

2.3 Cultural Resources

An Archaeological Inventory and Assessment was prepared for the Proposed Project to determine the potential for significant impacts to archaeological sites and cultural resources as a result of Project development (HELIX 2021b). A Historic Resources Evaluation Report was prepared to evaluate the significance of built environment resources occurring within the Project site (PanGIS, Inc. [PanGIS] 2021). The reports were prepared in conformance with the County Guidelines for Determining Significance and Report Format and Content Requirements, Cultural Resources: Archaeological and Historical Resources (2007a). The results of the technical studies are presented below and included as Appendices D and E, respectively, to this EIR. Confidential records and maps are on file at the County and have been submitted to the South Coastal Information Center (SCIC).

2.3.1 Existing Conditions

Riparian forest, southern willow scrub, coast live oak, and freshwater marsh are present on site and in the surrounding area, along with other vegetation communities. These vegetation communities, as well as others, were historically used by Native American populations for a broad range of uses, including food, clothing, tools, décor, and ceremonial purposes. The vegetation also supported many of the animals living within these communities, which were then also used by Native American populations as sources of food, leather, and bone.

The Project area lies within the floodplain of the Sweetwater River, which flows in a northeast-to-southeast direction through the center of the site. Several habitation and village areas have been documented both upriver and downriver from the Project site, suggesting that the Project area was used prehistorically as a travel route along the Sweetwater River corridor and as a resource processing and gathering area. The area was also attractive to later ranchers and farmers continuing into the historic period, and ranches such as the Julian Leffering Ranch and Ivanhoe Ranch were established nearby. The area continued to develop as bridges, a highway, and the Hillsdale Knoll Site were built in the area in the early years of the 20th century. The Project site's current development, the Cottonwood Golf Course, as well as the on-site residence located at 3629 Willow Glen Drive, were developed in the mid-20th century.

The presence and significance of existing cultural resources within the boundaries of the Proposed Project were determined based on a review of institutional records, Native American outreach and consultation, a field survey, and archaeological testing. There are five previously recorded cultural resources that were identified as being in or immediately adjacent to the Project site according to the records: CA-SDI-4765 (P-37-004765), CA-SDI-5468 (P-37-005468), CA-SDI-14767 (P-37-016257), CA-SDI-17943 (P-37-027624), and P-37-027625. The field surveys resulted in the identification of four additional resources within the Project site: CA-SDI-22864 (P-37-038837), CA-SDI-22865 (P-37-038838), Cottonwood Golf Club at 3121 Willow Glen Drive (P-37-039116), and a residence at 3629 Willow Glen Drive (P-37-039117).

2.3.1.1 Methodology

This section presents the methods used in the historic resources evaluation and archaeological site assessment, and Native American participation to evaluate cultural resources within the Project

site and surrounding area. The presence and significance of existing cultural resources associated with the Proposed Project were determined using the following methodologies: a review of previous studies of the Project site, a records search conducted at the SCIC, a review of historic aerial photographs and maps, Sacred Lands File search, Native American outreach, field surveys of the Project site, and archaeological testing. The evaluation of cultural resources is in conformance with the County RPO, Public Resources Code (PRC) Section 21083.2, and the CEQA Guidelines. Statutory requirements of CEQA (Section 15064.5) were followed in evaluating the significance of cultural resources. The records search, field surveys, and testing are described in detail below. Please refer to Section 2.6, *Tribal Cultural Resources*, for discussion on Native American consultation.

Records Search Results

The SCIC records search identified a total of 114 cultural resource studies conducted within a one-mile radius of the Project area, 18 of which are within or adjacent to the Project site. A total of 83 previously recorded cultural resources are within a one-mile radius of the Project. These sites include prehistoric habitation debris, flaked stone, ground stone, Tizon Brown Ware pottery, midden soil, lithic scatters, trash, and remnants of ranches. It also includes historic resources such as bridges, a mortar structure, a highway, remains of a farming complex, stone walls, terraces, a barbed wire corral area, the Julian Leffering Ranch, resources associated with the Ivanhoe Ranch, the Hillsdale Knoll Site, trash, and scatters. Of those previously recorded resources, the records indicated that five of the sites were mapped within the Project area; those sites are CA-SDI-4765 (P-37-004765), CA-SDI-5468 (P-37-005468), CA-SDI-14767 (P-37-016257), CA-SDI-17943 (P-37-027624), and P-37-027625.

Additional research found that site CA-SDI-5468 (P-37-005468) had been inaccurately mapped in the records, and was actually situated adjacent to the Project site, not within it. The four sites that the records had indicated were present on the Project site included a variety of prehistoric and historic features and material. Site CA-SDI-4765 (P-37-004765) consists of a prehistoric archaeological resource classified as a lithic tool production and maintenance location that was possibly utilized in the early Late Prehistoric Period or Archaic Period. Site CA-SDI-14767 (P-37-016257) was classified as a historic site consisting of a water pump station constructed in the early 20th century. The majority of the site was mapped to be outside of the Project area, with the records only showing a small portion of a flume and pipeline crossing into the boundaries of the Project site. Site CA-SDI-17943 (P-37-027624) was recorded as a prehistoric archaeological resource consisting of two bifacial thinning flakes and two pieces of angular waste. Site P-37-027625 was classified as an isolate consisting of two flakes.

Historic resources that were constructed in 1969 or earlier within the Project site and immediate vicinity were identified through a number of archival and background research methods. To determine the legal history of the Project property, documents from the Offices of the County Assessor, Recorder and Tax Collector (including property ownership records, maps, property sales listings, historical Tax Collector information, and the online property index) were accessed at the San Diego County Administration Center. Construction dates were obtained from parcel records where available and refined based on aerial photography. Historic maps of the Project area dating from 1903 to 1971 and aerial photographs dating from 1928 to 1971 were reviewed. Historic contexts related to golf course design and modernism at the national and regional level were

consulted to assist in the evaluation of the golf course structures and landscaping in the Project area. Historic contexts related to rural residential development at the national and state level were consulted to assist in the evaluation of the residential structures in the Project area.

Historic Resources Field Survey

On November 19, 2019, PanGIS staff conducted an intensive-level survey to document the historic-era structures and landscape features within the Project site and vicinity, including the structures at the Project site associated with the Cottonwood Golf Club at 3121 Willow Glen Drive (P-37-039116) and the residence at 3629 Willow Glen Drive (P-37-039117). The exterior of each structure was examined and photographed (interior access was not provided). Architectural style and features, construction methods, modifications, and property condition were identified and evaluated. Factors that were considered in the assessment of the properties included:

- The construction history of the properties;
- The history of the surrounding area; the properties' relationship to local history;
- The properties' association with important people or events;
- The design, style, and construction of the structures and landscaping on the properties and whether they are the work of a master architect or craftsman or possess high artistic value;
- Whether and to what degree any structures or landscaping have been modified since construction; and
- The current condition of the properties.

Archaeological Resources Field Survey and Testing

On August 16 and 17, 2018 HELIX archaeological field director Julie Roy, HELIX archaeologists Amber Parron and Sheila Adolph, and Kumeyaay Native American monitor Justin Linton of Red Tail Environmental surveyed the Project property for cultural resources. The study area for the Project included both 18-hole golf courses within the Project site, consisting of the active Ivanhoe Course within the eastern portion of the site, and the closed Lakes Course within the western portion. The study area was surveyed in parallel transects spaced approximately 15 meters apart within the closed Lakes Course. Within the active Ivanhoe Course, the survey included a mix of transects spaced approximately 15 meters apart and spot survey focused on areas of open ground. During the survey, vegetation within the Project site was found to primarily be disturbed or ornamental, reflecting the site's developed nature. Vegetation within the Sweetwater River channel had been heavily modified as part of golf course development.

During the field survey, resource CA-SDI-4765 (P-37-004765) was found to be located adjacent to the Project site, not within it and isolate P-37-027625 could not be relocated. The results of the survey also determined that the portion of site CA-SDI-14767 (P-37-016257) that had once crossed into the Project area had since been destroyed. Of the four sites that had been recorded as being located within the Project area, resource CA-SDI-17943 (P-37-027624) was the only one that was relocated within the Project area and was still intact.

In addition to site CA-SDI-17943 (P-37-027624), two additional sites containing artifact scatters were discovered within the Project area: site CA-SDI-22864 (P-37-038837) and CA-SDI-22865 (P-37-038838). All three sites were subjected to a testing program, conducted on November 20 and 21, 2018. Testing was conducted by archaeologists Mary Villalobos and Kent Smolik of HELIX, and Kumeyaay Native American monitors Gabe Kitchen and Justin Linton of Red Tail Environmental. A total of 12 shovel test pits, 30 centimeters (cm) in diameter, were excavated to a minimum depth of 30 cm; five were excavated within CA-SDI-22864 (P-37-038837), three within CA-SDI-22865 (P-37-038838), and four within CA-SDI-17943. Following the completion of the excavations, artifacts and ecofacts on the surface were collected; however, many of the artifacts and ecofacts identified during the August 2018 survey could not be relocated during the November 2018 field effort. This change in condition is due to golf course maintenance activities and seasonal conditions. Recovered artifacts and ecofacts were brought to the HELIX archaeological laboratory for cleaning, sorting, and inventory. This entailed identification of material and species, counts, weights, and descriptions of the artifacts and ecofacts recovered during the testing program. Recovered artifacts and ecofacts from the testing program would either be repatriated to a Kumeyaay tribe for disposition or curated at an appropriate curation facility within San Diego County, such as the San Diego Archaeological Center.

2.3.1.2 Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) was passed in 1966 and set the foundation for much of the more specific legislation that guides cultural resource protection and management in local jurisdictions such as the County of San Diego. The Act established an Advisory Council on Historic Preservation to help implement and monitor it.

Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties (both prehistoric and historic resources) and allow the Advisory Council a reasonable opportunity to comment on such undertakings. The goal of the Section 106 process is to identify historic properties potentially affected by the undertaking; assess its effects; and seek ways to avoid, minimize, or mitigate adverse effects on historic properties.

National Register of Historic Places

Developed in 1981, the National Register of Historic Places (NRHP) is an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment. Listing in the NRHP provides formal recognition of a property's historical, architectural, or archaeological significance based on national standards. Cultural resources may be considered eligible for listing if they possess integrity of location, design, setting, materials, workmanship, feeling, and association. The criteria for determining eligibility are essentially the same in content and order as those outlined in CEQA. National Register listing places no obligation on private property owners. There are no restrictions on the use, treatment, transfer, or disposition of private property.

State

California Environmental Quality Act

Section 15064.5 of the CEQA Guidelines, as amended, and the County guidelines, state that 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 (PRC §5024.1; Title 14 California Code of Regulations [CCR], Section 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, 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 or unique according to the above criteria would be considered less than significant. The resource and potential effects must be addressed in the EIR, but the site need not be further considered during the CEQA process. A summary of on-site and off-site cultural resources is provided in Section 2.3.2, along with a determination as to the significance of the impact pursuant to Section 15064.5 of the CEQA Guidelines.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is an authoritative guide for use by state and local agencies, private groups, and citizens to identify the state's historical resources. An historical resource can include any object, building, structure, site, area, or place that is determined to be historically or archaeologically significant. The CRHR also identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding, and provides a certain measure of protection under CEQA, including TCRs.

All resources that are eligible for listing in the CRHR must have integrity, which is the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Resources must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. In an archaeological deposit, integrity is assessed with reference to the preservation of material constituents and their culturally and historically meaningful spatial relationships. A resource must also be judged with reference to the particular criteria under which it is proposed for nomination.

Local

San Diego County General Plan

The General Plan (2011b) contains a series of policies in the Conservation and Open Space Element relevant to archaeological and historical resources as well as human remains. The reader is referred to Section 3.1.6 of this EIR for a detailed evaluation of Project consistency with the applicable General Plan goals and policies.

Grading, Clearing, and Watercourses Ordinance

Section 87.429 of the County's Grading and Clearing Ordinance requires that grading operations cease if human remains or Native American artifacts are found; and Section 87.216(a)(7) requires changes to grading plans/operations if it is determined that previously unknown historical resources or unique archaeological resources may be located on the site, and a modification is necessary to prohibit grading in the area of the resources so as to preserve the resources, or to redirect proposed grading so as to avoid the location of such resources until they can be retrieved, or potential impacts to them have been appropriately mitigated.

Resource Protection Ordinance

The County of San Diego's RPO protects significant cultural resources. The RPO defines "Significant Prehistoric or Historic Sites" as follows:

Sites that provide information regarding important scientific research questions about prehistoric or historic activities that have scientific, religious, or other ethnic value of local, regional, state, or federal importance. Such locations shall include, but not be limited to:

- 1) Any prehistoric or historic district, site, interrelated collection of features or artifacts, building, structure, or object either:
 - a) Formally determined eligible or listed in the NRHP by the Keeper of the National Register; or
 - b) To which the Historic Resource (“H” Designator) Special Area Regulations have been applied; or
- 2) One-of-a-kind, locally unique, or regionally unique cultural resources which contain a significant volume and range of data and materials; and
- 3) Any location of past or current sacred religious or ceremonial observances, which is either:
 - a) Protected under Public Law 95-341, the American Indian Religious Freedom Act or Public Resources Code Section 5097.9, such as burial(s), pictographs, petroglyphs, solstice observatory sites, sacred shrines, religious ground figures; or
 - b) Other formally designated and recognized sites, which are of ritual, ceremonial, or sacred value to any prehistoric or historic ethnic group.

The RPO does not allow non-exempt activities or uses damaging to significant prehistoric or historic lands on properties under County jurisdiction. All discretionary projects are required to be in conformance with applicable County standards related to cultural resources, including the noted RPO criteria for prehistoric and historic sites, unless exempt. Non-compliance would result in a project that is inconsistent with the County’s standards. As discussed in further detail in the local regulatory framework under *Resource Protection Ordinance* in Section 2.2.1.1, the Proposed Project is exempt from RPO requirements based on implementation of measures specified in Section 86.605(d) of the RPO as conditions of the Project’s MUP.

San Diego County Local Register of Historical Resources

The County requires that resource importance be assessed not only at the state level as required by CEQA, but at the local level as well. Sites, places, or objects that are eligible to the NRHP or the CRHR are automatically included in the San Diego County Local Register of Historical Places (Local Register). If a resource meets any one of the following criteria as outlined in the Local Register, it will be considered an important resource.

1. Resources associated with events that have made a significant contribution to the broad patterns of San Diego County’s history and cultural heritage;
2. Resources associated with the lives of persons important to the history of San Diego or its communities;

3. Resources that embody the distinctive characteristics of a type, period, San Diego County region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Resources that have yielded, or may be likely to yield, information important in prehistory or history.

2.3.2 Analysis of Project Effects and Determination as to Significance

The following discussion evaluates potential impacts to cultural resources resulting from the Proposed Project.

2.3.2.1 Historical Sites

Guideline for the Determination of Significance

The Proposed Project would result in a significant impact if:

1. The Project causes a substantial adverse change in the significance of a historical resource as defined in §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 consistent with the Secretary of Interior Standards.

Guideline Source

This guideline is derived from PRC Section 21083.2 and CEQA Guidelines Section 15064.5, which recommend evaluating historical resources to determine whether or not a proposed action would have a significant effect on unique historical resources. A project that would have an adverse impact (direct, indirect, and cumulative) on significant archaeological resources as defined by these guidelines would be considered a significant impact.

Analysis

Two built environment resources occurring within the Project site were evaluated for their historical significance: the Cottonwood Golf Club located at 3121 Willow Glen Drive (P-37-039116) and a single-family residence and its associated outbuildings located at 3629 Willow Glen Drive (P-37-039117). The Cottonwood Golf Course is a public golf course consisting of two 18-hole golf courses (Lakes and Ivanhoe) and associated structures, landscaping, and infrastructure. The clubhouse, parking lot, maintenance facility, and Ivanhoe Course were completed by 1964 and were still in use at the time of the historical survey. The Lakes Course (formerly the Monte Vista Course) was completed by 1968, extended to the southwest between 1989 and 1993, and abandoned in 2017; all features remain, although the landscaping is unmanicured. The single-family residence with an associated garage structure were both constructed between the 1900s and 1920s. The house includes an addition to the south façade of the structure that was constructed between 1953 and 1964. Structures at both addresses are dated at more than 50 years old, and therefore were evaluated for eligibility for the CRHR, Local Register, CEQA provisions, and the County RPO within the Historic Resources Evaluation Report prepared for the Project.

3121 Willow Glen Drive (P-37-039116)

The historical significance of the Cottonwood Golf Club is evaluated in a context of 1960s golf course design and contemporary modern architecture; a detailed description of the clubhouse, maintenance facility, restrooms, Ivanhoe and Lakes courses, and other features are provided in Appendix E to this EIR. While the property has played a general role in the 1960s recreational development of San Diego County, it does not appear to be directly associated with events that have made significant contributions to the history of the area (Criterion 1). The Cottonwood Golf Club has not made a significant contribution to the history of the area, nor have its owners (Criterion 2). Based upon review of national and regional historical contexts for these types of sites, the facility is evaluated as a modest example of a 1960s public golf resort and is not a unique or outstanding example of its type. The courses do not appear to be the work of a master architect, landscape architect, or craftsman or possess high artistic value; the course architects O.W. Moorman and A.C. Sears are not listed with the American Society of Golf Course Architects, and no other courses of their design could be located (Criterion 3). The facility has not yielded, and is not likely to yield, important information about history or prehistory that is not available through historic research (Criterion 4). Therefore, 3121 Willow Glen Drive is not eligible for listing to the CRHR and the Local Register. While the property retains enough of its historic character or appearance to be recognizable as historical resource dated at more than 50 years old, it lacks historical significance.

3629 Willow Glen Drive (P-37-039117)

As a single-family residence, 3629 Willow Glen Drive, is best classified as a building which exemplifies early 20th century rural development; a detailed description of the property is provided in Appendix E to this EIR. While the property has played a general role in the early 20th century rural development of the Jamacha Valley, it does not appear to be directly associated with events that have made significant contributions to the history of the area (Criterion 1). It is unclear who the original occupants of the residence were; the ranches and residences of most of the founding families of the community have been identified and were not located in this portion of the valley (Criterion 2). The home is not a unique example of its type of vernacular architecture and does not appear to be the work of a master architect or craftsman (Criterion 3). The residence is a common property type that has not yielded and is not likely to yield important information about history or prehistory that is not available through historic research (Criterion 4). Therefore, 3629 Willow Glen Drive is not eligible for the CRHR and the Local Register. Additionally, the resource does not retain enough of its historic character to convey the reasons for its significance; the surrounding golf resort and modern housing tracts and the loss of agricultural fields have resulted in the loss of character, aesthetic, and historic sense of an early 20th century agriculture-related residence as well as removing any association with early 20th century rural agricultural development.

Summary

As stated above, 3121 and 3629 Willow Glen Drive are not listed, or determined to be eligible for listing, on the CRHR. Additionally, the sites are not included in a local register or identified as significant as a historical resource, nor are they determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social,

political, military, or cultural annals of California. Therefore, 3121 and 3629 Willow Glen Drive do not meet any of the definitions of or qualify as historical resources set forth by CEQA.

As previously discussed, 3121 and 3629 Willow Glen Drive are not formally determined eligible or listed in the NRHP. None of the existing structures have been given an “H” designator. Neither of the sites is determined to be one of a kind, locally unique, or regionally unique cultural resources that contain a significant volume and range of data or materials. Therefore, 3121 and 3629 Willow Glen Drive do not meet any of the definitions set forth by the RPO, and do not qualify as significant historic resources under the RPO.

The structures located on the Project site that would be demolished through implementation of the Proposed Project are recommended as ineligible for listing in the CRHR and the Local Register, and do not qualify as significant historic resources under CEQA provisions or the RPO. Therefore, impacts to historic resources would be **less than significant**.

2.3.2.2 *Archaeological Sites*

Guideline for the Determination of Significance

The Proposed Project would have a potentially significant environmental impact if it would:

2. 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 or disturbance of an important archaeological site that contains or has the potential to contain information important to history or prehistory.

Guideline Source

This guideline is derived from PRC Section 21083.2 and CEQA Guidelines Section 15064.5, which recommend evaluating archaeological resources to determine whether or not a proposed action would have a significant effect on unique archaeological resources. A project that would have an adverse impact (direct, indirect, and cumulative) on significant archaeological resources as defined by these guidelines would be considered a significant impact.

Analysis

Five sites containing cultural resources were identified within the Project area in the record search conducted for the Project: CA-SDI-4765 (P-37-004765), CA-SDI-5468 (P-37-005468), CA-SDI-14767 (P-37-016257), CA-SDI-17943 (P-37-027624), and P-37-027625. Following the field investigation, it was determined that site CA-SDI-5468 (P-37-005468) had been previously mapped incorrectly and did not occur within the Project area.

Of the four remaining sites previously identified to occur within the Project area, only site CA-SDI-17943 (P-37-027624) was relocated within the Project boundaries during the field investigation. Site CA-SDI-4765 (P-37-004765) was identified as present adjacent to the Project site and is located near an area that would be retained in its existing condition. Archaeologists found that the portion of site CA-SDI-14767 (P-37-016257) that had once crossed into the Project boundaries has been destroyed. Site P-37-027625 could not be relocated during the field survey and was

formerly documented outside of the area proposed for mining and within an area that would be retained in its existing condition. As such, impacts to sites CA-SDI-4765 (P-37-004765) CA-SDI-14767 (P-37-016257), and P-37-027625 would be less than significant.

In addition to relocating site CA-SDI-17943 (P-37-027624), two additional prehistoric archaeological sites were identified within the Project area during the field survey: sites CA-SDI-22864 (P-37-038837) and CA-SDI-22865 (P-37-038838). Each of the three sites has been tested to assess significance. All three of the sites are sparse lithic and shell scatters with limited material and situated in disturbed areas of the golf course. The three sites have poor integrity due to the consistent construction and maintenance of the golf course over the last 50 years. As such, all are not significant and not eligible for listing in the CRHR or Local Register under CEQA; however, all archaeological sites are considered important under County guidelines. Impacts to these three archaeological resources have been reduced to less-than-significant levels through testing, recording, and documentation undertaken as part of the archaeological inventory and assessment conducted for the Project. Because the general area of the Project is sensitive in terms of archaeological resources, however, direct impacts would occur if Project mining activities disturb undiscovered archaeological resources. **Impacts to unknown archaeological resources are identified as potentially significant (Impact CR-1).**

2.3.2.3 *Human Remains*

Guideline for the Determination of Significance

The Proposed Project would have a potentially significant environmental impact if it would:

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

Guideline Source

This guideline is derived directly from CEQA and is included because human remains must be treated with dignity and respect and CEQA requires consultation with the Most Likely Descendant (MLD) as identified by the NAHC for any project in which human remains have been identified. A project that would have an adverse impact (direct, indirect, cumulative) on human remains as defined by this guideline would be considered a significant impact. Identification of human remains is considered significant under the County RPO.

Analysis

During the current archaeological evaluation, no evidence of human remains, including those interred outside of formal cemeteries, was identified during the records search, literature review, field survey, or site testing and evaluation program. However, the general area of the Project is within a tribally culturally significant area. An archaeological monitoring program would be included in the mitigation monitoring and reporting program which includes California State law requirements should human remains be identified during ground disturbing activities. While the discovery of human remains is considered unlikely, the potential for unknown remains exists. Therefore, **if human remains were to be unexpectedly unearthed during the Project's ground-disturbing activities, impacts could be significant (Impact CR-2).**

2.3.2.4 RPO Significant Cultural Resources

Guideline for the Determination of Significance

The Proposed Project would have a potentially significant environmental impact if it would:

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

Guideline Source

This guideline is derived from the County's RPO, which does not allow non-exempt activities or uses damaging to significant prehistoric lands on properties under County jurisdiction. Non-compliance would result in a project that is inconsistent with County standards. A project that would have an adverse impact (direct, indirect, cumulative) on significant prehistoric or historic resources as defined by this guideline would be considered a significant impact.

Analysis

As noted above and described in further detail in Section 2.2.2.5, *Local Policies, Ordinances, and Adopted Plans*, under *County RPO Wetlands (Guideline 27)*, the Project would conform with conditions (a) through (d) of Section 86.605(d) of the RPO and is therefore exempt from RPO requirements.

2.3.3 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 artifactual data. 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 are directly impacted by a project, preserve information through recordation, test excavations, and data recovery programs that would be presented in reports and filed with the County and SCIC. Because cultural resources are non-renewable in nature, it is critical that information obtained through survey and excavation is appropriately recorded and retained.

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, which could result in a cumulatively considerable impact.

Prehistoric and historic settlement patterns can be very broad; therefore, it is prudent to consider a large study area when evaluating cumulative impacts. The cultural resources cumulative study area includes the Sweetwater River valley surrounding the Project site and was selected because the similarity in types of natural resources, topography, and patterns of prehistoric and historic land use suggests that similar types of cultural resources would occur within the area. The 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. Within the cumulative study area, it is assumed that numerous sites are CEQA significant.

The cumulative projects in the vicinity of the Proposed Project are listed in Table 1-11 in Chapter 1.0 and are shown on Figure 1-15. Projects within the cumulative study area include primarily residential and commercial development projects, as well as two school projects and a church. Given the confidential nature of archaeological resources, specific details on the resources that might occur within the cumulative project sites are not known; however, it is assumed that projects in the study area have the potential to impact both known and unknown cultural resources that are or would be considered significant cultural resources because of their potential to provide important information about scientific research questions, as well as the presence of culturally significant elements, such as pictographs, petroglyphs, or human remains. Impacts to these sites would contribute to a regionally significant cumulative loss of non-renewable cultural resources.

Impacts to the significant sites on the cumulative projects list, however, have been, or will be, mitigated through avoidance/preservation in open space, data recovery, and curation of cultural material collected. These projects would be subject to the same state and County requirements as the Proposed Project, and similar mitigation would be required to reduce impacts to less than significant. As noted above, no significant impacts are currently anticipated to result from implementation of the Proposed Project. If significant sites were to be located during Project construction and mining operations, direct impacts to cultural resources would be reduced to less than significant through mitigation measures that include monitoring of ground-disturbing activity, avoidance of unique cultural resources (if feasible), and protocols for the treatment of unanticipated discoveries. Because the Proposed Project and the projects identified within the cumulative impact study area would be mitigated through avoidance/preservation, data recovery, and curation/repatriation of artifactual materials, adequate mitigation would be implemented for in situ appreciation of and access to archived research materials for future generations. This results in the Project contribution to the significant cumulative impact being less than considerable, and therefore **less than significant**.

2.3.4 Significance of Impacts Prior to Mitigation

The following potentially significant impacts would occur with Project implementation without mitigation:

Impact CR-1 There is potential for significant direct impacts related to undiscovered buried archaeological resources on the Project site during the Project's ground-disturbing mining activities. Impacts to these resources would represent significant environmental effects.

Impact CR-2 There is potential for significant direct impacts related to discovery of unknown human remains on the Project site during the Project's ground-disturbing mining activities. Impacts to these resources would represent significant environmental effects.

2.3.5 Mitigation

Impacts CR-1 and CR-2 would be reduced to less than significant with the implementation of mitigation measures M-CR-1, M-CR-2, and M-CR-3 as described below.

M-CR-1 Cultural Resources Treatment Agreement and Preservation Plan

A single Cultural Resources Treatment Agreement and Preservation Plan shall be developed between the applicant or their representative and the culturally-affiliated Kumeyaay Native American tribe(s) prior to the commencement of sand extraction operations, including the removal of any trees or vegetation. The Cultural Resources Treatment Agreement and Preservation Plan shall be reviewed and agreed to by the County prior to final signature and authorization. The Cultural Resources Treatment Agreement and Preservation Plan shall include but is not limited to the following:

- Parties entering into the agreement and contact information.
- Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, Kumeyaay Native American monitors, and consulting tribes.
- Requirements of the Pre-Grade Survey and Data Recovery Program and Archaeological Monitoring Program including unanticipated discoveries.
- Requirements of tree removal monitoring.
- Identification of areas for archaeological and Native American monitoring during earth-disturbing activities related to sand extraction operations.
- Treatment of identified Native American cultural materials.
- Treatment of Native American human remains and associated grave goods.
- Confidentiality of cultural information including location and data.
- Negotiation of disagreements should they arise during the implementation of the Agreement and Preservation Plan.
- Regulations that apply to cultural resources that have been identified or may be identified during construction.

M-CR-2 Pre-Grade Survey and Data Recovery Program

Prior to sand extraction operations, a Pre-Grade Survey and Data Recovery Program shall be implemented, consistent with the Cultural Resources Treatment Agreement and Preservation Plan and criteria outlined below.

- **Pre-Construction**

A pre-grade survey shall be implemented due to the sensitivity of the area. The pre-grade and data recovery program shall include the following:

- **Tree Removal:** Removal of trees shall be monitored by an Archaeological Monitor and Kumeyaay Native American Monitor for the presence of cultural resources.
- **Pre-Grade:** Upon completion of grubbing and vegetation removal, and prior to sand extraction activities, a pre-grade survey shall be conducted in all areas identified for development. Development shall be defined as construction, extraction, or any other grading activity. The pre-grade survey shall include both an Archaeological Monitor and Kumeyaay Native American Monitor.
- **Identified Resources.** In the event that cultural resources are identified:
 - Both the Project Archaeologist and Kumeyaay Native American monitor(s) have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
 - The Project Archaeologist shall contact the County Archaeologist.
 - The Project Archaeologist in consultation with the County Archaeologist and Kumeyaay Native American monitor(s) shall determine the significance of discovered resources.
 - Isolates and non-significant deposits shall be minimally documented in the field. Should the isolates and non-significant deposits not be collected by the Project Archaeologist, the Kumeyaay Native American monitor(s) may collect the cultural material for transfer to a Tribal curation facility or repatriation program.
 - If cultural resources are determined to be significant, a Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in consultation with the Kumeyaay Native American monitor(s) and approved by the County Archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources or Sacred Sites; the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap if avoidance is infeasible; and data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).
- **Human Remains**
 - The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.

- Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. Should the human remains need to be taken offsite for evaluation, they shall be accompanied by a Kumeyaay Native American monitor.
 - If the remains are determined to be of Native American origin, the MLD, as identified by the NAHC, shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains.
 - The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
 - Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- **Vegetation Removal Completion**
 - Upon completion of grubbing and vegetation removal for each phase, a monitoring report shall be prepared identifying whether resources were encountered during the removal of trees or Pre-Grade Survey. A copy of the monitoring report shall be provided to any culturally-affiliated tribe who requests a copy. If resources were encountered, the analysis shall be included in the final archaeological monitoring report and shall comply with all requirements of that condition.

M-CR-3 Archaeological Monitoring Program

- **Pre-Construction**
 - Contract with a County approved archaeologist to perform archaeological monitoring and a potential data recovery program during earth-disturbing activities in areas identified in the Treatment and Preservation Agreement described in M-CR-1. The Project Archaeologist shall perform the monitoring duties before, during and after construction.
 - Pre-construction meeting to be attended by the Project Archaeologist and Kumeyaay Native American monitor to explain the monitoring requirements.
- **Construction**
 - **Monitoring:** Both the Project Archaeologist and Kumeyaay Native American monitor are to be onsite during earth disturbing activities. The frequency and

location of monitoring of native soils will be determined by the Project Archaeologist in consultation with the Kumeyaay Native American monitor.

- **Identified Resources.** In the event that cultural resources are identified:
 - Both the Project Archaeologist and Kumeyaay Native American monitor have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
 - The Project Archaeologist shall contact the County Archaeologist at the time of discovery.
 - The Project Archaeologist in consultation with the County Archaeologist and Kumeyaay Native American shall determine the significance of discovered resources.
 - Construction activities will be allowed to resume after the County Archaeologist has concurred with the significance evaluation.
 - Isolates and non-significant deposits shall be minimally documented in the field. Should the isolates and non-significant deposits not be collected by the Project Archaeologist, the Kumeyaay Native American monitor may collect the cultural material for transfer to a Tribal curation facility or repatriation program.
 - If cultural resources are determined to be significant, a Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in consultation with the Kumeyaay Native American monitor and approved by the County Archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources of Sacred Sites; the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap if avoidance is infeasible; and data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).
- **Human Remains**
 - The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
 - Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Kumeyaay Native American monitor.
 - If the remains are determined to be of Native American origin, the MLD, as identified by the NAHC, shall be contacted by the Property Owner or their

representative in order to determine proper treatment and disposition of the remains.

- The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
 - Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- **Rough Grading**
 - Monitoring Report: Upon completion of Rough Grading, a monitoring report shall be prepared identifying whether resources were encountered. A copy of the monitoring report shall be provided to the South Coastal Information Center and any culturally-affiliated tribe who requests a copy.
 - **Final Grading**
 - Final Report: A final monitoring report shall be prepared substantiating that earth-disturbing activities are completed and whether cultural resources were encountered. A copy of the final report shall be submitted to the South Coastal Information Center, and any culturally-affiliated tribe who requests a copy.
 - Cultural Material Conveyance:
 - The final report shall include evidence that all prehistoric materials have been curated at a San Diego curation facility or Tribal curation facility that meets federal standards per 36 Code of Federal Regulations (CFR) Part 79, or alternatively have been repatriated to a culturally affiliated tribe.
 - The final report shall include evidence that all historic materials have been curated at a San Diego curation facility that meets federal standards per 36 CFR Part 79.

2.3.6 Conclusion

Implementation of the Proposed Project would not significantly impact known historic or archaeological resources. The Proposed Project would potentially result in significant impacts if undiscovered buried archaeological resources or human remains are uncovered or unearthed during the Project's ground-disturbing mining activities (Impacts CR-1 and CR-2). With implementation of the above mitigation, impacts to potential buried archaeological resources and human remains would be **less than significant**, thereby also ensuring compliance with CEQA and County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements, Cultural Resources: Archaeological and Historical Resources.