

SUBCHAPTER 2.4  
CULTURAL RESOURCES

## 2.4 Cultural Resources

The 1981 Sycamore Springs EIR identified cultural resources impacts as less than significant. In support of that finding, a cultural survey was conducted by Westec Services in 1979, in which two isolates (artifacts not associated with other cultural material) were discovered, although their location was not provided. The 1981 EIR stated that these two isolates were not significant cultural resources due to their isolated nature and the disturbance surrounding them. The 1981 EIR, however, also acknowledged that the general area has a high potential for unknown archaeological resources and recommended that an archaeological monitor be present during initial grading in the vicinity of the isolates' location.

In 1982, RECON conducted a cultural survey of the north-central portion within the original property boundaries. No additional cultural resources were located, although the 1983 Hewlett Packard EIR also acknowledged the possible presence of isolates on site.

The assessment of the Proposed Project's potential to have an adverse effect on cultural resources is based on the Cultural Resources Survey completed by Heritage Resources (2004 and updated in 2012). The Cultural Resources Survey for Campus Park West is included as Appendix L of the EIR, with confidential records and maps on file at PDS and deposited with the South Coastal Information Center (SCIC).

The assessment of the potential for off-site improvements associated with the Proposed Project to adversely affect cultural resources is based on the following studies: (1) Campus Park Cultural Resources Survey prepared by Sue Wade (Heritage Resources 2007); (2) Cultural Resources Survey, Archaeological Testing, and Historic Building Evaluation for the Proposed Meadowood Project (TM5345RPL/SP04-001/R04-005/S04-006/S04-007/Log No. 04-02-004) prepared by ASM Affiliates, Inc. (ASM 2009); (3) Campus Park/Passerelle Off-site Road Improvements Cultural Resource Survey prepared by Sue Wade (Heritage Resources 2009), (4) Cultural Resource Record Search and Survey (2004) and Updates (2012), Campus Park West (Pappas Property) prepared by Sue Wade (Heritage Resources 2012, and 2012 coordination with ASM Affiliates regarding ongoing work for Horse Ranch Creek Road. Off-site facilities primarily would be constructed in or immediately adjacent to existing roadways, which generally are presumed to be disturbed, although have potential for buried archaeological deposits.

The results of the analysis are summarized below.

### 2.4.1 Existing Conditions

The Project area lies between the Santa Margarita River/Temecula Valley region to the north and the San Luis Rey River Valley region to the south. The archaeological information known about the site complexes (see Appendix E, Cultural Resources Survey) in the general area suggests that concentrations of occupation focused near major drainage confluences, as additionally discussed below. Surrounding special use sites were located near natural resources and occupied for short periods during food collecting and processing. The area was also attractive to later Spanish, Mexican, and American ranchers and farmers, with the Project property being part of Rancho Monserate, granted to Ysidro Maria Alvarado in 1846. Large ranches later developed out of the

old Monserate Rancho lands and operated through the mid-twentieth century. These ranches included the Rancho San Luis Rey facility (one of the most successful horse breeding farms in the nation), and the Pankey Brothers farm.

The presence and significance of existing cultural resources within the boundaries of the Proposed Project were determined based on a review of institutional records, previous on-site surveys (1979 and 1982), historic maps of the Project area from 1928 and 1953, field survey updates in 2004 and 2012, and coordination with archaeologists working on adjacent sites. The studies referenced above for off-site improvements were reviewed and additional field surveys were conducted in 2012 to assess the presence and significance of cultural resources in areas identified as sites or alignments for potable water and sewage conveyance and lift stations located outside of the Project boundaries.

The evaluation of cultural resources is in conformance with the County RPO, Section 21083.2 of CEQA, and Section 15064.5 of the CEQA Guidelines as well as the County Guidelines for Determining Significance and Report Format and Content Requirements, Cultural Resources: Archaeological and Historical Resources.

#### **2.4.1.1 Records Search Results**

Record searches were conducted at the SCIC and San Diego Museum of Man in 2004 and updated in 2012. Based on SCIC files, eight cultural resources have been recorded within one mile of the Project area, as indicated on Table 2.4-1.

The following resources were noted as having been recorded in the vicinity of the Project area but outside of the Project boundaries:

- One site and one isolate consisting of two flakes and one mano are located to the northwest of the Project site.
- Four sites and one isolate consisting of two pictograph boulders, a probable village site, bedrock milling, and isolated flakes are located approximately 900 to 3,000 feet east of the southeast corner of the Project and north of SR-76/Pala Road. This is the area where D.L. True excavated CA-SDI-682 in 1959 (True 1958), a site which has been identified as the ethnographic village of *Tom-Kav*. This Late Prehistoric village site is also known as the Pankey Site and extends from the slopes of Rosemary's Mountain west onto the more level terrain of the Meadowood project property.
- The site of the historic Monserate rancho adobe and structures associated with the 1930s and 1940s Rancho San Luis Rey thoroughbred breeding and training facility are located approximately 2,100 feet east of the Project site on the north side of SR-76/Pala Road within the boundaries of the Meadowood project property. Additional structures of the Rancho San Luis Rey are also located on the Campus Park West property.

The record searches confirm that prior to current studies, the area inside the Project boundaries had been surveyed at least twice: by Westec Services in 1979 as part of the larger Sycamore

Springs proposed development (Breece 1979), and by RECON in 1982 for the larger Hewlett Packard proposed development (Hector 1982). Two isolates (one mano and one mano fragment) were discovered in the area of the Campus Park project during the Westec survey that was completed during conditions of good visibility (over terrain that had been recently plowed or was cleared for orange groves). The surveyors re-inspected these areas intensively and found no further cultural evidence. The report concluded that the resources both “are isolates and do not denote a site.” However, given the archaeological sensitivity of the area, it was recommended that a qualified archaeologist monitor any initial grading in the area of the isolates. The RECON survey concentrated on the low ridges above the main drainage. No resources were found, and it was suggested that the topographically rugged area may have been used for hunting and could not support a more extensive use.

#### **2.4.1.2 Campus Park West Field Survey**

A focused field check was completed for ~~on-site portions of~~ Campus Park West, on June 30, 2004. The knolls on the large property north of SR-76/Pala Road and the three parcels on alluvial terrain south of SR-76/Pala Road were surveyed. Most of the knolls had been cleared of the orchards that had been present in 1979, and weeds had been recently cut; surface visibility in most areas was excellent. No prehistoric sites were found within the Project boundaries north or south of SR-76.

The southern portion of the large property north of SR-76 previously contained outbuildings, barn, and horse track associated with the Rancho San Luis Rey thoroughbred facility. A small runway and enclosed track used by a remote-control airplane and car club were observed in 2004 on the apparent site of a horse track indicated on the 1942 U.S. Geological Survey (USGS) map. The following remnants of the horse facility were found: a concrete slab foundation, several pepper and eucalyptus trees, and one small outbuilding that likely had been a hay shed, garage or tack building. During the 2012 field check, it was noted that the small outbuilding was no longer present; however, documentation from the 2004 survey was used to prepare a DPR-523 Archaeological Resource Record Form update. There were no surface remains present that would warrant subsurface testing, and this was confirmed with County archaeological staff (Beddow 2012: pers. comm.).

#### **2.4.1.3 Off-site Field Surveys**

Project utility extensions or facilities proposed for Campus Park West (TM 5424) would be located within SR-76 and Horse Ranch Creek Road. The latter road is sited on portions of neighboring properties with approved projects and certified EIRs (Campus Park [VTM 5338] and Meadowood [TM 5354]). Please refer to Figure 1-3 of this EIR for a graphic depicting the locations of Campus Park and Meadowood projects relative to the Proposed Project. Applicable results from these previous cultural resources studies are discussed below.

The southern two-thirds of the adjacent Campus Park property was surveyed twice under excellent survey conditions. The area had been engaged in agriculture (hayfields and orchards) for at least 80 years. The surveyed area was rocky and characterized by old furrows and heavily eroded gullies trending east to west.

A field inspection (primarily a windshield survey) was conducted on July 23, 2008 to compare the results of the previously conducted surveys to the proposed off-site improvement areas for the Campus Park project, as well as to identify areas disturbed by grading, excavation, and cultivation (Heritage Resources 2009). On-the-ground inspections were necessary in a few areas that had not been previously surveyed or extensively disturbed. No significant cultural resources were identified in this survey.

ASM staff conducted a cultural resources field survey for the Meadowood property in September/October 2003 in compliance with the County CEQA guidelines and determined that additional archaeological testing was required (ASM 2009). Subsequently, ASM staff conducted limited trenching on the west side of the ranch road to determine if subsurface deposits related to the Pankey Site extended west of the road. Archaeological deposits were identified in initial backhoe trenches. Between September 2004 and January 2005, subsurface archaeological testing was conducted on the Meadowood property. Based on the results of that testing, the boundaries of CA-SDI-682 were expanded west of the ranch road to include three newly identified archaeological deposits identified as loci A, B and C. Cultural materials associated with the midden deposits included aboriginal ceramics, ground stone, bone tools, animal bones, historic glass, lithic debitage, bifaces, and one core. Limited surface artifacts consisting of four ground stone tools, one projectile point, and one aboriginal ceramic fragment were recovered from the site. Preservation of Loci A and B in open space was recommended.

In January 2011, vegetation removal was conducted for improvement of Horse Ranch Creek Road by Palomar College, with archaeological and San Luis Rey Band monitors present. Locus A and B, both designated as open space, were to be avoided. At the beginning of work, the monitors noticed that a tree adjacent to Locus B had been removed by ranch hands and disrupted soils contained midden, and prehistoric and historic archaeological materials, including bone fragments that were subsequently identified by the San Diego County Medical Examiner Office as possibly human. All work in the vicinity of the discovery was halted during review and coordination. Additional archaeological testing was implemented in January 2012 and a resulting data recovery plan was approved and implemented in February 2012. Following data recovery, work restarted on the road. Following consultation with the Most Likely Descendant, the (San Luis Rey Tribe), it was determined that the recovered archaeological materials would be inventoried and repatriated to the Tribe, and that archaeological resources remaining in place would be capped, with the road constructed above the cap.

Six buildings on the Meadowood property also were evaluated for eligibility under the California Register of Historical Resources (California Register) and San Diego County Local Register of Historical Resources (Local Register). Five of these buildings were constructed in the late 1920s or early 1930s. They were associated with Rancho San Luis Rey, the thoroughbred breeding and training facility noted above that was owned and operated by Charles E. Cooper between 1931 and 1943. The buildings evaluated include a bungalow, bunkhouse, two small garages, rustic barn, and concrete refrigeration room.

The Meadowood project area also was noted as apparently including the original location of Historic Period Rancho Monserate Adobe. The Rancho Monserate ranch house probably existed in the southeastern corner of the Meadowood property, but no physical evidence of the adobe

was found. The adobe was occupied between 1846 and 1863, and a second house, Morel's house, was also located on the Meadowood site between 1869 and 1896. Although no standing remains of either building were found, the cultural resources documentation noted that there is the possibility that subsurface foundations, trash pits, privies, or other features may be present.

#### **2.4.1.4 Native American Consultation**

Coordination with knowledgeable representatives of Native Americans is an important component of site identification, assessment of potential site sensitivity, and identification of appropriate mitigative actions required for any resources potentially impacted by a proposed project. In the vicinity of the Project, representative band members have been active in coordination regarding burial items and associated artifacts located during the Palomar College installation of Horse Ranch Creek Road.

Pursuant to California Government Code Section 65352.3, the NAHC was contacted, as were Native American individuals/bands/organizations potentially knowledgeable regarding cultural resources in the area, during studies focused on CA-SDI-682 for the adjacent Campus Park and Meadowood projects. Representatives of the Cupa Cultural Center; La Jolla Band of Luiseño Indians; and the Pala, Pauma/Yuima, Pechanga, Rincon, San Luis Rey, Soboba, and Twenty-Nine Palms Bands of Mission Indians were contacted. A response letter from the San Luis Rey Band requested the presence of a Native American monitor during grading, excavation or other ground-breaking activities within previously undisturbed soils during construction. Subsequent letter contacts were made and consultation meetings were held in 2009 with regard to off-site improvements near site CA-SDI-682. Native American participants requested the presence of Native American grading monitors, in particular in the CA-SDI-682 area. Additional written responses were received from Pechanga Band of Mission Indians and Rincon San Luiseño Band of Mission Indians also requesting the presence of Native American monitors during ground disturbing activities associated with the Campus Park project.

In 2010, coordination with the NAHC resulted in consultation requests being sent to the Pala Band of Mission Indians, Pauma and Yuima, Rincon Band of Mission Indians, San Luis Rey Band of Mission Indians, and La Jolla Band of Mission Indians. Two tribes responded: the San Luis Rey Band of Mission Indians and Pala Band of Mission Indians. The San Luis Rey Band requested a pre-excavation agreement to be entered prior to any ground-disturbing activities; and outlined concerns regarding the preservation of cultural, archaeological, and historical sites and resources located within the Project area. The Pala Band of Mission Indians recommended archaeological monitoring and expressed a desire to stay involved with Project planning. The County is continuing to consult with interested Tribal representatives regarding the Proposed Project.

#### **2.4.1.5 Evaluation of Site Significance**

Cultural resources were evaluated according to the criteria presented in Section 15064.5 of the CEQA Guidelines, as amended, and the County of San Diego guidelines, as described below. A cultural resource would be considered significant if it is:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the California Register (Public Resources Code [PRC] §5024.1; Title 14 California Code of Regulations [CCR], §4850 et seq.).
2. A resource included in the local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, 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 California Register of Historical Resources (PRC Section 5024.1, Title 14 CCR, Section 4852), including the following:
  - (a) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
  - (b) Is associated with the lives of persons important in our past;
  - (c) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
  - (d) Has yielded, or may be likely to yield, information important in prehistory or history.
4. The fact that a resource is not listed in the California Register, determined not to be eligible for listing in the California Register, not included in a local register of historical resources (pursuant to Section 5020.1[k] of the PRC), and not identified in an historical resources survey (meeting the criteria in Section 5024.1[g] of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC Sections 5020.1(i) or 5024.1.

In accordance with CEQA, any cultural resources must be assessed for project-related actions that could directly or indirectly impact them. Under this scenario, impacts to cultural resources not deemed important according to the above criteria would be considered less than significant. A summary of on-site and off-site cultural resources is provided below, along with a determination as to the significance of the impact pursuant to Section 15064.5 of the CEQA Guidelines.

The County of San Diego Guidelines for Determining Significance and Report Format and Content Guidelines also define Traditional Cultural Landscapes. "A traditional cultural landscape defined as a district could include a village site, related milling features, stone quarries

and lithic tool process areas, ceremonial locations and landmarks, and temporary or seasonal camps. Together, these represent a traditional cultural landscape.”

Federal and state laws also mandate that consideration be given to the concerns of contemporary Native Americans with regard to potentially ancestral human remains and associated funerary objects, as well as items of cultural patrimony. Consequently, an important element in assessing the significance of the study site has been to evaluate the likelihood that these classes of items are present in areas that would be affected by the proposed project.

Also, ~~potentially relevant to prehistoric archaeological sites is the category termed Traditional Cultural Properties~~ are relevant to the analysis of prehistoric cultural sites ~~in discussions of cultural resource management (CRM) performed under federal auspices.~~ According to Patricia L. Parker and Thomas F. King (1998), “Traditional” in this context refers to those beliefs, customs, and practices of a living community of people that have been passed down through the generations, usually orally or through practice. The traditional cultural significance of a historic property, then, is significance derived from the role the property plays in a community's historically rooted beliefs, customs, and practices. Examples of properties possessing such significance include:

1. A location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world;
2. A rural community whose organization, buildings and structures, or patterns of land use reflect the cultural traditions valued by its long-term residents;
3. An urban neighborhood that is the traditional home of a particular cultural group, and that reflects its beliefs and practices;
4. A location where Native American religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice; and
5. A location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity.

A traditional cultural property, then, can be defined generally as one that is eligible for inclusion in the National Register because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community.

#### **2.4.1.6 Findings for On-site Cultural Resources**

The surveys previously conducted inside the Project boundaries discovered no prehistoric archaeological sites. However, it was concluded that because many areas on the Project property are river terrace alluvial deposits, and because major prehistoric habitation complexes are located

in close proximity, prehistoric archaeological deposits could lie buried below the alluvium or in other depositional situations.

A concrete slab foundation, several pepper and eucalyptus trees, and one small outbuilding were the only remnants of the Rancho San Luis Rey found within the Project boundaries. The core of the Rancho San Luis Rey facility, located on the Meadowood property, was previously determined not eligible for listing in the California Register and not significant under CEQA; the portion of Rancho San Luis Rey that remains on the Campus Park West property also does not possess sufficient integrity to meet eligibility or significance criteria. The remaining structure fell down and was cleared from the site per County direction in 2009. The archaeological remains associated with the structure were documented on an update to California Department of Parks and Recreation 523 Resource Record Forms and submitted to the SCIC.

Based on the above-described County Guidelines and State and federal law, the village of *Tom-Kav*, recorded to the east of the Campus Park West property as site CA-SDI-682, would potentially qualify as a Traditional Cultural Landscape/Property.

In relation to the Campus Park West property, however, the currently known location of the *Tom-Kav* village/CA-SDI-682 is well to the east. During the archaeological studies for the Campus Park West property, no archival or archaeological evidence was discovered to indicate that *Tom-Kav* village (site CA-SDI-682), extends onto the Project property. Similarly, no evidence of independent and *in situ* milling features, stone quarries and lithic tool process areas, ceremonial locations and landmarks, and temporary or seasonal camps was noted. As part of the ongoing Project evaluation, however, the County is continuing Government-to-Government Consultation with the Tribes. Coordination regarding the extent of *Tom-Kav* village will continue to be addressed as part of this Consultation.

#### **2.4.1.7 Findings for Off-site Cultural Resources**

~~Two isolates (one mano and one mano fragment) were discovered in the area of the Campus Park project during the 1979 Westec survey. These resources were concluded to not denote a site. Although no prehistoric sites and no significant historic artifact deposits were located in the northern portion of the Campus Park site, it was concluded that resources could be present but undiscovered due to poor survey conditions or alluvial deposition. No off site facilities associated with the Proposed Project would enter the northern portion of the Campus Park project. These potential unknown resources are not further addressed.~~

In 1947, D.L. True recorded site CA-SDI-682, known in the archaeological literature as the Pankey Site (ASM 2009). The Pankey Site, located within and to the east of the Meadowood property, was identified as the village of *Tom-Kav*. True continued his work on the site over the following decades and in 1985, along with Mrs. Rosemary Pankey, proposed that radiocarbon data indicated that the early Pauma complex occupation represented seasonal use of the interior areas by coastal populations. The Pankey Site is RPO significant and is eligible for listing on the California Register and National Register of Historic Places. The site, including loci A and B, the more recently identified archaeological deposits that have relatively small portions of intact midden, also

is considered a County RPO resource and, as such, impacts to the site must be avoided. The recently identified locus C of site CA-SDI-682 was determined to not be significant.

None of the buildings found on the Meadowood property associated with Rancho San Luis Rey were recommended as being eligible for either the California or Local Registers. Since there was no surface indication of the Monserate Adobe on the Meadowood property, no significance evaluation was completed. Regardless, if buried features, such as subsurface foundations, trash pits, or privies, are present, they could provide significant insight into life during the late Mexican and early American periods in San Diego County. Theoretically, the Monserate Adobe would be significant because: (1) the adobe is associated with events that have made a significant contribution to the broad patterns of California's history, in this case the late Mexican Period and transition into the American Period, and (2) subsurface deposits may provide information to further answer questions related to understanding the history of the area and life in rural San Diego County in the late Mexican Period and transition into the American Period.

## **2.4.2 Analysis of Project Effects and Determination as to Significance**

The following discussion evaluates potential impacts to prehistoric and historical sites resulting from the Proposed Project. Section 15064.5(c) of the CEQA Guidelines addresses effects on archaeological sites. It notes that once it is known that a project may impact an archaeological resource, if that archaeological resource is neither a unique archaeological nor an historical resource, project effects on those resources shall not be considered a significant effect on the environment. The resource and potential project effects must be noted in the EIR, but the site need not be further considered during the CEQA process. The potential disturbance of human remains with regard to the Proposed Project also is discussed. The discussions within Sections 2.4.2 below apply to both **Scenario 1 and Scenario 2**.

### **2.4.2.1 Prehistoric Sites**

#### Guideline for the Determination of Significance

A significant impact to cultural resources would occur if the Proposed Project would:

1. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the State CEQA Guidelines. This shall include the destruction, disturbance or any alteration of characteristics or elements of a resource that cause it to be significant in a manner not consistent with the Secretary of the Interior Standards.

#### Guideline Sources

This guideline is taken from the County Guidelines for Determining Significance, Cultural Resources: Archaeological and Historic Resources (County 2007d). Substantial adverse change is identified in the County Report Format and Content Requirements as "physical demolition, destruction, relocation, or alternation of the resource or its immediate surroundings such that the

significance of an historical<sup>1</sup> resource would be materially impaired (County 2007d:42). Material impairment would occur 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 California Register of Historical Resources; 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 California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

## Analysis

### On-site Resources

No prehistoric resources were discovered during the 2004 and 2012 field surveys of the Proposed Project area. The records search and field studies described above, however, have demonstrated that prehistoric archaeological deposits could lie buried below the alluvium and that the discovery of sites has been hampered by historic land alterations and dense vegetation. There is the potential that brushing and initial grading activities associated with construction of the Proposed Project could result in the discovery of previously unrecorded, potentially significant archaeological resources. Therefore, impacts to such on-site cultural resources could be **potentially significant. (Impact CR-1)**

### Off-site Resources

No resources were documented by Heritage Resources for the location of the Campus Park lift station at the intersection of SR-76 and Pankey Road. Specific to the RMWD pump stations to the west of the Project, field reconnaissance in October 2012 did not result in identification of any cultural resources in this disturbed area.

As noted above, the records search and studies previously described demonstrated that important archaeological (prehistoric) resources (CA-SDI-682) are located in areas associated with the adjacent Meadowood project. ~~The roadways for the Meadowood project were realigned to avoid impacts to known and previously mapped loci of this site.~~ Also as discussed above, in 2012, known and important elements of the site were capped so that they would be preserved in place.

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<sup>1</sup> For the purposes of this section, “historic” resource includes a structure, structural remains, or evidence of human activity, such as archaeological remains.

~~It is unlikely that (should pipeline construction not be completed by Campus Park) the Campus Park West Project would encounter any subsurface resources. This is based on the disturbed nature (engineered fill) of the roadbeds into which the pipes would be placed combined with the fact that some of the more sensitive area has been capped (resulting in any future pipeline crossing this area being located in fill sited above 2011 ground surface) as part of the Horse Ranch Creek Road construction. The sensitivity of this area, however, results in heightened concern that resources not recorded could be impacted by grading and trenching associated with construction of pipelines to serve the Proposed Project. If Campus Park does not complete ongoing installation of water and sewer pipelines into Horse Ranch Creek Road and SR-76 prior to implementation of Campus Park West, Campus Park West would complete the work. Although these pipelines are being installed into the existing disturbed roadbed and into a filled and capped portion where the known locus is being protected, resulting in a low likelihood that additional resources would be discovered, a conservative assessment is being made that unknown but potentially important subsurface resources may be present. Therefore, potential impacts resulting from construction of off-site facilities to important prehistoric resources could be **potentially significant**. (Impact CR-2)~~

#### 2.4.2.2 Historical Sites

##### Guideline for the Determination of Significance

A significant impact to cultural resources would occur if the Proposed Project would:

2. Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5 of the State CEQA Guidelines. This shall include the destruction, disturbance or any alteration of characteristics or elements of a resource that cause it to be significant in a manner not consistent with the Secretary of the Interior Standards.

##### Guideline Source

This guideline is taken from the 2007 County Guidelines for Determining Significance (County 2007d), as described above. Information related to substantial adverse change and material impairment was described in Section 2.4.2.1 of this subchapter.

##### Analysis

##### On-site Resources

As a result of the site survey for Campus Park West, remnant structures associated with Rancho San Luis Rey on the Campus Park West property were evaluated for significance. These sites included an outbuilding (no longer present on site) and concrete slab. An update to the Resource Record form on file for the Rancho San Luis Rey structural remains (CA-SDI-16,890) was completed to document the on-site resource information. These structures were determined to not be significant because they do not contain historic, architectural, or informational value. Therefore, impacts to on-site historic resources would be **less than significant**.

## Off-site Resources

As a result of the site survey for Meadowood, six buildings associated with Rancho San Luis Rey were evaluated for significance and none of the buildings were recommended as being eligible for either the California or Local Registers. These structures are not located within the roadbeds where pipelines could be sited. **No impact** would occur.

If buried features associated with the Monserate adobe, such as subsurface foundations, trash pits, or privies, are present in the Meadowood project area, they could provide significant insight into life during the late Mexican and early American periods in San Diego County. Unlike the activity patterns resulting in prehistoric and ethnographic period archaeological resources, however, which are broad based and widely spread, historic activities resulted in more focused features and artifacts. Given the location of the adobe and its associated features, the capping completed as part of the protection of the archaeological resources noted above would protect remnants of the historical activities that might be located in Horse Ranch Creek Road. As a result, **no impact** would occur.

### 2.4.2.3 Disturbance of Human Remains

#### Guideline for the Determination of Significance

A significant impact to cultural resources would occur if the Proposed Project would:

3. Disturb any human remains, including those interred outside of formal cemeteries.

#### Guideline Source

Guideline No. 3 is taken from the County Guidelines for Determining Significance (County 2007d) and CEQA Guidelines. In the event that human remains are discovered, excavation would cease pending a determination by the County Coroner as to whether the remains are Native American. If determined to be of Native American origin, the NAHC shall be contacted to identify the “most likely descendant” (MLD). The MLD shall be consulted and the MLD may make recommendations for treating or disposing of, with appropriate dignity, the human remains and any associated grave goods.

#### Analysis

#### On- and Off-site Resources

No evidence of human remains, including those interred outside of formal cemeteries, was discovered during the records search, literature review or site surveys for the Proposed Project. Although unlikely, if human remains are unearthed during grading activities, impacts could be **significant**. (**Impact CR-3**)

#### 2.4.2.4 RPO Significant Cultural Resources

##### Guideline for the Determination of Significance

A significant impact to cultural resources would occur if the Proposed Project would:

4. Propose activities or uses damaging to significant cultural resources as defined by the County RPO and fails to preserve those resources.

##### Guideline Source

Guideline No. 4 is taken from the County 2007 County Guidelines for Determining Significance (County 2007d). The RPO does not allow non-exempt activities or uses damaging to significant prehistoric or historic lands under County jurisdiction. The only exempt activity is scientific investigation, with preservation in place often required.

##### Analysis

##### On-site Resources

As discussed in Subchapter 1.2, Project Description, of this EIR, the Proposed Project (~~on-site~~) is exempt from the RPO, as the Project area is part of pre-1988 approved specific plans. As such, there are **no impacts**.

##### Off-site Resources

Off-site facilities that would be constructed for the Campus Park West Project if adjacent Campus Park does not complete ongoing infrastructure installation prior to Project implementation, or as part of RMWD sewage conveyance upgrades, and that are not located within another RPO-exempt project area would be subject to the RPO. This would include installation of water and sewer lines within Horse Ranch Creek Road and SR-76, potential pump stations locations north of Pala Mesa Drive between and adjacent to I-15 and Old Highway 395, and intersection improvements at the SR-76 and Pankey Road intersection, as well as at Old Highway 395 and Pala Mesa Drive. In each instance, potential facilities would be located in areas already disturbed by roadway construction. Impacts to RPO-protected resources are considered highly unlikely given the lack of surface indications and the capping that has already occurred on Horse Ranch Creek Road as described above. There is, however, a small potential for an impact to occur. Therefore, a conservative assessment is being made that impacts to RPO-protected cultural resources from construction of off-site facilities (such as focused intersection improvements and potable water or sewer pipelines) could be **potentially significant. (Impact CR-4)**

#### 2.4.3 Cumulative Impact Analysis

According to CEQA, the importance of cultural resources stems from their research value and the information that they contain. Therefore, the issue that must be explored in a cumulative analysis is the cumulative loss of that information. For sites considered less than significant, the

information is preserved through recordation, test excavations and preservation of artifacts. Culturally significant sites that are placed in protected open space easements avoid direct impacts, as well as preserve potential research data. Significant sites that are not placed within open space easements and that are directly impacted by the project preserve information through recordation, test excavations, and data recovery programs that would be presented in reports and filed with the County and SCIC. The artifact collections from any potentially significant site would be curated at a federally approved curation facility, such as the San Diego Archaeological Center, and would be available to researchers for further study. Because cultural resources are non-renewable in nature, it is critical that information obtained through excavation is appropriately retained and utilized.

No on-site significant cultural resources were located. There is, however, an identified potential for on-site impacts to subsurface deposits or features that are currently not recorded. In addition, impacts could occur to off-site unrecorded and recorded prehistoric resources from the construction of facilities that would also serve the proposed Project or are being environmentally cleared under this document for RMWD. Based on this potential, Project implementation could result in a cumulatively considerable impact. As a result of this determination, the following review was undertaken.

The cultural resources cumulative study area was identified based on potential future research questions that could be developed within the context of subsistence and settlement models for the Project area. Major east-west drainages were the travel corridors utilized by prehistoric occupants in their seasonal rounds. The confluences of drainages are often major habitation site locations, with associated temporary camps and resource procurement stations established on surrounding tributaries and adjacent uplands. The San Luis Rey River valley comprised a major travel corridor and its confluence with the Project tributary (Horse Ranch Creek) was a focus of prehistoric habitation. The ethnographic village of *Tom-Kav* (CA-SDI-682; the Pankey Site), is documented to the east of the Project. Although the lands surrounding *Tom-Kav* have been heavily impacted, there have been sufficient cultural resource sites noted and recorded to demonstrate that a similar prehistoric pattern—an occupation base surrounded by special use sites—also existed in this area of the San Luis Rey River valley.

Because archaeological data collection often is focused on addressing settlement and subsistence research questions, the cultural resources cumulative impacts study area was focused on the confluence of the San Luis Rey River valley and north-trending tributary drainage, of which *Tom-Kav* is the center. The cultural resources cumulative study area extends down the river valley to the next major tributary drainage at Gird Road and Via Monserate, and up the river valley to the major drainage at Rice Canyon. The cumulative study area extends north up Horse Ranch Creek to the headwater near Mission Road (Figure 2.4-1, Cumulative Projects for Cultural Resources).

Based on SCIC records, 98 archaeological surveys or reviews have occurred since 1977 within this area (many focused on the same, or different aspects of the same, development projects). Table 1-4 presents a list of the cumulative projects reviewed for Campus Park West. Of 42 projects currently being (or recently) processed, 12 would have no impacts to cultural resources due to negative surveys, 22 would have less than significant impacts to cultural

resources (based on County file information), and 2 have no impact data available due to their early processing status. Six projects have incorporated measures to avoid known significant impacts; however, potentially significant impacts would remain due to the potential for buried resources. These six projects have incorporated grading monitoring programs to ensure that if buried resources are present, they would be identified, assessed for significance, proper recordation and avoidance, and subject to data-recovery measures. Three of the six projects (Meadowood, Campus Park, and Palomar College North), in addition to the Proposed Project, incorporate monitoring to ensure there would be no unmitigated impacts to the village site of *Tom-Kav* (CA-SDI-682) or the Monserate adobe, should such remains be encountered. The remaining three (Dien N Do Subdivision, Gregory Landfill, and Bonsall Subdivision) incorporate monitoring to protect against inadvertent impacts to known, as well as buried, resources.

The Proposed Project's potentially significant impacts to cultural resources would be reduced below a level of significance by archaeological monitoring by a County-approved archaeologist and a monitor representing the local Luiseño Tribes (San Luis Rey Band) during grading of both on- and off-site facilities. Impacts to any undiscovered or buried potentially significant cultural resources located within the cumulative projects' boundaries would be reduced below a level of significance by similar measures. Thus, all archaeological impacts associated with the related cumulative projects are expected to be less than significant and/or fully mitigated.

Future development within the cumulative study area would be subject to similar analysis and mitigation requirements pursuant to CEQA and RPO. Based on the compliance of the Proposed Project and related projects within the cultural resources cumulative study area with CEQA and RPO, and implementation of the Project monitoring measures presented in Section 2.4.5, the Proposed Project would not result in a ~~significant~~ cumulatively considerable contribution to cumulative impacts for the issue of cultural resources and impacts would be **less than significant**.

#### 2.4.4 Significance of Impacts Prior to Mitigation

The following potentially significant impacts could occur with Project implementation:

- Impact CR-1 Construction of the Proposed Project could impact previously unrecorded, potentially significant archaeological resources. Impacts to such on-site cultural resources could be potentially significant.
- Impact CR-2 Construction of off-site facilities, including focused roadway intersections and utilities upgrades, that would serve the Proposed Project could impact important prehistoric resources outside of the Campus Park West boundaries. Impacts to such off-site cultural resources could be potentially significant.
- Impact CR-3 Human remains could be uncovered during on-site or off-site construction. If human remains are unearthed, the impact could be potentially significant.

Impact CR-4 Construction of off-site facilities, including focused intersection improvements and utilities upgrades, would occur in areas that are not RPO exempt. Impacts to cultural resources in areas subject to the RPO are unlikely, but could be potentially significant if they occur.

## 2.4.5 Mitigation

M-CR-1, 2, and 3

Prior to approval of grading or improvement plans, the Applicant shall implement a grading monitoring and data recovery program to mitigate potential impacts to undiscovered, buried archaeological resources to the satisfaction of the Director of PDS and to a level below significant. This grading monitoring program shall include, but not be limited to, the following actions:

1. Provide evidence to the PDS that a County-approved archaeologist (consulting archaeologist) has been contracted to implement a grading monitoring and data recovery program to the satisfaction of the Director of PDS. A letter from the consulting archaeologist shall be submitted to the Director of PDS. The letter shall include the following guidelines:
  - a. The consulting archaeologist shall contract with a Luiseño Native American monitor to be involved with the grading monitoring program as outlined in the 2007 County Report Format and Content Guidelines.
  - b. The consulting archaeologist/historian and Luiseño Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program as outlined in the 2007 County Report Format and Content Guidelines.
  - c. The consulting archaeologist and Luiseño Native American Monitor shall monitor all areas identified for development, including off-site improvements.
  - d. An adequate number of monitors (archaeological/historical/Native American) shall be present to ensure that all earthmoving activities are observed and shall be on site during all grading activities (on and off site) for areas to be monitored.
  - e. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Luiseño Native American monitor(s) shall be on site full time to perform full-time monitoring. Inspections will vary based on the rate of excavation, materials excavated, and presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Principal Investigator in consultation with the Native American monitor. The Principal Investigator, in consultation with the Luiseño Native American monitor, will determine whether to monitoring of the cutting of previously disturbed deposits ~~will be determined by the Principal Investigator.~~
  - f. Isolates and clearly non-significant deposits shall be minimally documented in the field, and the monitored grading can proceed. Should the cultural materials

- or isolates and non-significant deposits not be collected by the Project Archaeologist, then the Luiseño Native American monitor may collect the cultural material for transfer to a Tribal curation facility or repatriation program.
- g. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) ~~or, in consultation with the~~ Luiseño Native American monitor, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with the County staff archaeologist and Luiseño Native American monitor, shall determine the significance of the discovered resource(s). The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. ~~For significant cultural resources, a~~ A Research Design and Data Recovery Program to mitigate impacts to significant cultural resources shall be prepared by the consulting archaeologist in coordination with the Luiseño Tribes. The and approved by the County Archaeologist shall review and approve the Program, which shall be then carried out using professional archaeological methods. Coordination with the Luiseño Tribes shall consist of providing a copy of the Data Recovery Program for review and comment. The Tribes shall have 14 days to provide comment. The Research Design and Data Recovery Program shall include: (1) reasonable efforts to preserve (avoid) unique cultural resources as defined in CEQA Section 21083.2(g) or sacred sites; (2) the capping of identified sacred sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources as defined in CEQA Section 21083.2(h). The preferred option is preservation (avoidance).
- h. If any human ~~remains~~ bones are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the MLD, as identified by the NAHC, shall be contacted in order to determine proper treatment and disposition of the remains. All requirements of Health & Safety Code Section 7050.5(b and c) and Public Resources Code Section 5097.98 shall be met. As part of the consultation, the MLD shall be given the opportunity to review the artifacts identified in proximity to the burial site.
- i. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principal Investigator shall determine the amount of material to be recovered for an adequate artifact sample for analysis. The Project Archaeologist shall consult with the Luiseño Native American monitor regarding artifact sensitivity and type.
- j. In the event that previously unidentified cultural resources are discovered:  
(1) All prehistoric cultural material collected during the grading monitoring program shall be processed and curated at a San Diego curation facility or Tribal curation facility that meets federal standards per 36 CFR Part 79 and, therefore, would be professionally curated and made available to other

archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Documentation of this curation ~~Evidence~~ shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

Or

Alternatively, the prehistoric archaeological materials may be repatriated to the appropriate Luiseño Native American Tribe. Evidence of repatriation shall be in the form of a letter from the tribe confirming that the archaeological materials have been received.

- (2) Historical cultural material collected during the grading monitoring program shall be processed and curated at a San Diego curation facility that meets federal standards per 36 CFR Part 79 and, therefore, would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to an appropriate curation facility within San Diego County, and shall be accompanied by payment of the fees necessary for permanent curation. Documentation of curation shall be in the form of a letter from the curation facility confirming that the archaeological materials have been received and that all fees have been paid.
  - k. Monthly status reports shall be submitted to the Director of PDS and the Luiseño Native American Tribes starting ~~from~~ on the date of the notice to proceed ~~to~~ through termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted to the Director of PDS and the Luiseño Native American Tribes describing the plan compliance procedures and site conditions before and after construction.
  - l. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the Director of PDS, satisfaction of the Director of PDS prior to the issuance of any building permits. The report shall include Department of Parks and Recreation Primary and Archaeological Site forms. A copy of the report shall be submitted to the Luiseño Native American Tribes.
  - m. In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of PDS and the Luiseño Native American Tribes by the consulting archaeologist confirming that the grading monitoring activities have been completed.
2. If the Proposed Project would construct any facilities within 100 feet of archaeological site CA-SDI-682, including loci A and B, the Project Applicant shall prepare and implement a temporary fencing plan to protect the site. The fencing plan shall be prepared in consultation with a qualified archaeologist and in coordination with the Luiseño Native American monitor to the satisfaction of the

Director of PDS and the Director of PDS staff in the Land Development Division. The fenced area should shall include a buffer sufficient to protect the archaeological site; in no event shall the buffer be less than 20 feet in width. The fence shall be installed under the supervision of the qualified archaeologist and the Luiseño Native American monitor, prior to commencement of grading or brushing and be removed only after grading operations in the vicinity of CA-SDI-682 have been completed. A Luiseño Native American monitor shall be invited to be present during the removal of the temporary fencing.

M-CR-4 If the Proposed Project uncovers resources in areas that are not RPO exempt, and scientific excavation is not authorized, grading will be halted or diverted in accordance with M-CR-1, 2, and 3.

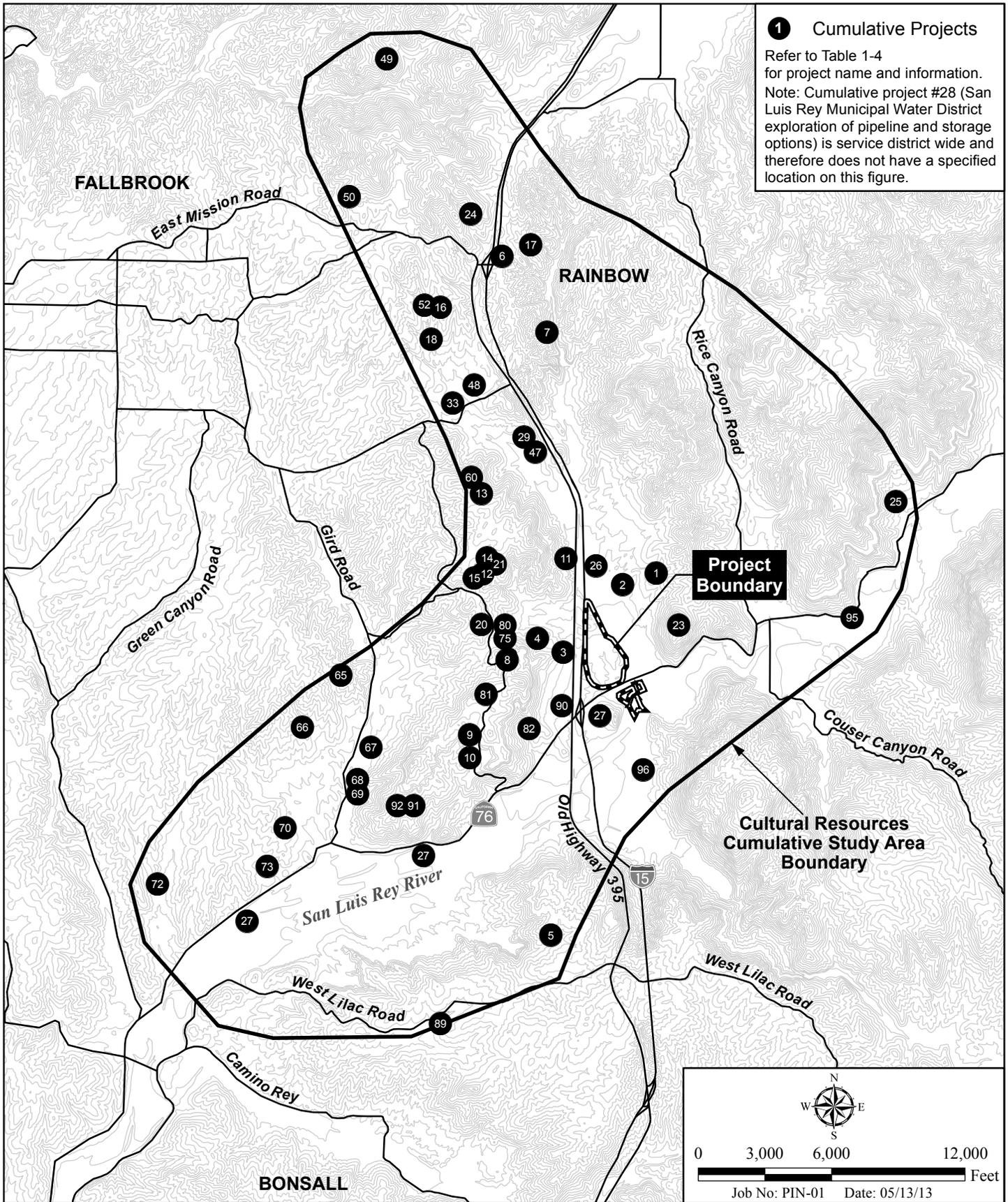
## 2.4.6 Conclusion

The Proposed Project may have significant impacts if unknown artifact deposits or human remains are uncovered or unearthed during on- or off-site construction (Impacts CR-1 through CR-4). The mitigation would reduce impacts to potential buried cultural resources to below a level of significance because data recovery would allow important information to be obtained prior to removal. The proposed mitigation would ensure that all information contained in the archaeological record, which is important in understanding prehistory, is preserved. The mitigation would also ensure that the archaeological monitor or Luiseño Native American monitor has the authority to halt or divert grading activities in the area of any discoveries.

If human remains are unearthed during grading activities, the County Coroner and the NAHC would be contacted as required to ensure that the proper steps are taken. Mitigation would reduce impacts to human remains to below a level of significance because, based on assessed significance, the site would be avoided or recovery would be allowed, and the human remains would not be destroyed during Project grading. The proposed mitigation would ensure that any discovered human remains would be preserved for the County Coroner and/or the NAHC and the associated tribe.

Implementation of ~~the above described monitoring program (M-CR-1 through M-CR-4)~~ would ensure that no significant impacts to prehistoric or historic resources would occur as a result of Project development, thereby also ensuring compliance with CEQA, the County of San Diego Report Format and Content Guidelines – Cultural Resources (December 5, 2007), and California Government Code Section 65352.3 (Senate Bill 18). The ability to halt or divert grading activities followed by evaluation and treatment of the resource as specified in the mitigation measuresImplementation of these mitigation measures would reduce the potentially significant impacts to less than significant levels because they would ensure that: (1) relevant information contained in the archaeological record, which is important in understanding prehistory and history, is preserved; and (2) that previously unknown cultural resources would not be lost due to unrestricted and unmonitored grading activities.

<b>Table 2.4-1 ARCHAEOLOGICAL RESOURCES WITHIN ONE MILE OF THE PROPOSED PROJECT</b>		
<b>Resource Record CA-SDI-</b>	<b>Site Type</b>	<b>Reference</b>
314	Pictograph Panels	Palette 2004 (update)
682	Ethnographic Village of <i>Tom-Kav</i>	True 1948, Crotteau 1981
684	Bedrock milling and artifact scatter	True 1960
773	Bedrock milling	True 1960
9854	Bedrock milling and artifact scatter	Cotrell 1984
10,861	Bedrock milling and artifact scatter	Cook 1987
16,890	Pankey Ranch Complex	Hector et al. 2003
P-37-014,886	Sherd isolate, ground	Cook 1987



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# Cumulative Projects for Cultural Resources

CAMPUS PARK WEST PROJECT