

In 2018, Spindrift was retained by Mr. Robert Riddle to conduct a cultural resources inventory of the 4004 Arroyo Sorrento Rd Project (Project), located in San Diego County (County), California. A records search, literature review and field site visit of the approximately 2.21-acre Project was required to identify potentially significant cultural resources that could be affected by the Project.

1.1 PROJECT LOCATION

The 2.21-acre site is located at 4004 Arroyo Sorrento Road in the AR 1-1 Zone of the Carmel Valley Community Plan area. The Project APE is shown on the United States Geological Survey (USGS) 7.5-minute Del Mar topographic quadrangle (1967; photorevised 1975) (Figure 3).

1.2 PROJECT DESCRIPTION

Mr. Robert Riddle is applying for a City of San Diego Site Development Permit (SDP) for the construction of a new single dwelling unit with detached guest house on environmentally sensitive lands (ESL) with 9674 square feet of new construction.

1.3 REGULATORY CONTEXT SUMMARY

The Project requires a City of San Diego Process 3 Approval, a SDP in accordance with San Diego Municipal Code (SDMC) Sections 143.0110 and 153.0201.

To meet the regulatory requirements of this project, this cultural resources investigation was conducted pursuant to the provisions for the treatment of cultural resources in CEQA (Public Resources Code (PRC) § 21000 et seq.). The goal of CEQA is to develop and maintain a high-quality environment that serves to identify the significant environmental effects of the actions of a proposed project and to either avoid or mitigate those significant effects where feasible. CEQA pertains to all proposed projects that require state or local government agency approval, including the enactment of zoning ordinances, the issuance of conditional use permits, and the approval of project development maps.

CEQA (Title 14, California Code of Regulations (CCR), Article 5, Section 15064.5) applies to cultural resources of the historic and prehistoric periods. Any project with an effect that may cause a substantial adverse change in the significance of a cultural resource, either directly or indirectly, is a project that may have a significant effect on the environment. As a result, such a project would require avoidance or mitigation of impacts to those affected resources. Significant cultural resources must meet at least one of four criteria that define eligibility for listing in the California Register of Historical Resources (CRHR) (PRC § 5024.1, Title 14 CCR, Section 4852). Resources listed on or eligible for inclusion in the CRHR are considered Historical Resources under CEQA.

The goal of the NHPA is to develop and maintain a high-quality environment that serves to identify the significant environmental effects of the actions of the proposed Project and to either avoid or mitigate those significant effects where feasible. NHPA applies to cultural resources of the historical and prehistoric periods. Any project that may cause an adverse change in the significance of a cultural

resource, either directly or indirectly, would require avoidance or mitigation of impacts to those affected resources. Significant cultural resources must meet at least one of four criteria that define eligibility for listing on the NRHP (36 CFR 60.4). Cultural resources eligible for listing on the NRHP are considered Historic Properties under 36 CFR Part 800, and are automatically eligible for inclusion in the CRHR (Historical Resources under CEQA).

1.4 AREA OF POTENTIAL EFFECTS (APE)

The Project APE consists of the horizontal (surficial) and vertical (subterranean) limits of the project, and includes the area within which significant impacts or adverse effects to Archaeological Resources (California Environmental Quality Act (CEQA)) could occur as a result of the project. The Project APE, subject to environmental review under CEQA, consists of all areas where activities associated with the Project are proposed. This includes areas proposed for construction, vegetation removal, grading, trenching, stockpiling, staging, paving, and other elements described in the 2.21 acres in size.

The Project APE also includes the maximum depth below the surface to which excavations for the project will extend. Thus, it includes all subsurface areas where archaeological deposits could be affected and varies across the project, depending on the type of infrastructure. Ground disturbance of up to 8 feet below the surface is assumed.

The vertical APE also is described as the maximum height of project features, which could impact the physical integrity and integrity of setting of cultural resources, including districts and traditional cultural properties. For the current project, the vertical APE is assumed to be up to 10 feet for a one-story above-ground structure to be constructed.

1.5 REPORT ORGANIZATION

The following report documents the study and its findings and was prepared in conformance with the California Office of Historic Preservation's *Archaeological Resource Management Reports: Recommended Contents and Format*. Attachment A includes a confirmation of the records search with the California Historical Resources Information System (CHRIS) and San Diego Museum of Man (SDMOM). Appendix B contains documentation of Native American outreach efforts. Appendix C contains photos of the project area and a photo log. Appendix D includes a confidential map showing the results of the records search requests and copies of the confidential Department of Parks and Recreation (DPR) 523 series forms.

Sections 6253, 6254, and 6254.10 of the California Code authorize state agencies to exclude archaeological site information from public disclosure under the Public Records Act. In addition, the California Public Records Act (Government Code §6250 *et seq.*) and California's open meeting laws (The Brown Act, Government Code §54950 *et seq.*) protect the confidentiality of Native American cultural place information. Likewise, the Information Centers of the CHRIS maintained by the Office of Historic Preservation prohibit public dissemination of records search information. Appendix D was prepared as a confidential document, which is not intended for public distribution in either paper or electronic format.

SECTION 2 SETTING

The Project APE is located in the County of San Diego (Figures 1 and 2).

2.1 Existing Conditions

Chapter 2 establishes the context for the evaluation of cultural resources through an overview of the environmental setting, the prehistory, and the ethnographic identity of the Project APE, as well as the regulatory setting.

2.1.1 Natural Setting

The Project Area of Potential Effects (APE) is predominately sandy soil with sandstone bedrock on a mid-slope and lower-slope. The APE appears to have been terraced mechanically. Large amounts of disturbance can be observed throughout the project area. The vegetation observed consisted of Laurel Sumac, Scrub Oak, Eucalyptus, Mustard, Grasses, Flowers, Cacti, Sage, Pine Tree, and Ice Plant.

2.1.2 Soils and Geology

Two (2) soil units, or types, have been mapped within the Project APE from northwest to southeast: Terrace escarpment (TeF) and Corralitos loamy sand, 9 to 15 percent slopes (CsD) (NRCS 2018). Terrace escarpments consists of steep to very steep escarpments and escarpment-like landscapes. The terrace escarpments occur on the nearly even fronts of terraces or alluvial fans. The escarpment-like landscapes occur between narrow flood plains and adjoining uplands and the very steep sides of drainageways that are entrenching into fairly level uplands. In most places there is 4 to 10 inches of loamy or gravelly soil over soft marine sandstone, shale or gravelly sediments. This land type occurs mainly on the coastal plain and as small ares in the foothills and the desert. The Corralitos series consists of deep, somewhat excessively drained soils that formed in recent sandy alluvium derived from acid sandstone and related rocks. Corralitos soils are on alluvial fans and in small valleys and have slopes of 0 to 15 percent.

There are three (3) geologic deposits within the Project APE: Scripps Formation (Tsc, middle Eocene), Torrey Sandstone (Tt, middle Eocene), and young alluvial flood plain deposits (Qya, Holocene and late Pleistocene). The Scripps Formation (Tsc) is mostly pale yellowish-brown, medium-grained sandstone containing occasional cobble-conglomerate interbeds and has low sensitivity for buried cultural resources. It contains a middle Eocene Molluscan fauna (Givens and Kennedy, 1979). The Scripps Formation is 56 m thick at its type section which is 1 km north of Scripps Pier, on the north side of the mouth of Blacks Canyon (Kennedy and Moore, 1971). Both the basal contact with the Ardath Shale and the upper contact with the Friars Formation are conformable. In upper Carroll Canyon a tongue of the Scripps Formation (Tscu) exists above an intervening part of the Stadium Conglomerate. This "upper" tongue is difficult to separate from the main body of the Scripps Formation where the Stadium Conglomerate is absent. Torrey Sandstone consists of white to light-brown, medium- to coarse-grained, moderately well indurated, massive and broadly cross-bedded, arkosic sandstone, and has low sensitivity for buried cultural resources. This unit is the Torrey Sand Member of Hanna (1926) and was named for exposures at Torrey Pines State Park. It is now considered a formation of the La Jolla Group (Kennedy and Moore, 1971).

Young alluvial flood plain deposits consist of mostly poorly consolidated, poorly sorted, permeable flood plain deposits, and has high sensitivity for buried cultural resources.

The Project APE is located within the "areas outside 0.2-percent-annual-chance flood zone", as mapped on the National Flood Hazard Layer determined by the Federal Emergency Management Agency (FEMA 2018). Flood hazard areas identified on the Flood Insurance Rate Map (FIRM) are identified as a Special Flood Hazard Area (SFHA). The land area covered by the floodwaters of the base flood is the Special Flood Hazard Area (SFHA) on NFIP maps ("Regulatory Floodway" and "1% Annual Chance Flood Hazard"). A Regulatory Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height, and has high to moderate sensitivity for buried cultural deposits. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30, and has moderate sensitivity for buried cultural deposits. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood, and has moderate to low sensitivity for buried cultural deposits. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (un-shaded), and has low sensitivity for buried cultural deposits.

2.1.3 Cultural Setting

The following sections have been excerpted from the City of San Diego Historical Resources Guide (HRG, 2001) and serves to provide a comparative framework for the prehistory of the region and context for this testing and evaluation report. The history of San Diego can be divided into four prehistoric periods, one ethnohistoric period and three historic periods. The references cited in this section can be found in HRG (2001:Appendix A).

EARLY MAN PERIOD (BEFORE 8500 Before Christ (BC))

No firm archaeological evidence for the occupation of San Diego County before 10,500 years ago has been discovered. The myths and history that is repeated by the local Native American groups now and at the time of earlier ethnographic research indicate both their presence here since the time of creation and, in some cases, migration from other areas. There are some researchers who advocate an occupation of southern California prior to the Wisconsin Glaciation, around 80,000 to 100,000 years ago (Carter 1957, 1980; Minshall 1976). Local proposed Early Man sites include the Texas Street, Buchanan Canyon and Brown sites, as well as Mission Valley (San Diego River Valley), Del Mar and La Jolla (Bada et al. 1974; Carter 1957, 1980; Minshall 1976, 1983, 1989; Moriarty and Minshall 1972; Reeves 1985; Reeves et al. 1986). However, two problems have precluded general acceptance of these claims. First, artifacts recovered from several of the localities have been rejected by many archaeologists as natural products rather than cultural artifacts. Second, the techniques used for assigning early dates to the sites have been considered unsatisfactory (Moratto 1984; Taylor et al. 1985).

Careful scientific investigation of any possible Early Man archaeological remains in this region would be assigned a high research priority. Such a priority would reflect both the substantial popular interest in the issue and the general anthropological importance which any confirmation of a very early human presence in the western hemisphere would have. Anecdotal reports have surfaced over the years that Early Man deposits have been found in the lower levels of later sites in Mission Valley. However, no reports or analyses have been produced supporting these claims.

PALEO-INDIAN PERIOD (8500-6000 BC)

The earliest generally-accepted archaeological culture of present-day San Diego County is the Paleo-Indian culture of the San Dieguito Complex. This complex is usually assigned to the Paleo-Indian Stage and dates back to about 10,500 years ago. It would therefore appear to be contemporary with the better-known Fluted Point Tradition of the High Plains, and elsewhere, and the Western Pluvial Lakes Tradition of the Desert West. The San Dieguito Complex, is believed to represent a nomadic hunting culture by some investigators of the complex (Davis et al. 1969; Moriarty 1969; Rogers 1929, 1966; Warren 1966, 1967), characterized by the use of a variety of scrapers, choppers, bifaces, large projectile points and crescentics, a scarcity or absence of milling implements, and a preference for fine-grained volcanic rock over metaquartzite.

Careful scientific investigation of San Dieguito Complex sites in the region would also be assigned a high research priority. Major research questions relating to the Paleo-Indian Period include confirmation of the presence of the Fluted Point Tradition in San Diego County (Davis and Shutler 1969); better chronological definition of the San Dieguito Complex; determination of whether the San Dieguito assemblages do in fact reflect an early occupation, rather than the remains from a specialized activity set belonging to an Early Archaic Period culture; clarification of the relationship of the San Dieguito Complex, if it represents a separate culture, to the subsequent Early Archaic Period cultures; determination of the subsistence and settlement systems which were associated with the San Dieguito Complex; and clarification of the relationship of the San Dieguito Complex to similar remains in the Mojave Desert, in northwestern and central California, in southern Arizona and in Baja California. The San Dieguito Complex was originally defined in an area centering on the San Dieguito River valley, north of San Diego (Rogers 1929).

EARLY ARCHAIC PERIOD (6000 BC-Anno Domini (AD) 0)

As a result of climatic shifts and a major change in subsistence strategies, a new cultural pattern assignable to the Archaic Stage is thought by many archaeologists to have replaced the San Dieguito culture before 6000 BC. This new pattern, the Encinitas Tradition, is represented in San Diego County by the La Jolla and Pauma complexes. The coastal La Jolla Complex is characterized as a gathering culture which subsisted largely on shellfish and plant foods from the abundant littoral resources of the area. The La Jolla Complex is best known for its stone-on-stone grinding tools (mano and metate), relatively crude cobble-based flaked lithic technology and flexed human burials. Inland Pauma Complex sites have been assigned to this period on the basis of extensive stone-on-stone grinding tools, Elko Series projectile points and the absence of remains diagnostic of later cultures.

Among the research questions focusing on this period are the delineation of change or the demonstration of extreme continuity within the La Jolla and Pauma complexes; determination of whether coastal La Jolla sites represent permanent occupation areas or brief seasonal camps; the relationship of coastal and inland Archaic cultures; the scope and character of Archaic Period long-range exchange systems; the role of natural changes or culturally-induced stresses in altering subsistence strategies; and the termination of the Archaic Period in a cultural transformation, in an ethnic replacement or in an occupational hiatus in western San Diego County.

LATE PREHISTORIC PERIOD (AD 0-1769)

The Late Prehistoric Period in San Diego County is represented by two distinct cultural patterns, the Yuman Tradition from the Colorado Desert region and the Shoshonean Tradition from the north. These cultural patterns are represented locally by the Cuyamaca Complex from the mountains of southern San Diego County and the San Luis Rey Complex of northern San Diego County. The people of the Cuyamaca and San Luis Rey complexes are ancestral to the ethnohistoric Kumeyaay (Diegueño) and Luiseño, respectively. Prehistorically, the Kumeyaay were a hunting and gathering culture that adapted to a wide range of ecological zones from the coast to the Peninsular Range. A shift in grinding technology reflected by the addition of the pestle and mortar to the mano and metate, signifying an increased emphasis on acorns as a primary food staple, as well as the introduction of the bow and arrow (i.e., small Cottonwood Triangular and Desert Side-notched projectile points), obsidian from the Obsidian Butte source in Imperial County and human cremation serve to differentiate Late Prehistoric populations from earlier peoples. Pottery is also characteristic of the Cuyamaca Complex, but is absent from the San Luis Rey Complex until relatively late (post AD 1500).

Explanatory models applied to Late Prehistoric sites have drawn most heavily on the ethnographic record. Notable research opportunities for archaeological sites belonging to the Late Prehistoric period include refining chronology, examining the repercussions from environmental changes which were occurring in the deserts to the east, clarifying patterns of inter- and intra- regional exchange, testing the hypothesis of pre-contact horticultural/agricultural practices west of the desert, and testing ethnographic models for the Late Prehistoric settlement system. Hector (1984) focused on the Late Prehistoric Period to examine the use of special activity areas within large sites typical of this period. At issue was whether activities such as tool making, pottery manufacturing, and dining were conducted in specific areas within the site, or whether each family unit re-created these activity areas throughout the site. Her findings indicated that no specialized areas existed within Late Prehistoric sites, and furthermore that tools made during this period served a variety of functions.

Late Prehistoric sites appear to be proportionately much less common than Archaic sites in the coastal plains subregion of southwestern San Diego County (Christenson 1990:134-135; Robbins-Wade 1990). These sites tend to be located on low alluvial terraces or at the mouths of coastal lagoons and drainages. Of particular interest is the observation that sites located in the mountains appear to be associated with the Late Prehistoric Period. This suggests that resource exploitation broadened during that time, as populations grew and became more sedentary.

ETHNOHISTORIC PERIOD

The founding of Mission San Diego de Alcalá in 1769 by Father Junípero Serra and Mission San Luis Rey de Francia in 1798 by Father Lasuén brought about profound changes in the lives of the Yuman-speaking Kumeyaay (Diegueño) and Shoshonean-speaking Luiseño of San Diego County. The coastal Kumeyaay and Luiseño were quickly brought into their respective missions or died from introduced diseases. Ethnographic work, therefore, has concentrated on the mountain and desert peoples who were able to retain some of their aboriginal culture. As a result, ethnographic accounts of the coastal Kumeyaay and Luiseño are few. Today, the descendants of the Kumeyaay bands are divided among 12 reservations in the South County; the descendants of the Luiseño bands among five reservations in the North County.

The Kumeyaay are generally considered to be a hunting-gathering society characterized by central-based nomadism. While a large variety of terrestrial and marine food sources were exploited, emphasis was placed on acorn procurement and processing as well as the capture of rabbit and deer. Shipek (1963, 1989b) has strongly suggested that the Kumeyaay, or at least some bands of the Kumeyaay, were practicing proto-agriculture at the time of Spanish contact. While the evidence is problematic, the Kumeyaay were certainly adept land and resource managers with a history of intensive plant husbandry.

Kumeyaay houses varied greatly according to locality, need, choice and raw materials. Formal homes were built only in the winter as they took some time to build and were not really necessary in the summer. Summer camps needed only a windbreak and were usually located under convenient trees, a cave fronted with rocks or an arbor built for protection from the sun. During the summer, the Kumeyaay moved from place to place, camping where ever they were. In the winter they constructed small elliptically shaped huts of poles covered with brush or bark. The floor of the house was usually sunk about two feet into the earth. In the foothills and mountains *hiwat* brush or deer broom was applied in bundles tied on with strands of yucca. In cold weather the brush was covered with earth to help keep the heat inside. Bundles of brush were tied together to make a door just large enough to crawl through.

Most activities, such as cooking and eating, took place outside the house. The cooking arbor was a lean-to type structure (or four posts with a brush over the top). Village owned structures were ceremonial and were considered to be the center of many activities. Sweathouses were built and used by the Kumeyaay men. They were built around four posts set in a square near a river or stream and usually had a dug-out floor. The sweathouses were also used sometimes as a place for treating illnesses.

As with most hunting-gathering societies, Kumeyaay social organization was formed in terms of kinship. The Kumeyaay had a patrilineal type of band organization (descent through the male line) with band exogamy (marriage outside of one's band) and patrilocal marital residence (married couple integrates into the male's band). The band is often considered as synonymous with a village or rancheria, which is a political entity.

Almstedt (1980:45) has suggested that the term *rancheria* should be applied to both a social and geographical unit, as well as to the particular population and territory held in common by a native group or band. She also stressed that the territory for a rancheria might comprise a 30 square mile area. Many households would constitute a village or rancheria and several villages were part of a larger social system usually referred to as a consanguineal kin group called a *cimul*. The members of the *cimul* did not

intermarry because of their presumed common ancestry, but they maintained close relations and often shared territory and resources (Luomala 1963:287-289).

Territorial divisions among Kumeyaay residential communities were normally set by the circuit of moves between villages by *cimuLs* in search of food. As Spier (1923:307) noted, the entire territory was not occupied at one time, but rather the communities moved between resources in such a manner that in the course of a year all of the recognized settlements may have been occupied. While a *cimuL* could own, or more correctly control, a tract of land with proscribed rights, no one from another *cimuL* was denied access to the resources of nature (Luomala 1963:285; Spier 1923:306); since no individual owned the resources, they were to be shared.

The Kumeyaay practiced many forms of spiritualism with the assistance of shamans and *cimuL* leaders. Spiritual leaders were neither elected to, nor inherited their position, but achieved status because they knew all the songs involved in ceremonies (Shipek 1991), and had an inclination toward the supernatural. This could include visions, unusual powers, or other signs of communication with the worlds beyond. Important Kumeyaay ceremonies included male and female puberty rites, the fire ceremony, the whirling dance, the eclipse ceremony, the eagle dance, the cremation ceremony, and the yearly mourning ceremony (Spier 1923:311-326).

Important areas of research for the Ethnohistoric Period include identifying the location of Kumeyaay settlements at the time of historic contact and during the following 50 years of the Spanish Period; delineating the effects of contact on Kumeyaay settlement/subsistence patterns; investigating the extent to which the Kumeyaay accepted or adopted new technologies or material goods from the intrusive Spanish culture; and examining the changes to Kumeyaay religious practices as a result of contact.

HISTORIC PERIODS

San Diego's history can be divided into three periods: the Spanish, Mexican and American periods.

SPANISH PERIOD (AD 1769-1822)

In spite of Juan Cabrillo's earlier landfall on Point Loma in 1542, the Spanish colonization of Alta California did not begin until 1769. Concerns over Russian and English interests in California motivated the Spanish government to send an expedition of soldiers, settlers and missionaries to occupy and secure the northwestern borderlands of New Spain. This was to be accomplished through the establishment and cooperative inter-relationship of three institutions: the Presidio, Mission and Pueblo. In 1769 a land expedition led by Gaspár de Portola reached San Diego Bay, where they met those who had survived the trip by sea on the San Antonio and the San Carlos. Initially camp was made on the shore of the bay in the area that is now downtown San Diego. Lack of water at this location, however, led to moving the camp on May 14, 1769 to a small hill closer to the San Diego River and near the Kumeyaay village of Cosoy. Father Junípero Serra arrived in July of the same year to find the Presidio serving mostly as a hospital. The Spanish built a primitive mission and presidio structure on the hill near the river. The first chapel was built of wooden stakes and had a roof made of tule reeds. Brush huts and temporary shelters were also built.

Bad feelings soon developed between the native Kumeyaay and the soldiers, resulting in construction of a stockade whose wall was made from sticks and reeds. By 1772 the stockade included barracks for the soldiers, a storehouse for supplies, a house for the missionaries and the chapel, which had been improved. The log and brush huts were gradually replaced with buildings made of adobe bricks. Flat earthen roofs were eventually replaced by pitched roofs with rounded roof tiles and clay floors were eventually lined with fired-brick.

In August 1774, the Spanish missionaries moved the Mission San Diego de Alcalá to its present location six miles up the San Diego River valley (modern Mission Valley), near the Kumeyaay village of Nipaguay. What started as a thatched jacal chapel and compound built of willow poles, logs and tules, the new Mission was sacked and burned in the Kumeyaay uprising of November 5, 1775. The first adobe chapel was completed in October 1776, and the present church was built the following year. A succession of building programs through 1813 resulted in the final rectilinear plan that included the church, bell tower, sacristy, courtyard, residential complex, workshops, corrals, gardens and cemetery (Neuerburg 1986). Orchards, reservoirs, and other agricultural installations were built to the south on the lower San Diego River alluvial terrace and were irrigated by a dam and aqueduct system.

In 1798, the Spanish constructed the Mission San Luis Rey de Francia in northern San Diego County. They also established three smaller mission outposts (asistencias) at Santa Ysabel, Pala and Las Flores (Smythe 1908; Englehardt 1920; Pourade 1961). The mission system had a great effect on all Native American groups from the coast to the inland areas and was a dominant force in San Diego County.

Life for the new settlers at the San Diego Presidio was isolated and difficult. The arid desert climate and aggressive Native American population made life hard for the Spanish settlers. They raised cattle and sheep, gathered fish and seafood and did some subsistence farming in the San Diego River valley to generate enough food to keep the fledgling community of a few hundred Spaniards and hundreds of Native American neophytes alive. The situation for Spanish Period San Diegans' was complicated by the Spanish government's insistence on making trade with foreign ships illegal. Although some smuggling of goods into San Diego was done, the amounts were likely small (Smythe 1908:81-99; Williams 1994).

Significant research topics for the Spanish Period involve the chronology and ecological impact caused by the introduction of Old World plants and the spread of New World domesticates in southern California; the differences and similarities in the lifestyles, access to resources, and responses to change between different Spanish institutions; the effect of Spanish colonization on the Kumeyaay population; and the effect of changing colonial economic policies and the frontier economic system on patterns of purchase, consumption and discard.

MEXICAN PERIOD (AD 1822-1846)

In 1822 the political situation changed. Mexico won its independence from Spain and San Diego became part of the Mexican Republic. The Mexican government opened California to foreign ships, and a healthy trade soon developed, exchanging the fine California cattle hides for the manufactured goods of Europe and the eastern United States. Several of these American trading companies erected rough sawn wood-plank sheds at La Playa on the bay side of Point Loma. The merchants used these "hide-houses" for storing the hides before transport to the east coast (Robinson 1846:12; Smythe 1908:102). As the hide trade grew, so did the need for more grazing lands. Thus the Mexican government began issuing private

land grants in the early 1820s, creating the rancho system of large agricultural estates. Much of the land came from the Spanish missions, which the Mexican government secularized in 1833. The mission system, however, had begun to decline when the Mission Indians became eligible for Mexican citizenship, and refused to work in the mission fields. The ranchos dominated California life until the American takeover in 1846 (Smythe 1908:101-106; Robinson 1948; Killea 1966; Pourade 1963). The Mexican Period brought about the continued displacement and acculturation of the native populations.

Another change in Mexican San Diego was the decline of the presidio and the rise of the civilian Pueblo. The establishment of Pueblos in California under the Spanish government met with only moderate success and none of the missions obtained their ultimate goal, which was to convert to a Pueblo. Pueblos did, however, begin to form somewhat spontaneously, near the California Presidios. As early as 1791, presidio commandants in California were given the authority to grant small house lots and garden plots to soldiers and their families (Richman 1911:346). Sometime after 1800, soldiers from the San Diego Presidio began to move themselves and their families from the presidio buildings to the tableland down the hill near the San Diego River. Historian William Smythe noted that Don Blas Aguilar, who was born in 1811, remembered at least 15 such grants below Presidio Hill by 1821 (Smythe 1908:99). Of these 15 grants only five within the boundaries of what would become Old Town had houses in 1821. These included the retired commandant Francisco Ruiz adobe (now known as the Carrillo Adobe), another building later owned by Henry Fitch on Calhoun Street, the Ybanes and Serrano houses on Juan Street near Washington Street, and a small adobe house on the main plaza owned by Juan Jose Maria Marron (San Diego Union 6-15-1873:3). By 1827, as many as 30 homes existed around the central plaza and in 1835, Mexico granted San Diego official pueblo (town) status. At this time the town had a population of nearly 500 residents, later reaching a peak of roughly 600 (Killea 1966:9-35). By 1835 the presidio, once the center of life in Spanish San Diego, had been abandoned and lay in ruins. Mission San Diego de Alcalá fared little better. In 1842, 100 Indians lived under the care of the friars and only a few main buildings were habitable (Pourade 1963:11-12, 17-18). The town and the ship landing area (La Playa) were now the centers of activity in Mexican San Diego.

Adobe bricks were used as the primary building material of houses during the Mexican Period, because wood was scarce and dirt and labor were plentiful. The technique had been brought to the New World from Spain, where it was introduced by the Moors in the Eighth Century. Adobe bricks were made of a mixture of clay, water sticks, weeds, small rocks and sand. The sticks, weeds, and small rocks held the bricks together and the sand gave the clay something to stick to. The mixture was poured into a wooden form (measuring about 4 inches by 11 inches by 22 inches) and was allowed to dry. A one-room, single-story adobe required between 2,500 and 5,000 bricks. Walls were laid on the ground or built over foundations of cobblestone from the riverbed. To make the walls, the adobe bricks were stacked and held together with a thick layer of mortar (mud mixed with sand). Walls were usually three feet thick and provided excellent insulation from the winter cold and summer heat. To protect the adobe bricks from washing away in the rain, a white lime plaster or mud slurry was applied to the walls by hand and smoothed with a rock plaster smoother (the lime for the lime plaster was made by burning seashells in a fire). The lime was then mixed with sand and water. Once the plaster dried, it formed a hard shell that protected the adobe bricks. The roof was usually made of carrizo cane bound with rawhide strips and floors were usually made of hard packed dirt, although tile was also used.

The new Pueblo of San Diego did not prosper as some other California towns did during the Mexican Period. In 1834 the Mexican government secularized the San Diego and San Luis Rey missions. The secularization in San Diego County had the adverse effect of triggering increased Native American hostilities against the Californios during the late 1830s. The attacks on outlying ranchos, along with unstable political and economic factors helped San Diego's population decline to around 150 permanent residents by 1840. San Diego's official Pueblo status was removed by 1838 and it was made a sub-prefecture of the Los Angeles Pueblo. When the Americans took over after 1846, the situation had stabilized somewhat, and the population increased to roughly 350 non-Native American residents (Killea 1966:24-32; Hughes 1975:6-7).

Two important areas of research for the Mexican Period are the effect of the Mexican rancho system on the Kumeyaay population and the effect of changing colonial economic policies and the frontier economic system on patterns of purchase, consumption and discard.

AMERICAN PERIOD (AD 1846-PRESENT)

When United States military forces occupied San Diego in July 1846, the town's residents split on their course of action. Many of the town's leaders sided with the Americans, while other prominent families opposed the United States invasion. A group of Californios under Andres Pico, the brother of the Governor Pio Pico, harassed the occupying forces in Los Angeles and San Diego during 1846. In December 1846, Pico's Californios engaged U.S. Army forces under General Stephen Kearney at the Battle of San Pasqual and inflicted many casualties. However, the Californios resistance was defeated in two small battles near Los Angeles and effectively ended by January 1847 (Harlow 1982; Pourade 1963).

The Americans raised the United States flag in San Diego in 1846, and assumed formal control with the Treaty of Guadalupe-Hidalgo in 1848. In the quarter of a century following 1848, they transformed the Hispanic community into a thoroughly Anglo-American one. They introduced Anglo culture and society, American political institutions and especially American entrepreneurial commerce. By 1872, they even relocated the center of the city and community to a new location that was more accessible to the bay and to commerce (Newland 1992:8). Expansion of trade brought an increase in the availability of building materials. Wood buildings gradually replaced adobe structures. Some of the earliest buildings to be erected in the American Period were "Pre-fab" houses, which were built on the east coast of the United States and shipped in sections around Cape Horn and reassembled in San Diego.

In 1850, the Americanization of San Diego began to develop rapidly. On February 18, 1850, the California State Legislature formally organized San Diego County. The first elections were held at San Diego and La Playa on April 1, 1850 for county officers. San Diego grew slowly during the next decade. San Diegans attempted to develop the town's interests through a transcontinental railroad plan and the development of a new town closer to the bay. The failure of these plans, added to a severe drought, which crippled ranching and led to the onset of the Civil War, that left San Diego as a remote frontier town. The troubles led to an actual drop in the town's population from 650 in 1850 to 539 in 1860 (Garcia 1975:77). Not until land speculator and developer Alonzo Horton arrived in 1867 did San Diego begin to develop fully into an active American town (MacPhail 1979).

Alonzo Horton's development of a New San Diego (modern downtown) in 1867 began to swing the community focus away from Old Town. After the county seat was moved in 1871 and a fire destroyed a major portion of the business block in April 1872, Old Town rapidly declined in importance.

American Period resources can be categorized into remains of the frontier era, rural farmsteads and urban environments, with different research questions applicable to each category. Important research topics for the frontier era, include studying the changing function of former Mexican ranchos between 1850 and 1940, and investigating the effect on lifestyles of the change from Hispanic to Anglo-American domination of the pueblo of San Diego. Research domains for rural farmsteads include the definition of a common rural culture, comparing the definition of wealth and consumer preferences of successful rural farm families versus middle and upper-middle class urban dwellers, definition of the evolution and adaptation of rural vernacular architecture, and identification of the functions of external areas on farmsteads. Research questions for urban environments include definition of an urban subsistence pattern; definition of ethnic group maintenance and patterns of assimilation for identifiable ethnic groups; identification of specific adaptations to boom and bust cycles; definition of a common culture for working, middle and upper-middle class urban residents; identification of adaptations to building techniques, architectural styles, technological change and market fluctuations through analysis of industrial sites; and investigation of military sites to relate changes in armament technology and fortification expansion or reduction to changing priorities of national defense.

ARCHITECTURE

The built environment, including structures and landscapes, is a vital source of historical evidence on past lifestyles, work, ideas, cultural values, and adaptations. The built environment is neither a product of random events, nor a static phenomenon. The rearrangement of structural features and land use are part of the way in which people organize their lives. Landscapes are lands that have been shaped and modified by human actions and conscious designs to provide housing, accommodate production systems, develop communication and transportation networks, designate social inequalities and express aesthetics (Rubertone 1989).

Vernacular architectural studies have demonstrated that pioneer farmers and urban dwellers used folk styles to meet specific needs. Analysis of these house types illustrates adaptation by households as a result of changing needs, lifestyle and economic status. Studies of structural forms at military complexes have documented changes in technology and national defense priorities, and industrial site studies have documented technological innovation and adaptation. The spatial relationships of buildings and spaces, and changes in those relationships through time, also reflect cultural values and adaptive strategies (Carlson 1990; Stewart-Abernathy 1986).

San Diego's built environment spans more than 200 years of architectural history. The real urbanization of the City as it is today, began in 1869, when Alonzo Horton moved the center of commerce and government from Old Town (Old San Diego) to New Town (downtown). Development spread from downtown based on a variety of factors, including the availability of potable water and transportation corridors. Factors such as views, and access to public facilities affected land values, which in turn affected the character of neighborhoods that developed.

During the Victorian Era of the late 1800s and early 1900s, the areas of Golden Hill, Uptown, Banker's Hill, and Sherman Heights were developed. Examples of the Victorian Era architectural styles remain in those communities, as well as in Little Italy.

Little Italy developed in the same time period. The earliest development of the Little Italy area was by Chinese and Japanese fishermen, who occupied stilt homes along the bay. After the 1905 earthquake in San Francisco, many Portuguese and Italian fishermen moved from San Francisco into the area; it was close to the water and the distance from downtown made land more affordable.

Barrio Logan began as a residential area, but because of proximity to rail freight and shipping freight docks, the area became more mixed with conversion to industrial uses. This area was more suitable to the industrial uses because land values were not as high: topographically the area is more level, and not as interesting in terms of views as the areas north of downtown. Various ethnic groups settled in the area because their land ownership was available to them.

San Ysidro began to be developed at about the same time (the turn of the century). The early settlers were followers of the Littlelanders movement. There, the pattern of development included lots designed to accommodate small plots of land for each homeowner to farm, as part of a farming-residential cooperative community. Nearby Otay Mesa-Nestor began to be developed by farmers of Germanic and Swiss background. Some of the prime citrus groves in California were in the Otay Mesa-Nestor area; in addition, there were grape growers of Italian heritage who settled in the Otay River Valley and tributary canyons, and produced wine for commercial purposes.

At the time downtown was being built, there began to be summer cottage/retreat development in what are now the Beach communities and La Jolla area. The early structures in these areas were not of substantial construction; it was primarily temporary vacation housing.

Development spread to the Greater North Park and Mission Hills areas during the early 1900s. The neighborhoods were built as small lots, a single lot at a time instead of large tract housing development of those neighborhoods. It provided affordable housing away from the downtown area, and development expanded as transportation improved.

There was farming and ranching in Mission Valley until the middle portion of the Twentieth Century, when the land uses were converted to commercial and residential. There were dairy farms and chicken ranches adjacent to the San Diego River where now there are motels, restaurants, office complexes and regional shopping malls.

There was little development north of the San Diego River until Linda Vista was developed as military housing in the 1940s. The federal government improved public facilities and extended water and sewer pipelines to the area. From Linda Vista, development spread north of Mission Valley to the Clairemont Mesa and Kearny Mesa areas. Development in these communities was mixed use and residential on moderate-sized lots.

San Diego State University was established in the 1920s; development of the state college area began then and the development of the Navajo community was outgrowth from the college area as well as from the west.

Tierrasanta, previously owned by the U.S. Navy, was developed in the 1970s. It was one of the first planned unit developments with segregation of uses. Tierrasanta and many of the communities that have developed since, such as Rancho Peñasquitos and Rancho Bernardo, represent the typical development pattern in San Diego in the last 25 to 30 years: uses are well segregated with commercial uses located along the main thoroughfares, and the residential uses are located in between. Industrial uses are located in planned industrial parks.

Examples of every major period and style remain, although few areas retain neighborhood-level architectural integrity due to several major building booms when older structures were demolished prior to preservation movements and stricter regulations regarding historic structures. Among the recognized styles in San Diego are Spanish Colonial, Pre-Railroad New England, National Vernacular, Victorian Italianate, Stick, Queen Anne, Colonial Revival, Neoclassical, Shingle, Folk Victorian, Mission, Craftsman, Monterey Revival, Italian Renaissance, Spanish Eclectic, Egyptian Revival, Tudor Revival, Modernistic and International (McAlester and McAlester 1990).

Research interests related to the built environment include San Diego's railroad and maritime history, development in relationship to the automobile, the role of recreation in the development of specific industries, as well as the design and implementation of major regional planning and landscaping projects, the role of international fairs on architecture, landscape architecture and city building; the development of industrial and military technologies between the two world wars; the relationship between climate, terrain, native plant material and local gardening and horticultural practices, planning and subdivision practices from the turn of the century to the present day and the post-war period of suburbanization.

2.1 Regulatory Setting

The public stewardship and management of historical resources are provided for in the local, state and federal policies and regulations that form the basis for the City of San Diego's development review process. This project has been completed in accordance with all applicable regulations, provided in the City of San Diego Municipal Code – Land Development Code (LDC; Chap 11 Art 1 Div 02; Chap 12 Art 03 Div 06; Chap 12 Art 06 Div 05; Chap 14 Art 03 Div 02), and per the cultural resources provisions of CEQA of 1970 (Public Resources Code §§ 21000–21177). Per these applicable regulations impacts to cultural resources associated with this project must be taken into consideration. These regulations are described in detail below.

2.1.1 National Historic Preservation Act (NHPA)

The NHPA establishes the federal government policy on historic preservation and the programs – including the NRHP – through which this policy is implemented. Under the NHPA, significant cultural resources, referred to as historic properties, include any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the NRHP. Historic properties also include resources determined to be National Historic Landmarks (NHL). National Historic Landmarks are nationally significant historic places designated by the Secretary of the Interior (SOI) because they possess exceptional value or quality in illustrating or interpreting United States heritage. A property is considered historically significant if it meets one of the NRHP criteria and retains sufficient historic integrity to convey its significance. This act also established the Advisory Council on Historic

Preservation (ACHP), an independent agency responsible for implementing Section 106 of NHPA by developing procedures to protect cultural resources included in, or eligible for inclusion in, the NRHP. Regulations are published in 36 CFR Part 60 and 63, and 36 CFR Part 800.

2.1.1.1.1 36 CFR Part 800, Implementing Regulations, Section 106 National Historic Preservation Act

Section 106 requires that effects on historic properties be taken into consideration in any federal undertaking. The process contains five steps: (1) initiating Section 106 process; (2) identifying historic properties; (3) assessing adverse effects; (4) resolving adverse effects, and (5) implementing stipulations in an agreement document.

Section 106 affords the ACHP and the State Historic Preservation Officer (SHPO) a reasonable opportunity to comment on any undertaking that would adversely affect historic properties eligible for NRHP listing. State Historic Preservation Officers administer the national historic preservation program at the State level, review National Register of Historic Places nominations, maintain data on historic properties that have been identified but not yet nominated, and consult with federal agencies during Section 106 review. Section 101(d)(6)(A) of the NHPA allows properties of traditional religious and cultural importance to a Native American tribe to be determined eligible for NRHP inclusion.

Historic properties are defined as prehistoric and historic sites, buildings, structures, districts, and objects included in, or eligible for inclusion in the NRHP, as well as artifacts, records, and remains related to such properties (NHPA Section 301[5]). Under 36 CFR Section Part 800.3, Section 106 of the NHPA requires federal agencies to consult with the SHPO in a manner appropriate to the agency planning process for the undertaking and to the nature of the undertaking and its effects to historic properties. As part of the Section 106 process, agency officials apply the NRHP eligibility criterion to a potential historic property. Under 36 CFR Section Part 60.4, historic properties may be eligible for nomination to the NRHP if they “... possess integrity of location, design, setting, materials, workmanship, feeling and association...” and if they meet at least one of the following criteria:

- Are associated with events that have made a significant contribution to the broad patterns of our history;
- Are associated with the lives of persons significant in our past;
- Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- Have yielded, or may be likely to yield, information important in prehistory or history

An undertaking is considered to have an adverse effect to a historic property if the undertaking may alter, directly or indirectly, characteristics of a historic property that may qualify the property for inclusion in the NRHP in a manner that would diminish its aspects of historic integrity (36 CFR Section Part 800.5).

2.1.2 Public Resources Code and CEQA

CEQA states that:

The Legislature further finds and declares that it is the policy of the state to... Preserve for future generations... Examples of the major periods of California history (Section 21001).

CEQA requires that before approving discretionary projects the Lead Agency must identify and examine the significant adverse environmental effects, which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment (Sections 15064.5(b) and 21084).

As it pertains to cultural resources, CEQA defines the term “historical resource” as the following:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the CRHR (Pub. Res. Code §5024.1, Title 14 CCR. Section 4850 et seq.).
- (2) A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record.

Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the CRHR (PRC §5024.1, Title 14, Section 4852) including the following:

- 1) It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- 2) It is associated with the lives of persons important to local, California, or national history;
- 3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
- 4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

The fact that a resource is not listed in, or determined eligible for listing in the CRHR, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resource Code) does not preclude a lead agency from determining that the resource may be a historical resource as defined in Public Resources Code section 5020.1(j) or 5024.1.

According to CEQA (§15064.5b), a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. CEQA defines a substantial adverse change as:

- (1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
- (2) The significance of an historical resource is materially impaired when a project:
 - (A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR; or
 - (B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
 - (C) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.

Section 15064.5(c) of CEQA applies to effects on archaeological sites and contains the following additional provisions regarding archaeological sites:

- (1) When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subsection (a).
- (2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
- (3) If an archaeological site does not meet the criteria defined in subsection (a), but does meet the definition of a unique archaeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c-f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.
- (4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the

Initial Study or Environmental Impact Report (EIR), if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

Section 15064.5 (d) & (e) contain additional provisions regarding human remains. Regarding Native American human remains, paragraph (d) provides: (d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission (NAHC), as provided in Public Resources Code §5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the NAHC. Action implementing such an agreement is exempt from:

- (1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).
- (2) The requirement of CEQA and the Coastal Act.

2.1.3 General Plan

The Historical Preservation Element of the City of San Diego's *General Plan* was adopted in 2008. The stated goals of the Historic Preservation Element are:

- Identification of the historical resources of the City.
- Preservation of the City's important historical resources.
- Integration of historic preservation planning in the larger planning process.
- Public education about the importance of historical resources.
- Provision of incentives supporting historic preservation.
- Cultural heritage tourism promoted to the tourist industry.

To achieve these goals, the Historic Preservation Element provides nine policies to guide historical resources management activities. Among these are the following:

- HP-A.1. Strengthen historic preservation planning.
- HP-A.2. Fully integrate the consideration of historical and cultural resources in the larger land use planning process.
- HP-A.3. Foster government-to-government relationships with the Kumeyaay/Diegueño tribes of San Diego.

- HP-A.4. Actively pursue a program to identify, document and evaluate the historical and cultural resources in the City of San Diego.
- HP-A.5. Designate and preserve significant historical and cultural resources for current and future generations.
- HP-B.1. Foster greater public participation and education in historical and cultural resources.
- HP-B.2. Promote the maintenance, restoration, and rehabilitation of historical resources through a variety of financial and development incentives. Continue to use existing programs and develop new approaches as needed. Encourage continued private ownership and utilization of historic structures through a variety of incentives.
- HP-B.3. Develop a historic preservation sponsorship program.
- HP-B.4. Increase opportunities for cultural heritage tourism.

2.1.4 City Commitment to Native American Community

The City of San Diego has demonstrated a commitment to addressing Native American concerns, regarding traditional cultural properties through the establishment of a Tribal Liaison. Input on City and private projects during the CEQA review process is required, as stated in the HRG.

2.1.5 Land Development Code

The purpose and intent of the City's Historical Resources Regulations of the LDC (Chapter 14, Division 3, and Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City of San Diego when historical resources are present on the premises regardless of the requirement to obtain a Neighborhood Development Permit or Site Development Permit. When any portion of premises contains historical resources, as defined in the LDC Chapter 11, Article 3, Division 1, the regulations apply to the entire premises.

Historical resources consist of designated historical resources, historical districts, historical buildings, structures, objects, and landscapes, important archaeological sites and traditional cultural properties. Only minor alteration of a designated historical resource or of a historical building or structure within a historical district may be allowed if the alteration does not affect the special character or special historical, architectural, archaeological, or cultural value of the resource. Traditional cultural properties are required to be protected and preserved as a condition of development approval. Development within an area containing an important archaeological site is permitted if necessary to achieve a reasonable development area with up to 25 percent encroachment into the site. Additional encroachment of 15 percent is allowed for essential public service projects.

Any loss of a historical resource through alteration or encroachment is required to be offset by mitigation, in accordance with Section III of these Guidelines. Mitigation measures include preservation in whole or

in part or avoidance as the preferred method of mitigation with other methods such as documentation and/or salvage of the resource prior to its disturbance allowed when preservation is not feasible.

The proposed regulations include a deviation process by which project approval could occur without compliance with the historical resources regulations to afford relief from the regulations when all feasible measures to mitigate for the loss of the resource have been provided by the applicant and when denial of the development would result in economic hardship.

A Construction Permit, Neighborhood Development Permit or Site Development Permit is required for the following types of development proposals:

- a. Process One Construction Permit: Any development on a parcel that has historical resources on the site that will not adversely affect the historical resources and is consistent with one or more of the exemption criteria in accordance with section 143.0220 of the Land Development Code.
- b. Process Two Neighborhood Development Permit: Any single dwelling unit residential development on a single dwelling unit lot of any size when a traditional cultural property or important archaeology site is present.
- c. Process Four Site Development Permit: Any multiple dwelling unit residential, commercial or industrial development on any size lot, or any subdivision on any size lot, or any public works construction project or any project-specific land use plan when a designated historical resource or historical district is present and any development that deviates from the development regulations for historical resources as described in the Land Development Code.

2.1.6 City of San Diego Municipal Code (SDMC)

The Project requires a City of San Diego Process 3 Approval, a SDP in accordance with SDMC Sections 143.0110 and 153.0201. Section 143.0110 applies to all proposed development when environmentally sensitive lands are present on the premises. Where any portion of the premises contains any of the following environmentally sensitive lands, this division shall apply to the entire premises, unless otherwise provided in this division:

- (1) Sensitive biological resources;
- (2) Steep hillsides;
- (3) Coastal beaches (including V zones);
- (4) Sensitive coastal bluffs; and
- (5) Special Flood Hazard Areas (except V zones).

Table 143-01A in Section 143.0110 identifies the appropriate development regulations, the required decision process, and the permitted uses applicable to various types of development proposals that propose to encroach into environmentally sensitive lands or that do not qualify for an exemption pursuant to Section 143.0110(c).

In the Carmel Valley Planned District, according to SDMC Section 153.0201, before any building permit may be approved, a development plan shall be submitted for approval in accordance with Process Three. The development plan shall be in substantial conformity with the regulations, the architectural and design standards adopted by the City Council, and the precise plan for the development unit, and shall also be in conformance with the Carmel Valley Community Plan. Final building and landscaping plans shall be in substantial conformity to the approved development plan. The property shall be developed in substantial conformance with the approved final development plans, and no changes shall be made at any time until approved by the appropriate decision maker. Approval is not required for interior modifications, exterior alterations or grading for which a permit is not required.

Except as provided by Section 153.0201(b)(6), a Hearing Officer may approve, conditionally approve or deny a development plan in accordance with Process Three, based on the regulations and the architectural and design standards adopted by the City Council. The Hearing Officer's decision may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506.

The Planning Commission may approve, modify or disapprove any development plan based on the regulations and the architectural and design standards adopted by the City Council.

Following development plan approval, the City Manager shall issue the permit(s) for any work requested which conforms to City regulations, except as provided in Section 153.0201(b)(9). Building permits for dwelling units shall be issued when a final subdivision has been recorded, and the plans and specifications for dwelling units and attendant improvements shall substantially conform to the development plan and the Design Element. A final subdivision map shall substantially conform with the approved plan. Permits may be issued for model units prior to the final map recordation subject to the requirements of the City Attorney and City Manager.

Prior to the recordation of a final map for the Employment Center, final landscaping, including all paving and lighting, irrigation and entry sign plans, must be approved by the City Manager. These final plans shall substantially conform to the plans and specifications submitted pursuant to Section 153.0201(b)(4), and the Design Element of the precise plan area. The property shall be developed in accordance with these final plans.

2.1.7 City of San Diego Historical Resources Guidelines (HRG)

The HRG, located in the City's Land Development Manual, provides property owners, the development community, consultants, and the general public, explicit guidance for the management of historical resources located within the City's jurisdiction. These guidelines are designed to implement the historical resources regulations and guide the development review process. The guidelines also address the need for a survey and how impacts are to be assessed, available mitigation strategies, and reporting requirements. They also include appropriate methodologies for treating historical resources located in the City.

2.1.8 City of San Diego Historical Resources Board

The Historical Resources Board is established by the City Council as an advisory board to identify, designate, and preserve the historical resources of the City; to review and make a recommendation to the

appropriate decision making authority on applications for permits and other matters relating to the demolition, destruction, substantial alteration, removal or relocation of designated historical resources; to establish criteria and provide for a Historical Resources Inventory of properties within the boundaries of the City; and to recommend to the City Council and Planning Commission procedures to facilitate the use of the Historical Resources Inventory results in the City's planning process in accordance with Section 111.0206 of the Land Development Code.

2.1.9 City of San Diego Historical Resources Register

The City of San Diego also maintains a Historical Resources Register. Per the City, any improvement, building, structure, sign, interior element and fixture, feature, site, place, district, area or object may be designated as historic by the City of San Diego Historical Resources Board, if it meets any of the following criteria:

- a. Exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping or architectural development;
- b. Is identified with persons or events significant in local, state or national history;
- c. Embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of indigenous materials or craftsmanship;
- d. Is representative of the notable work of a master builder, designer, architect, engineer, landscape architect, interior designer, artist or craftsman;
- e. Is listed or has been determined eligible by National Park Service for listing on the National Register of Historic Places or is listed or has been determined eligible by the State Historic Preservation Officer for listing on the State Register of Historical Resources; or
- f. Is a finite group of resources related to one another in a clearly distinguishable way or is a geographically definable area or neighborhood containing improvements which have a special character, historical interest or aesthetic value or which represent one or more architectural periods or styles in the history and development of the City.

2.1.10 City of San Diego CEQA Significance

As stated above, if a resource is not listed in, or determined eligible for listing in the CRHR, and is not included in a local register or not deemed significant in a historical resource survey, it may nonetheless be historically significant. If a proposed project has the potential to affect a historical resource, the significance of that resource must be determined. The significance of a historical resource is based on the potential for the resource to address important research questions as documented in a site specific technical report prepared as part of the environmental review process. Research priorities for the prehistoric, ethnohistoric and historic periods of San Diego history are discussed in these Guidelines and should be used in the determination of historical significance. As a baseline, the City of San Diego has established the following criteria to be used in the determination of significance under CEQA.

An archaeological site must consist of at least three associated artifacts/ecofacts (within a 50 square meter area), or a single feature and must be at least 45 years of age. Archaeological sites containing only a surface component are generally considered not significant, unless demonstrated otherwise. Such site types may include isolated finds, bedrock milling stations, sparse lithic scatters, and shellfish processing stations. All other archaeological sites are considered potentially significant. The determination of significance is based on a number of factors specific to a particular site including site size, type and integrity; presence or absence of a subsurface deposit, soil stratigraphy, features, diagnostics, and datable material; artifact and ecofacts density; assemblage complexity; cultural affiliation; association with an important person or event; and ethnic importance.

2.1.11 Non-Significance Resource Types as defined by the Historical Resources Guidelines

The Non-Significant Resource Types, as defined in the HRG, are archaeological sites containing only a surface component and are generally considered not significant, unless demonstrated otherwise (testing is required to document the absence of a subsurface deposit). Such sites may include:

- Isolates;
- Sparse Lithic Scatters;
- Isolated Bedrock Milling Stations; and
- Shellfish Processing Stations.

Sparse Lithic Scatters are identified and evaluated, based on criteria from the State Office of Historic Preservation's California Archaeological Resource Identification and Data Acquisition Program: Sparse Lithic Scatters (February 1988). Isolated Bedrock Milling Stations are defined as having no associated site within a 50-meter radius and lacking a subsurface component. Shellfish Processing Stations are defined as containing a minimal amount of lithics and no subsurface deposit.

Resources found to be not significant, as a result of the survey and/or an assessment, require no further work beyond documentation of the resources and inclusion in the survey and assessment report.

SECTION 3 METHODS

Chapter 3 discusses the methods utilized during the cultural resources inventory survey of the Project APE.

3.1 PERSONNEL QUALIFICATIONS

All phases of the archaeological resources investigation were conducted by Ms. Arleen Garcia-Herbst, C.Phil., RPA and Mr. Paul Howard. Mr. George Herbst, C.Phil., RPA, provided technical report review and quality assurance. Resumes are available upon request.

Ms. Garcia-Herbst is a Secretary of the Interior-qualified Archaeologist and has been professionally involved with cultural resources management in California and Hawaii since 2006. She has extensive experience with the cultural and paleontological resources requirements of the City and County of San Diego, CEQA, Hawaii Revised Statutes and Administrative Rules, the National Environmental Policy Act (NEPA), and Section 106 of the National Historic Preservation Act (NHPA). She is a City of San Diego, County of San Diego, and County of Riverside Qualified Archaeologist. While Ms. Garcia-Herbst's professional focus is in California and Hawaii, she also has project experience in Arizona, Nevada, Germany, Peru, and Argentina. She received her B.A. in Anthropology with a minor in Geosciences from the University of Arizona (1996), and completed her M.A. in Anthropology at the University of California, Santa Barbara (UCSB, 2000), is advanced to candidacy (C.Phil., 2006) and working on completing her Ph.D. thesis at the University of California, Santa Barbara.

Mr. Howard has over eight years of experience in cultural resources management in both San Diego County and Australia. He joined Spindrift in 2017 as Project Archaeologist/Paleoanthropologist. During this time as a cultural heritage professional and archaeologist, he has worked with many clients within the mining, electricity, telecommunications, government, defense, transportation and infrastructure industries. His skills include: research, leading crews, report writing, editing, construction monitoring, scar tree analysis, rock art analysis, stake holder and client liaison, paleoanthropology, osteology, shell midden analysis, understanding regulatory requirements, survey, excavation, stone tool and historical artifact identification and analysis, GIS mapping, cultural resources management, leadership, teamwork, data entry, off-road driving, experimental archaeology, and workplace health and safety (including job safety analysis).

Mr. Herbst is currently the Air Force Civil Engineer Center (AFCEC) Pacific Command Regional Archaeologist and Environmental Inspection Program Manager. He joined Spindrift in 2015 as a Cultural Resources Technical Expert and QA/QC Officer after the retirement of Mr. Martin Rosen. As a regional archaeologist and environmental program manager, he provides AFCEC cultural resources and environmental compliance support to the installations within the region. Additionally, he provides consultation and advisory services in support of archaeological and other cultural resources. Lastly, he communicates critical issues related to cultural resources and environmental compliance to other members of the Regional Support Teams, serviced installations, superiors, and Subject Matter Experts. Previously, he served as the Federal Preservation Officer for the Bureau of Reclamation (BOR); an Archaeologist for the U.S. Navy; Cultural Resources Manager for the Office of the Secretary of

Defense, Task Force for Business and Stability Operations (TFBSO); and as a Zone Archaeologist for the U.S. Forest Service.

3.2 RECORD SEARCH METHODS

A records search for the Project APE was completed by the San Diego Museum of Man on 5 April 2018, and an in-house records search was completed by Spindrift Archaeologist/Paleoanthropologist, Paul Howard, at the South Coastal Information Center (SCIC) of the CHRIS at San Diego State University on 30 March 2018 (Appendix A; see records search request map in Figure 3). The purpose of the records search was to determine the extent of previous surveys within a one-mile (1600-meter) radius of the proposed project location, and whether previously documented prehistoric or historic archaeological sites, architectural resources, or traditional cultural properties exist within the Project APE area.

In addition to the official records and maps for archaeological sites and surveys in San Diego County, the following historic references were also reviewed: Historic Property Data File for San Diego County (Office of Historic Preservation 2013a); The National Register Information System website (National Park Service 2013); Office of Historic Preservation, California Historical Landmarks website (Office of Historic Preservation 2013b); California Historical Landmarks (Office of Historic Preservation 1996 and updates); and California Points of Historical Interest (Office of Historic Preservation 1992 and updates).

3.3 NATIVE AMERICAN COORDINATION METHODS

Spindrift contacted the California Native American Heritage Commission (NAHC) on 26 March 2018 to request a search of the Sacred Lands File for the Project APE. In a letter dated 27 March 2018, the NAHC said the search indicated a search of the Sacred Lands File was completed for the Project APE with negative results. The NAHC also provided a list of individuals and organizations in the Native American community that may be able to provide information about unrecorded sites in the project vicinity (Attachment B).

Spindrift contacted all persons and organizations on the NAHC contact list by email or fax on 5 April 2018 or certified mail on 6 April 2018, to request information on unrecorded cultural resources that may exist within the current Project APE, or to inquire about any concerns regarding sacred sites or traditional cultural properties in the vicinity that might be affected by the proposed action. A complete record is provided in Appendix B.

3.4 FIELD METHODS

Field work was conducted by Spindrift Archaeologist/Paleoanthropologist, Paul Howard, and Red Tail Monitoring & Research, Inc. Tribal Consultant, Nick Ruiz, on 30 March 2018 during which the 2.21 acres of the Project APE were subjected to an intensive systematic pedestrian survey under the guidance of the Secretary of the Interior's Standards for the Identification of Historic Properties (National Park Service 1983) using transects spaced 5 to 10 meters apart (see survey coverage map in Figure 4). Notes were taken on the environmental setting and disturbances within the Project APE. The Project APE was mapped into a handheld Trimble Geo 6000 XH GPS unit which has decimeter accuracy. This GPS unit

was also used to update the boundaries of the previously existing site, and record the location of the new archaeological site encountered during survey.

The general morphological characteristics of the ground surface were inspected for indications of subsurface deposits that may be manifested on the surface, such as circular depressions or ditches. Whenever possible, the locations of subsurface exposures caused by such factors as rodent activity, water or soil erosion, or vegetation disturbances were examined for artifacts or for indications of buried deposits. No subsurface investigations or artifact collections were undertaken during the pedestrian survey.

SECTION 4 RESULTS AND MANAGEMENT RECOMMENDATIONS

Chapter 4 analyses information about cultural resources in and around the Project APE, as a result of the records search and literature review. Management recommendations are also provided.

4.1 RECORDS SEARCH

The records search results indicated that one-hundred thirty-six (136) previous cultural resources studies (Table A-1 in Appendix A) were conducted within a one-mile radius of the Project APE, and one-hundred thirty-nine (139) cultural resources have previously been recorded within a one-mile radius of the Project APE (Table A-2 in Appendix A).

One (1) cultural resource has been previously documented within the Project APE (P-37-003703). Unfortunately, the site records for this site does not exist at the SCIC and no information about the resource was available.

A review of California Inventory of Historic Resources (March 1976) and National Register of Historic Places (National Park Service 2013), indicated that there are no inventoried historic properties within the Project APE and a one-mile radius. Resources listed as California Historical Landmarks (CHL; Office of Historic Preservation 1996) and on the Office of Historic Preservation website (Office of Historic Preservation 2015) were reviewed. There are no inventoried CHL within the Project APE and a one-mile radius.

The Caltrans Historic Bridge Local Inventory (Caltrans 2013a) listed two (2) historic bridges within the Project APE and a one-mile radius. Additionally, the Caltrans State Historic Bridge Inventory (Caltrans 2013b) listed twelve (12) historic bridges within the Project APE and a one-quarter-mile radius (Table A-3 in Appendix A).

4.2 NATIVE AMERICAN CONSULTATION RESULTS

A search of the Sacred Lands File by the NAHC indicated the absence of traditional cultural places or Native American cultural resources within the Project APE. If any further comments are received after the submission of this report, they will be forwarded to the lead agencies for further consideration and appropriate action. A complete record is provided in Appendix B.

4.3 FIELD SURVEY RESULTS

One (1) cultural resource has been previously documented within the Project APE (P-37-003703). A field site visit was conducted as part of this study. The one previously recorded site within the Project APE (P-37-003703) was not re-located, and no (0) new cultural resources were identified as part of the field site visit.

Field work was conducted by Spindrift Archaeologist/Paleoanthropologist, Paul Howard, and Red Tail Monitoring & Research, Inc. Tribal Consultant, Nick Ruiz, on 30 March 2018 during which the 2.21 acres of the Project APE were subjected to an intensive systematic pedestrian survey. The survey began at

the southeastern corner of the APE, with transects oriented in an E-W alignment, and ended at the northwestern corner of the APE.

The ground visibility was fair to poor. Vegetation was dense throughout the survey. No cultural material was observed throughout the Project APE. One aerial survey marker was identified, which may have been installed the 1980's, appears to made of a plastic material.

Faunal bones identified in the Project APE are a mixture of small mammals including rabbits, squirrels and large mammals including large cattle bones. One small mammal vertebra was identified. Modern refuse and equipment were noted across the APE, including a Bobcat, trailer, and shipping container.

4.4 MANAGEMENT CONSIDERATIONS

4.4.1 Recommendations

There is one (1) cultural resource previously documented within the Project APE: P-37-003703. Unfortunately, the site record for this site does not exist at the SCIC and no information about the resource was available. The one previously recorded site within the Project APE (P-37-003703) was not re-located, and no (0) new cultural resources were identified as part of the field site visit. Due to the possible presence of buried cultural resources within the boundary of site P-37-003703, Spindrift recommends that all ground-disturbing activity within the site boundary and a 10-meter/30-foot radius be monitored by an archaeological and Native American monitor, who have the authority to halt construction activity, in accordance with the unanticipated discovery procedures discussed below.

Should intact deposits be encountered, a subsurface testing program to determine the presence or absence of in situ significant archaeological deposits within the portion of the sites within the Project APE and their integrity is recommended. The results and an evaluation of eligibility for listing on the CRHR and NRHP should be reported in a separate document. The Project APE impact areas as currently designed may intersect with the mapped boundary for this resource, resulting in a significant impact under CEQA or an adverse effect under Section 106 of the NHPA, if the site is determined as eligible for listing on the CRHR or the NRHP, and the California SHPO concurs with the determination.

4.4.2 Monitoring

Due to the moderate to high sensitivity of the Project APE for buried prehistoric and historic-period resources in the southwest portion of the APE where young alluvium is documented (Qya), Spindrift recommends that all ground-disturbing activity within the young alluvium deposit within Project APE be monitored by an archaeological and Native American monitor, who have the authority to halt construction activity, in accordance with the unanticipated discovery procedures discussed below.

In the event of any unanticipated discoveries during construction, a less than significant impact to buried resources, if present, would occur with implementation of Mitigation Measures C-1 and C-2.

Mitigation Measures

- C-1. All ground disturbing activities should be monitored by a qualified professional archaeologist and a Native American consultant, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission. Both monitors shall have the authority to halt construction activities in the event that cultural deposits, or those that are potentially cultural, are encountered. The monitors shall examine the deposits and, if the find is confirmed to be cultural in origin, which includes human remains and archaeological materials, then the protocols for unanticipated discovery shall be followed.
- C-2. If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 50-foot radius of the discovery. The on-site archaeological monitor or Principal Investigator, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be afforded a reasonable amount of time to evaluate the significance of the find. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR. If a *potentially*-eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations to evaluate eligibility and, if eligible, total data recovery as mitigation. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA/NEPA for managing unanticipated discoveries have been met.
- C-3. In the event that evidence of human remains is discovered, construction activities within 50 feet of the discovery will be halted or diverted, and the requirements above will be implemented. Depending on the occurrence, a larger radius may be necessary and will be required at the discretion of the on-site archaeologist. In addition, the provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (Section 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641). If the Coroner determines the remains are Native American, the Coroner notifies the Native American Heritage Commission, which then designates a Native American Most Likely Descendant (MLD) for the project (Section 5097.98 of the Public Resources Code). The MLD may not be the same person as the tribal monitor. The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a document with the county in which the property is located (AB 2641).

Implementation of the above mitigation measures will reduce impacts to buried cultural resources to a less than significant level.

The Lead Agency, the City of San Diego, is responsible for ensuring compliance with these mitigation measures because damage to significant cultural resources is in violation of CEQA and Section 106. Section 15097 of Title 14, Chapter 3, Article 7 of CEQA, *Mitigation Monitoring or Reporting*, “the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.”

SECTION 5 REFERENCES

California Department of Transportation (Caltrans)

2013a Caltrans Local Bridge Survey, Structure Maintenance & Investigations website. Electronic Document, http://www.dot.ca.gov/hq/structur/strmaint/hs_local.pdf, Viewed 5 April 2018 online and using Google Earth.

2013b Caltrans State Bridge Survey, Structure Maintenance & Investigations website. Electronic Document, http://www.dot.ca.gov/hq/structur/strmaint/hs_state.pdf, Viewed 5 April 2018 online and using Google Earth.

City of San Diego

2016 Natural Environment and Open Space. In *Map Atlas*. Electronic Document, https://www.sandiego.gov/sites/default/files/6._natural_environment_and_open_space.pdf, Viewed 5 April 2018.

Federal Emergency Management Agency (FEMA)

2018 National Flood Hazard Layer (NFHL). Electronic Document, <https://fema.maps.arcgis.com/home/item.html?id=cbe088e7c8704464aa0fc34eb99e7f30>, Viewed 5 April 2018 using Google Earth.

Hanna, M.A., 1926, Geology of the La Jolla quadrangle, California: University of California Publications in Geological Sciences, v. 16, no. 7, p. 187-246, (incl. geologic map, scale 1:62,500)

Historical Resources Guidelines (HRG)

2001 *City of San Diego Historical Resources Guidelines – Appendix A: San Diego History*. Amended April 2001. Available online at: <http://www.sandiego.gov/development-services/industry/pdf/ldmhistorical.pdf>.

Jennings, C.W., Strand, R.G., and Rogers, T.H.

1977 Geologic map of California: California Division of Mines and Geology, scale 1:750,000.

Kennedy, M.P.

1975 Geology of the San Diego metropolitan area, California. Section A - Western San Diego metropolitan area. *California Division of Mines and Geology, Bulletin* 200: 9-39.

Kennedy, Michael P., and G.W. Moore

1971 *Stratigraphic relations of Upper Cretaceous and Eocene formations, San Diego coastal area, California*. American Association of Petroleum Geologists Bulletin 55 (5): 709-722].

Kennedy, Michael P., and Siang S. Tan

2008 *Geologic Map of the San Diego 30' x 60' Quadrangle, California*. California Geological Survey, Map No. 3, Scale 1:100,000. Electronic Document, <http://www.quake.ca.gov/gmaps/RGM/>

sandiego/sandiego.html, Viewed 5 April 2018 using Google Earth.

National Park Service (NPS)

1983 *Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines*. 48 FR (Federal Register) 44716-68.

2013 *National Register Information System Website*. Electronic document. <http://www.nr.nps.gov/nrloc1.htm>, Viewed 5 April 2018 using Google Earth.

Office of Historic Preservation.

1992 *California Points of Historical Interest*. California Department of Parks and Recreation, Sacramento, California.

1996 *California Historical Landmarks*. California Department of Parks and Recreation, Sacramento, California.

2017 *Office of Historic Preservation California Historical Landmarks Website*, Electronic document. http://ohp.parks.ca.gov/?page_id=21387, Viewed 5 April 2018.

United States Department of Agriculture, Natural Resources Conservation Service (NRCS)

2017 *SoilWeb: An Online Soil Survey Browser, Soil Survey Geographic (SSURGO) Database for the United States*. Available online: <http://casoilresource.lawr.ucdavis.edu/soilweb/>, Viewed 5 April 2018 using Google Earth.

FIGURES

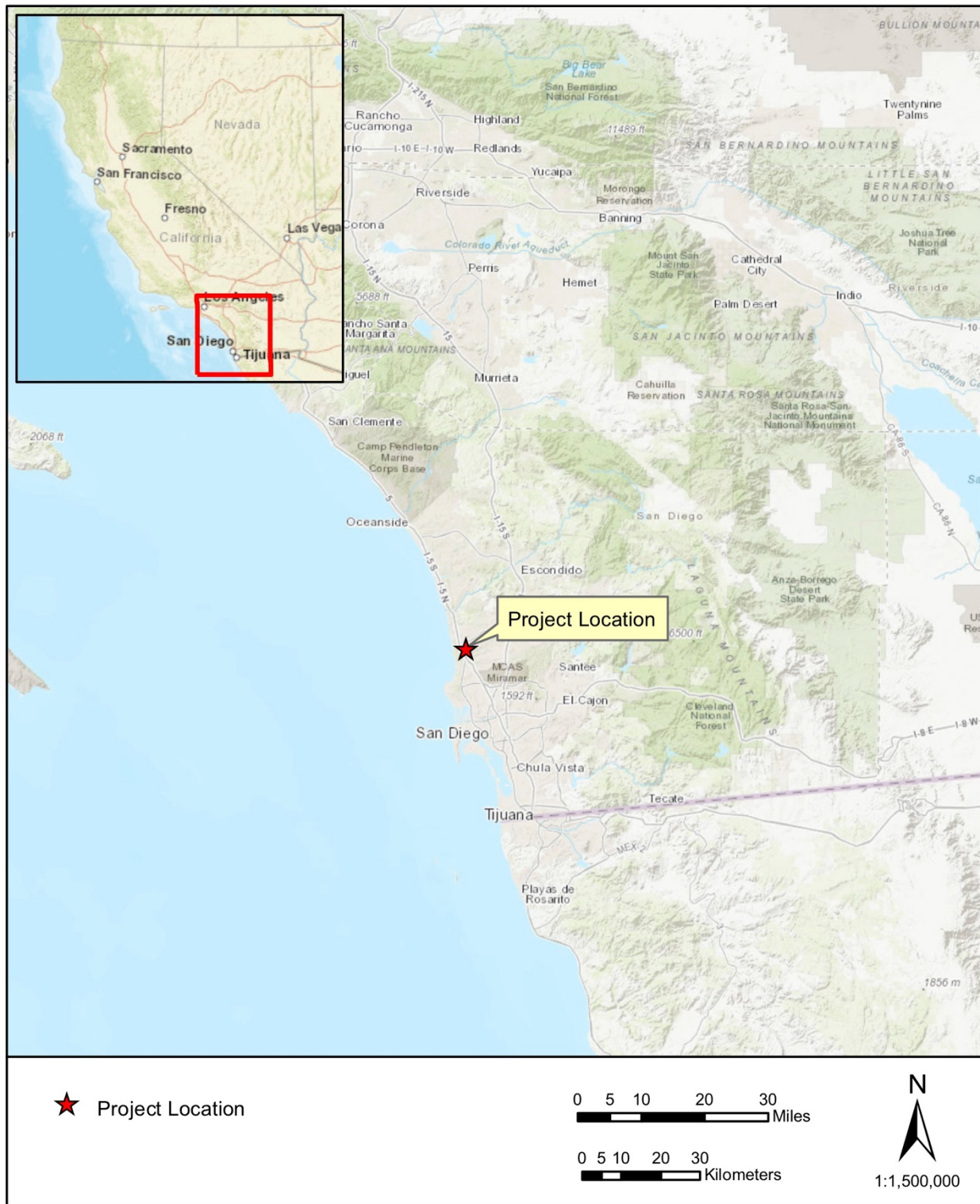


Figure 1. Project Location Map

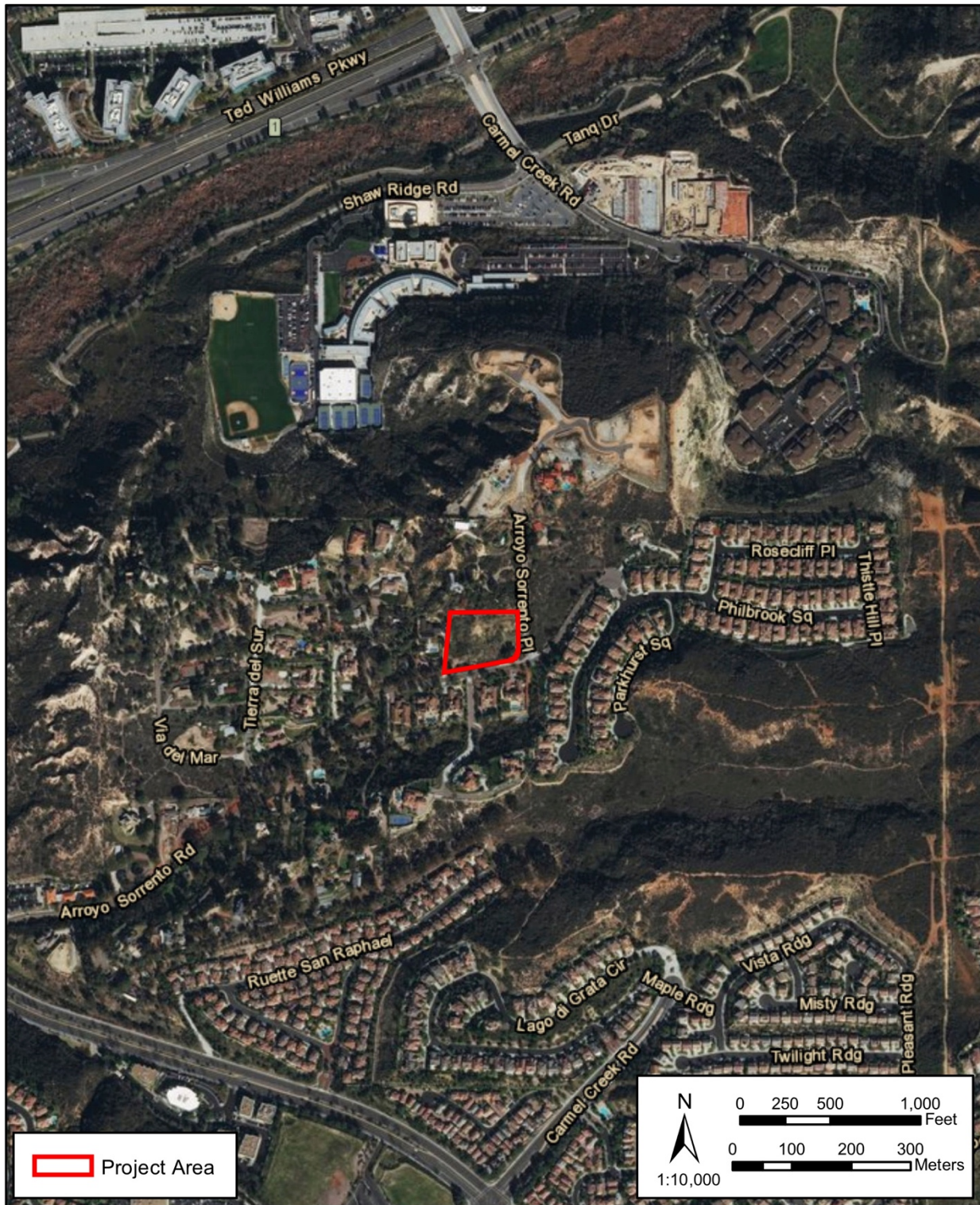


Figure 2. Project Area Map

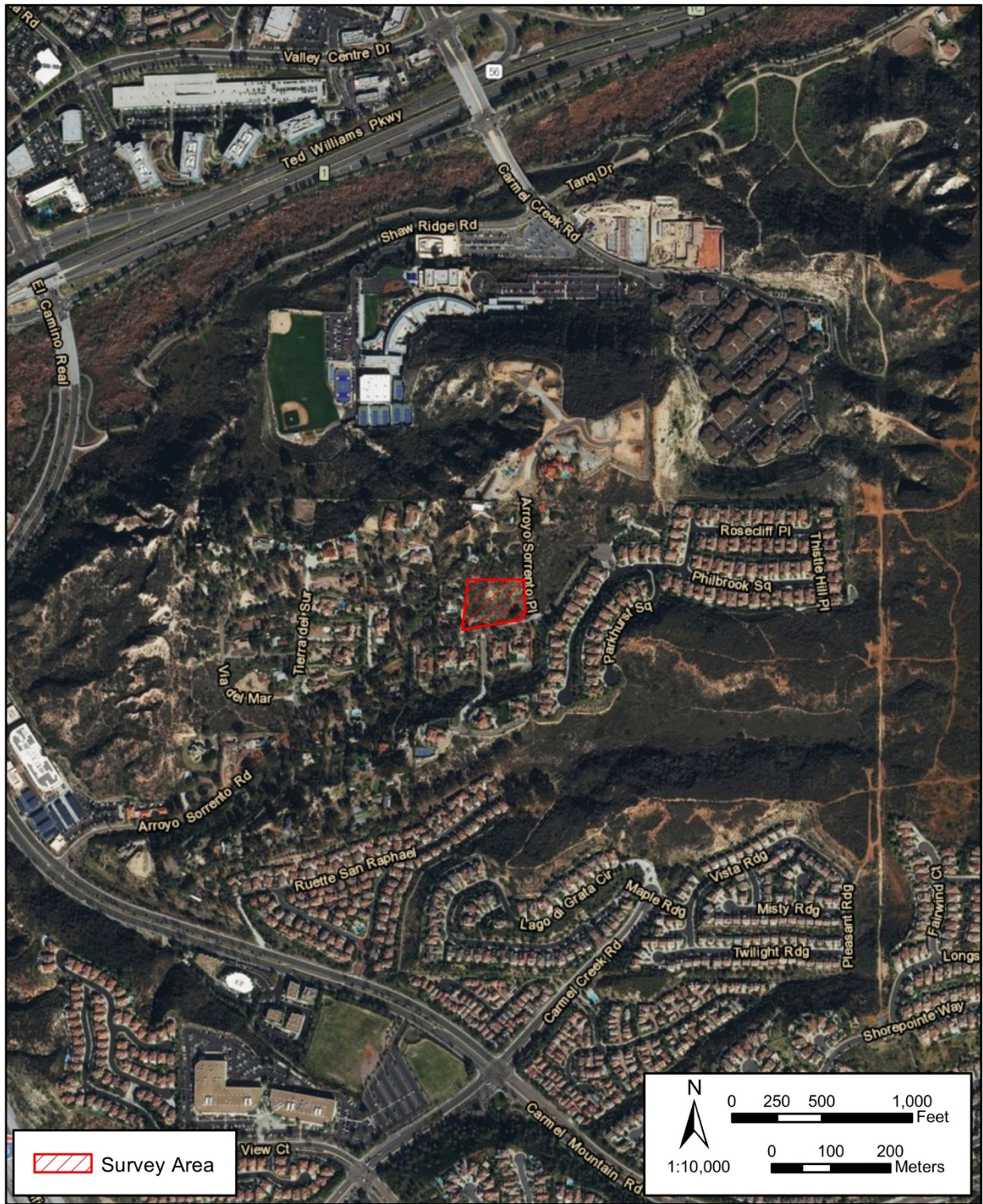


Figure 4. Survey Coverage Map

APPENDIX A

Records Search Confirmation
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APPENDIX B

Native American Coordination
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APPENDIX C

Photos and Photo Log
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