

2.2 Cultural Resources

This section of the EIR describes the existing cultural resources in San Diego County. Cultural resources include both archaeological and historic sites, buildings, structures, objects, human remains, and Native American cultural resources. This section evaluates existing cultural resources, analyzes the potential impacts that may occur with implementation of the project, recommends mitigation measures to reduce or avoid impacts to these resources and examines levels of significance after mitigation.

The assessment of the project's potential to have an adverse effect on cultural resources is based on the following technical resources study: *Cultural Resources Survey and Evaluation for Lake Jennings Village* (2015). The results of the analysis are presented below and are included as Appendix D1 to this EIR with confidential records and maps on file at the County of San Diego, Department of Planning & Development Services (PDS), and deposited with the South Coastal Information Center (SCIC).

2.2.1 Existing Conditions

Cultural resources are found throughout the County and are reminders of the County's prehistoric and historic past. The cultural environment consists of the remains of prehistoric and historic human activities. San Diego County has more than 27,000 recorded sites (19,400 archaeological recorded sites and approximately 8,000 other cultural resources) as of the date of this report and this number continues to grow. The following discussion provides background information, as well as an inventory of the essential components that make up the County's cultural environment.

Archaeological and historic resources are the remains left by ancestral people who made and used them. These resources can provide clues to prehistoric and historic human behaviors, and provide scientific, religious and other valuable educational information about the cultural past. It is the cultural past that has helped shape the present community and that will continue to create the future. Resources include traditional cultural places such as gathering areas, landmarks, significant historic buildings and ethnographic locations, as well as physical artifacts. Cultural resources are found throughout the County, are irreplaceable, and are therefore considered vital to the general welfare of all County residents.

2.2.1.1 *Cultural Resources*

Cultural resources can be identified and evaluated based on standard criteria established by the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), CEQA, the San Diego County Local Register of Historical Resources, and the County of San Diego Resource Protection Ordinance. The integrity of the resource, its attributes and location are also key factors in establishing its significance. Resource significance is assigned to districts, sites, buildings, structures, and objects that possess exceptional value or quality illustrating or interpreting the heritage of San Diego County in history, architecture, archaeology, engineering, and culture that possess a high degree of integrity.

Cultural resources, as defined in this document, consist of the remains of prehistoric and historic human behaviors and include both archaeological and historical resources. Archaeological resources include artifacts and features found on both the surface or under the surface and include both prehistoric and historic time periods. Historic resources refer to the built environment 50 years or older including buildings such as homes, barns, churches, factories; or structures such as mines, flumes, roads, bridges, dams, and tunnels.

Based on a records search undertaken for the proposed project (one-mile radius around the project area), the majority of the sites within the project area consist of bedrock milling stations. Based upon the presence of pottery and other temporally diagnostic artifacts most of these sites appear to be small camps or multiple activity sites linked to late prehistoric occupations in the area. During an initial archaeological survey conducted in 1999, one prehistoric artifact scatter was identified on the project site. CA-SDI-15117 is a Late Prehistoric period habitation site situated on an alluvial terrace of Los Coches Creek. A detailed discussion of cultural resources identified within the project site and vicinity is provided in Sections 2.2.1.3 through 2.2.1.4 below.

Native American Perspective

The County acknowledges that other perspectives exist to explain the presence of Native Americans in the region. The Native American perspective is that they have been here from the beginning as described by their creation stories. Similarly, they do not necessarily agree with the distinction that is made between different archaeological cultures or periods, such as “La Jolla” and “San Dieguito.” They instead believe that there is a continuum of ancestry, from the first people to the present Native American populations of San Diego. To acknowledge this perspective, consultation with affected Native American communities can be beneficial to fully understand the impact to cultural resources. The consultation is typically administered pursuant to Senate Bill (SB) 18 and Assembly Bill (AB) 52. Some anthropologists and archaeologists concur with the Native American perspective of the continuity of descent from the earliest County inhabitants, and recognize the possibility that the descendants of the earlier cultures in the County and the later cultures resulted from the absorption and intermarriage with the earlier peoples.

Human Remains

Archaeological investigations within the unincorporated County have unearthed human remains from prior human occupations. Human remains can be considered cultural resources for a number of reasons. Some human remains are evidence of burial places which represent events, customs, or beliefs common to many cultures, locations, or time periods. Other human remains are unique representatives of specific people or events. Cemeteries and burial places traditionally have been regarded as sacred and inviolate, especially by those whose ancestors are buried there. Recently, the concern of Native Americans about appropriate and respectful disposition of burial remains and objects of their descendants has resulted in greater sensitivity toward those for whom a burial place has familial or cultural importance.

In addition to unearthed human remains that may have cultural significance, established cemeteries and burial places may also be considered a cultural resource. Within the unincorporated County, the Ellis Cemetery, Glen Abbey Memorial Park, Fallbrook Masonic Cemetery, Oddfellows Cemetery, and Ramona Nuevo Memory Gardens Cemetery are included on the San Diego County Historic Property Listing. Cemeteries and burial places that qualify for such listing often include town cemeteries and burial grounds whose creation and continuity reflect the broad spectrum of the community’s history and culture; family burial plots that contribute to the significance of a farmstead; beautifully designed garden cemeteries that served as places of rest and recreation; graveyards that form an important part of the historic setting for a church or other religious building being nominated; formal cemeteries whose collections of tombs, sculptures, and markers possess artistic and architectural significance; single or grouped gravestones that represent a distinctive folk tradition; graves or graveyards whose survival is a significant or the only reminder of an important person, culture, settlement, or event; and burial places whose location, grave markers, landscaping, or other physical attributes tell something important about the people who created them.

2.2.1.2 Methodology

The presence and significance of existing cultural resources associated with the Lake Jennings Market Place project was determined using the methodologies outlined below.

Cultural Resources

The methodology included a review of the institutional records and reports concerning the project area and the immediate vicinity, a field survey, surface mapping, artifact collection, photographic documentation, historic structures assessment, and excavation of shovel test pits and test units to determine the extent, integrity, and constituents of site deposits. A site record form was prepared for one site (CA-SDI-15117) and was submitted to the SCIC.

Survey

In 1999, an initial archaeological survey was conducted by the ASM staff using 20 meter (m) intervals and linear transects covering the entire southern portion of the project area. All surface artifacts observed during the survey were flagged and mapped on a 1":150' topographic plan. Photographs were taken of all structures and their attributes noted. One prehistoric artifact scatter was identified, CA-SDI-15117 leading to a testing program. Additionally, one artifact, a large metavolcanic biface fragment, was collected during the survey.

Initial Testing

Prior to initial test excavations, the site was surveyed at a maximum of 10 m intervals. Subsurface testing was then conducted using standardized 20 centimeter (cm) diameter shovel test pits (STPs) excavated in 20 cm levels. All sediments were screened through 1/8-inch mesh. All cultural materials recovered during this process were bagged by provenance and transported to the ASM facilities where they were washed and cataloged. A total of 28 STPs were excavated as part of the preliminary study.

Significance Testing

The objective of the secondary testing phase was to more accurately determine the artifact density and overall structure of the site and to ascertain the overall potential for obtaining significant scientific data from the resource. A series of six 1x1 m sample units were used for this purpose. Each of these test units were hand excavated in ten cm levels, and all removed sediments were dry-screened through 1/8-inch mesh. Fieldwork was completed by May 1999. All recovered materials were recorded prior to transport back to ASM facilities where they were washed, cataloged, and analyzed. Catalog data were recorded on electronic media and all artifacts were archived in approved archival containers.

The results of the testing program are discussed in detail under subchapter Section 2.2.1.4, Summary of Survey Results and Testing Results.

2.2.1.3 Records Search Results

Prior to the initiation of fieldwork a record search was undertaken for a one-mile radius around the project area. These searches were conducted through the San Diego Museum of Man and the SCIC at San Diego State University. These searches revealed that at least ten previous projects have been completed within a one-mile radius of the project area (Table 2.2-1). Of these, four were linear surveys associated with road expansion, firebreaks, and utility lines. Within these project areas, 11 archaeological sites have been recorded.

To date, the majority of the sites within the area consist of bedrock milling stations located in the lower drainages, a fact that may be more reflective of sampling than of actual site distributions. Based upon the presence of pottery and other temporally diagnostic artifacts most of these sites appear to be small camps or multiple activity sites linked to late prehistoric occupations in the area. The majority of the sites have been impacted since the time of their recording and are no longer viable data sources.

Of particular importance to this study are the findings of the 1990 ASM study of the Osborn/Rios Subdivision. This parcel lies immediately south of the current project area, abutting it within the drainage along the south margin. One archaeological resource, CA-SDI-11705, was found within the project area. This site consisted of five substantial bedrock milling features upon which were found a total of 3 mortars and 26 milling slicks. Materials recovered from the two 1 x 1 m test units that were excavated within the site area reflected the level of disturbance of the site by producing large amounts of recent debris mixed with Tizon Brown Ware sherds and late-period projectile points. The site is almost undoubtedly associated in some manner with CA-SDI-15117 due to its proximity and the similar nature of the material culture. It also explains the relative paucity of ground stone within confines of CA-SDI-15117, whose inhabitants may have conducted their processing at the nearby site.

2.2.1.4 *Summary of Survey Results and Testing Results*

Site CA-SDI-15117

The purpose of the cultural resources technical study was to identify any new sites. In 1999, an initial archaeological survey was conducted by the ASM staff. One prehistoric artifact scatter was identified, CA-SDI-15117 leading to a testing program. While fieldwork was completed by May 1999, in October 2014, the site was revisited for a condition assessment, with no changes evident.

CA-SDI-15117 is a Late Prehistoric period habitation site situated on an alluvial terrace of Los Coches Creek. It is located in unsectioned land of Township 15 South, Range 1 East (El Cajon, Calif. 7.5' USGS Quadrangle) and is surrounded by the communities of Lakeside, Lakeview, Johnstown, Blossom Valley, and Flynn Springs, approximately four miles northeast of El Cajon. On the north is Pecan Park Road, Olde U.S. 80 and Interstate 8 (I-8); to the northwest is the intersection of Lake Jennings Road and I-8; and Sierra Alta Way is on the west and Rios Canyon Road on the East.

The site is strategically located at the confluence of Los Coches Creek and Rios Canyon, assuring a reliable water supply and lush riparian habitat. The surface manifestations of the site extend across the terrace to the north of the drainage bottom and have been truncated by the construction of Pecan Park Road and the residences on the property. The roads and drainage appear to constrain the extent of the surface materials, which probably once extended outside the project area. The current site boundaries measure 171 x 50 m.

Excavation of 28 STPs and six 1 x 1 m test units revealed subsurface artifact concentrations to be limited to two loci. Locus A, the larger of the two on the western end of the site, covers 15,045 square feet (sq. ft.). Locus B, the smaller locus on the east central portion of the site, covers approximately 2,155 sq. ft.

Moderate to high densities of surface lithics with scattered ceramics were encountered to depths of more than 90 cm below the surface. Subsurface densities of lithics range from 0.8 to 215 grams (gm) of flakes per 10 cm. level, with proportional ceramic recoveries up to 40 gm of sherds per 10-cm level in the central portion of the site. Scattered fire-affected rock and small charcoal

fragments can be found throughout the site and are not necessarily linked to distributions of artifacts. Several partial tools and projectile points suggest a late prehistoric occupation.

The site appears to have been used for long-term occupation or as a series of short-term occupations. Despite extensive vertical disturbance from ground-burrowing rodents, horizontal disturbance appears to be less severe, leaving apparent non-random patterning of artifacts distributions that may reflect specific activity areas or occupational components. This was reflected in the STP and unit patterning. The lithic assemblage points to a dominance of small biface manufacture and/or resharpening. The bone recovered was dominated by lagomorphs, with a large number of rodents. Large mammals, including artiodactyls were represented in smaller numbers. Ground stone and pottery seemed to be associated with higher concentrations of bone. These suggest disturbed domestic activity areas and processing stations.

Historic Sites

As a result of the cultural resources survey, two properties, Residential Structure No. 1 (14109 Old Highway 80) and Residential Structure No. 2 (14207 Pecan Park Lane), were documented and evaluated for significance. These sites are rural residential dwellings. These residential structures are described below.

Residential Structure No. 1 (14109 Olde Highway 80)

County Assessor's records indicate this residence was built in 1918, with an addition in 1964. The 1928 aerial photographs show it as a long rectangular building. Another building of similar dimensions was originally located just south of this one but no surface trace remains at present. The prior owner during the 1999 investigation indicated that he bought the property in 1950 as records indicate, and that he added rooms on the west and south sides. A large square picture window was also added to the front of the dwelling.

The structure is a typical rural vernacular craftsman style bungalow. Representative elements of this style that are present here include a low-pitched side-gabled roof, wide and overhanging eaves, exposed rafter ends (later modified with fascia board in this example), triangular knee braces on the front eaves (and probably the back before modifications were made). The partial, left-inset porch is also typical of modest rural craftsman bungalows. It is entirely covered by the gable roof and is supported by simple rectangular posts that tie into the porch balustrade. While the 1928 aerial photographs show a simple rectangular plan, sometime after that date another wing was added to the west side of the house to give it an L-shaped plan. Then the flat-roofed addition with ribbon casement windows was added to fill in the northwest corner. The current owner explained that the back wing was added after he bought the house in 1950 (probably in 1964).

Both clapboard and shingle siding are used. On the front of the house the lower story is clapboarded (lapped pattern) while the upper half-story is shingled (staggered pattern). On the east side, shingles cover the upper exterior wall while clapboards cover the area below the window. The room addition at the back is entirely clapboarded while the gabled addition on the west wide has a shingled lower story and a clapboarded upper half-story. Another flat-roofed addition on the northwest side of the building is also clapboarded. The cinder block foundation on the eastern (down-slope) side of the house also appears to be a later replacement.

The original windows (single-hung sash with double panes) are on the east side of the house and on the front west side where a stove or fireplace chimney protrudes through the wall. The porch window and the front picture window are later additions. The composite shingle roof is also fairly recent.

Residential Structure No. 2 (14207 Pecan Park Lane)

Residential Structure No. 2, located in the center of the southwest parcel, is a rural complex that includes a residence with contemporary garage, a new garage, large chicken shed, water tower, and outhouse. County Assessor's records indicate a 1929 construction date, with additions in 1937. The main house, old garage, water tower, chicken shed, and outhouse are virtually unmodified. The house is a simple example of a rural vernacular craftsman bungalow with front-gabled roof and partial left-inset porch. Immediately south of the house is the garage, an end gabled building of exactly the same style as the house and certainly built at the same time. The main house and garage do not have any distinctive elements or distinguishing characteristics. The general condition of these structures is fair-to-poor, while the remaining structures are in poor condition. A modern cinder block garage has been built to the southeast of the house. Standing behind the house is a water tower of uncertain date. To the southwest of the garage, is a deteriorated large rectangular chicken shed, built on stilts for ventilation and easy cleaning. The simple shed construction includes vertical board and batton construction. There is no indication of a date of construction, but it may be contemporary with the other sheds located at the center of the property that were erected after 1950. Adjacent to the southwest corner of the chicken shed is a typical "one-seater" privy. It is not known if the privy building is in its original location or if it had been periodically moved around the perimeter of the lot.

2.2.1.5 Regulatory Framework

State

California Register of Historical Resources (CRHR)

California Public Resources Code Section 5024.1(a) establishes the CRHR. Section 5024.1 (c-f) provides criteria for CRHR eligibility listing. The CRHR establishes the evaluative criteria used by CEQA in defining an historic resource. An historic resource is significant if it meets one or more of the criteria for listing in the CRHR. Resources are eligible for listing on the CRHR if they:

1. Are associated with events that have made a significant contribution to the broad patterns of local or regional history and cultural heritage of California or the United States.
2. Are associated with the lives of persons important to the nation or to California's past.
3. Embody 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.
4. Have yielded, or may be likely to yield, information important in prehistory or history of the state or nation.

These criteria do not preclude a lead agency from determining that a resource may be a historical resource as defined in Public Resources Code Sections 5020.1(j) and 5024.1.

California Environmental Quality Act

CEQA requires lead agencies to carefully consider the potential effects of a project on historical and unique archaeological resources. A "historical resource" includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript, which is historically or archaeologically significant (California Public Resources Code, Section 5020.1 (j)).

Section 15064.5 of the CEQA Guidelines specifies criteria for determining the significance of impacts to archaeological and historical resources. Section 15064.5 defines a “historical resource” as:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code 5024.1, Title 14 CCR, Section 4850 et seq.).
2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (14 CCR 4852) including the following:
 - a. Is associated with events that have made a contribution to the broad patterns of California 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 construction, or represents the work of an important individual or possesses high artistic values; or
 - d. Has yielded, or may be likely to yield, important information in prehistory or history.
4. The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1

If a cultural resource does not meet the definition of an “historic resource” under CEQA Guidelines Section 15164.5, it must be reviewed under CEQA Statutes Section 21083.2(g) that defines the significance of an archaeological site in terms of uniqueness. A unique archaeological resource means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets one of the following criteria:

1. Contains information needed to answer important scientific questions and there is a demonstrable public interest in that information.
2. Has a special and particular quality, such as being the oldest of its type or the best available example of its type.

3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

A non-unique archaeological resource indicates an archaeological artifact, object, or site that does not meet the previously listed criteria. Impacts to non-unique archaeological resources receive no further consideration under CEQA, other than the recording of its existence by the lead agency if it so elects. Human remains require special handling and must be treated with dignity. Procedures are provided in Section 15064.5(e) of the CEQA Guidelines, Section 5097.98 of the Public Resources Code and Section 87.429 of the County's Grading Ordinance. In the event of the discovery of human remains and/or funerary items, the following procedures, as outlined by the above statutes, regulations, and ordinances, shall be followed:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - a. The County Coroner must be contacted to determine that no investigation of the cause of death is required, and
 - b. If the Coroner determines that the remains are Native American:
 - i. The Coroner shall contact the NAHC within 24 hours.
 - ii. The NAHC shall identify the person or persons it believes to be the most likely descended (MLD) from the deceased Native American.
 - iii. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code, Section 5097.98, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - a. The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission;
 - b. The descendent identified fails to make a recommendation; or
 - c. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

Similarly, Public Resources Code Section 5097.98 states that whenever the Native American Heritage Commission (NAHC) receives notification of Native American human remains from a County Coroner, the NAHC shall immediately notify the MLD. The MLD may, with permission from the owner of the land in which the human remains were found, inspect the site and recommend to the owner or the responsible party conducting the excavation work a means for treating and/or disposing of the human remains and any associated grave goods. The MLD is required to complete their site inspection and make their recommendation within 48 hours of their notification from the NAHC.

According to CEQA Guidelines Section 15126.4(b)(3), public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered for a project involving such an archaeological site:

- A. Preservation in place (avoidance) is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the

archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

- B. Preservation in place may be accomplished by, but is not limited to, the following:
- Planning construction to avoid archaeological sites;
 - Incorporation of sites within parks, greenspace, or other open space;
 - Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.
 - Deeding the site into a permanent conservation easement.
- C. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archaeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code.
- D. Data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented and that the studies are deposited with the California Historical Resources Regional Information Center.

California Health and Safety Code

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code, Section 7050.5, requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County Coroner has examined the remains (Section 7050.5b). If the Coroner determines or has reason to believe the remains are those of a Native American, the Coroner must contact the NAHC within 24 hours (Section 7050.5c).

Local

County of San Diego Local Register of Historic Resources

The criteria for listing historical resources to the Local Register (Ordinance No. 9493, County Administrative Code Section 396.7) are consistent with those developed by the Office of Historic Preservation (OHP) for listing resources to the CRHR, but have been modified for local use in order to include a range of historical resources which specifically reflect the history and prehistory of San Diego County. Only resources that meet the criteria set out below may be listed or formally determined eligible for listing to the Local Register.

1. Are associated with events that have made a significant contribution to the broad patterns of San Diego County's history and cultural heritage;
2. Are associated with the lives of persons important to the history of San Diego County or its communities;
3. Embody the distinctive characteristics of a type, period, San Diego region, or method of construction, or represents the work of an important creative individual, or possess high artistic values; or

4. Have yielded, or may be likely to yield, information important in prehistory or history.

County of San Diego Resource Protection Ordinance (RPO)

The RPO requires that cultural resources be evaluated as part of the County's discretionary environmental review process for certain permit types. If cultural resources are found to be significant pursuant to the RPO, they must be preserved. The RPO prohibits development, trenching, grading, clearing, and grubbing, or any other activity or use that damages significant prehistoric or historic site lands (except for scientific investigations with an approved research design prepared by an archaeologist certified by the Register of Professional Archaeologists).

Pursuant to the RPO, significant prehistoric or historic sites are 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 include, but are not limited to:

1. A significant prehistoric or historic district, site, interrelated collection of features or artifacts, building, structure or object that are either:
 - a. Formally determined eligible or listed in the National Register of Historic Places 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 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 with are ritual, ceremonial, or sacred value to any prehistoric or historic ethnic group.

County of San Diego General Plan – Conservation and Open Space Element

The primary focus of the Conservation and Open Space Element is to provide direction to future growth and development in the County of San Diego with respect to the conservation, management, and utilization of natural and cultural resources; the protection and preservation of open space; and, the provision of park and recreation resources. The Conservation and Open Space Element has several goals and policies that are relevant to cultural resources as described below.

Goal COS-7

Protection and Preservation of Archaeological Resources. Protection and preservation of the County's important archeological resources for their cultural importance to local communities, as well as their research and educational potential.

Policies

COS-7.1 Archaeological Protection. Preserve important archaeological resources from loss or destruction and require development to include appropriate mitigation to protect the quality and integrity of these resources.

COS-7.2 Open Space Easements. Require development to avoid archeological resources whenever possible. If complete avoidance is not possible, require development to fully mitigate impacts to archaeological resources.

COS-7.3 Archaeological Collections. Require the appropriate treatment and preservation of archaeological collections in a culturally appropriate manner.

COS-7.4 Consultation with Affected Communities. Require consultation with affected communities, including local tribes to determine the appropriate treatment of cultural resources.

COS-7.5 Treatment of Human Remains. Require human remains be treated with the utmost dignity and respect and that the disposition and handling of human remains will be done in consultation with the Most Likely Descendant (MLD) and under the requirements of Federal, State, and County Regulations.

Goal COS-8

Protection and Conservation of the Historic Built Environment. Protection, conservation, use, and enjoyment of the County's important historic resources.

COS-8.1 Preservation and Adaptive Reuse. Encourage the preservation and/or adaptive reuse of historic sites, structures, and landscapes as a means of protecting important historic resources as part of the discretionary application process, and encourage the preservation of historic structures identified during the ministerial application process.

County of San Diego Grading Ordinance

The Grading Ordinance requires that projects involving grading, clearing, and/or removal of natural vegetation obtain a grading permit, unless the project meets one or more of the exemptions listed in Section 87.202 of the Grading Ordinance. The grading permit is discretionary and requires compliance with CEQA. In the event that human remains or Native American artifacts are encountered, Section 87.429 requires that grading operations be suspended in the affected area and the operator is required to inform the County Official. The project must comply with the requirements of Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.99.

2.2.2 Analysis of Project Effects and Determination as to Significance

~~According to CEQA Guidelines Section 15126.4(b)(3), "public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature and requires the consideration of preservation in place as the preferred manner of mitigation and data recovery, only if preservation is not feasible."~~

For the purpose of this EIR, the basis for the determination of significance is the County's Guidelines for Determination Significance, Cultural Resources (County of San Diego 2007b), CEQA, and RPO. The project would result in a significant impact if:

1. **Historical Resources:** The project causes a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the State CEQA Guidelines.
2. **Archaeological Resources:** The project causes a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the State CEQA Guidelines.

3. **Human Remains:** The project disturbs any human remains, including those interred outside of formal cemeteries.
4. **RPO Resources:** The project proposes activities or uses damaging to significant cultural resources as defined by the RPO and fails to preserve those resources.

Guidelines 1 and 2 are derived directly from CEQA. Sections 21083.2 of CEQA and 15064.5 of the State CEQA Guidelines recommend evaluating historical and archaeological resources to determine whether or not a proposed action would have a significant effect on unique historical or archaeological resources. Guideline 3 is included because human remains must be treated with dignity and respect and CEQA requires consultation with the “Most Likely Descendant” as identified by the NAHC for any project in which human remains have been identified.

Guideline 4 was selected because the Resource Protection Ordinance requires that cultural resources be considered when assessing environmental impacts. Any project that would have an adverse impact (direct, indirect, and cumulative) on significant cultural resources as defined by this Guideline would be considered a significant impact. The only exemption is scientific investigation.

All discretionary projects are required to be in conformance with applicable County standards related to cultural resources, including the noted RPO criteria on prehistoric and historic sites, as well as requirements listed in the Zoning Ordinance, General Plan, and the Grading, Clearing and Watercourses Ordinance (§87.429). Non-compliance would result in a project that is inconsistent with County standards.

An analysis of each site is provided below along with a determination as to the significance of the site, pursuant to the CEQA Guidelines Section 15064.5 and the County RPO.

2.2.2.1 Issue 1: Historical Sites

Guidelines for Determination of Significance

According to the County of San Diego Guidelines for Determining Significance, Cultural Resources (County of San Diego 2007b), a significant cultural resource impact would occur if the project causes a substantial adverse change in the significance of an 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 not consistent with the Secretary of Interior Standards; or the project proposes activities or uses damaging to significant cultural resources as defined by the Resource Protection Ordinance and fails to preserve those resources.

Impact Analysis

As a result of the cultural resources survey, two properties, Residential Structure No. 1 (14109 Old Highway 80) and Residential Structure No. 2 (14207 Pecan Park Lane), were documented and evaluated for significance. These sites are rural residential dwellings. These two residential structures were evaluated for significance according to State CEQA Guidelines (Section 15064.5) and RPO criteria. The evaluation was conducted under the direction of ASM Affiliates’ project historian.

Residential Structure No. 1 (14109 Old Highway 80)

The project would remove residential structures and associated outbuildings in order to prepare the project site for construction of commercial buildings and parking areas.

This residential dwelling is a generic and rudimentary example of California craftsman style bungalows. It was a basic functional home for rural farming families of modest means. It is not associated with individuals of importance to local, regional, or national history. While the structure is a reminder of the historic agricultural origins of Alpine and El Cajon in the late 1880s and early 1900s, it is not particularly representative or a well-preserved example of that pattern.

In its original form, Residential Structure No. 1 was a typical modest vernacular craftsman bungalow with little ornamentation and no distinctive design elements. Every façade has been substantially altered by room additions or, in the case of the front façade, a picture window. Original elements are found in the porch design, front-gabled roof and knee-braces, and some of the windows. However, the integrity of the original design has been substantially compromised by several additions. The building is not associated with historically significant individuals or events. The building retains some integrity of setting with the open space to the east and Los Coches Creek to the south, however, the intrusion of I-8 and the modern commercial building at the juncture with Lake Jennings Road, substantially compromise the integrity of the original rural setting.

In summary, Residential Structure No. 1 is not considered significant from a CEQA perspective, because it is not associated with events that made a contribution to the patterns of California's history or cultural heritage. It is not associated with the lives of persons important in the region's past, nor does it embody unique architectural features, 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. In addition, Residential Structure No. 1 lacks the potential to further answer questions related to understanding the history of the area. Furthermore, the structure is not RPO significant, because it does not meet the qualifications for inclusion on the National Register of Historic Places. Removal of Residential Structure No. 1 would not pose a significant impact to a historic resource. It should be noted that subsequent to the *Cultural Resources Survey and Evaluation for Lake Jennings Village*, Residential Structure No. 1 was demolished in the summer of 2015 for reasons of public safety.

Residential Structure No. 2 (14207 Pecan Park Lane)

Residential Structure No. 2, which is comprised of a complex of structures, is not considered a significant resource pursuant to CEQA because it is not associated with events that made a contribution to the patterns of California's history or cultural heritage. It is not associated with the lives of persons important in the region's past, nor does it embody unique architectural features, distinctive characteristics of a type, period, region or method of construction, or represent the work of an important creative individual, or possess high artistic values. In addition, this complex lacks the potential to further answer questions related to understanding the history of the area. Furthermore, Residential Structure No. 2 is not a significant resource as defined by the RPO because it does not meet the qualifications for inclusion on the National Register of Historic Places, nor is the structure associated with significant prehistoric or historic events. Removal of Structure No. 2 would not cause a significant impact to a historic resource. It should be noted that subsequent to the *Cultural Resources Survey and Evaluation for Lake Jennings Village*, Residential Structure No. 2 was demolished for reasons of public safety.

2.2.2.2 Issue 2: Archaeological Sites

Guidelines for Determination of Significance

According to the County of San Diego Guidelines for Determining Significance, Cultural Resources (County of San Diego 2007b), a significant cultural resource impact would occur if the project causes

a substantial adverse change in the significance of an archaeological resource as defined in §15064.5 of the State CEQA Guidelines. This shall include the destruction or disturbance of an important archaeological site or any portion of an important archaeological site that contains or has the potential to contain information important to history or prehistory; or the project proposes activities or uses damaging to significant cultural resources as defined by the RPO and fails to preserve those resources.

Impact Analysis

Known Archaeological Resources

As a result of the cultural resources survey, one archaeological resource, CA-SDI-15117, was documented and evaluated for significance. Site CA-SDI-15117 contains subsurface deposits attributable to a late prehistoric period habitation site.

Based upon the uniform characteristics of the assemblage the site is thought to represent a single cultural component of late prehistoric age. The wide variety of artifacts recovered from this deposit suggests that the site was occupied by a small group episodically over several seasons, or during a single long-term occupation, sometime between 800 A.D. and 1500 A.D. These data indicate that this small site has the potential for providing additional data concerning the late prehistoric settlement of San Diego County and is therefore considered significant under the criteria set forth in CEQA.

Results of subsurface testing of the site demonstrated that CA-SDI-15117 has several characteristics that qualify it as a significant resource, both because of its scientific research value and its eligibility for the CRHR. These characteristics include:

- Few archaeological resources of this type have been recorded in this portion of San Diego County and fewer still have been sampled adequately.
- Portions of this resource contain high densities of cultural material representing a broad range of domestic activities and a single cultural component.
- The site appears to have good preservation of bone and other organic remains, with a high proportion of materials attributable to the prehistoric occupation. Ancillary studies centering on paleoenvironmental reconstruction and prehistoric substance are possible.
- The lithic debris on the site appears to be representative of the manufacture and repair of hafted stone tools, particularly projectile points. Such a collection is unusual and provides an opportunity for specialized studies of tool use and manufacturing patterns.

It is therefore determined that the site is a significant resource under CEQA, and any impacts to this resource would be considered significant. The project would directly impact site CA-SDI-15117 through the construction of the project and indirectly impact this site because of increased human activity associated with project implementation (**Impact CR-1**).

Unknown Archaeological Resources

Prehistoric activity in the area is evident by the number of previously recorded cultural resources. In addition, archaeological site CA-SDI-15117 is located within the area of potential effect. As such, there is the potential for the Lake Jennings Market Place development to directly impact previously unrecorded buried archaeological resources (**Impact CR-2**).

2.2.2.3 Issue 3: Human Remains

Guidelines for Determination of Significance

According to the County of San Diego Guidelines for Determining Significance, Cultural Resources (2007b), a significant cultural resource impact would occur if the project disturbs any human remains, including those interred outside of formal cemeteries.

Impact Analysis

No evidence of human remains, including those interred outside of formal cemeteries, was discovered during the records search, literature review, field survey, or site testing and evaluation. There is no indication that the project site was used by Native Americans for religious, ritual, or other special activities and therefore impacts to Native American burial sites are not expected. In the unlikely event of the discovery of human remains during project grading, work shall halt in that area and the procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken, as required by law and mitigation measure M-CR-2.

2.2.2.4 Issue 4: County RPO

Guidelines for Determination of Significance

According to the County of San Diego Guidelines for Determining Significance, Cultural Resources (2007b), a significant cultural resource impact would occur if the project proposes activities or uses damaging to significant cultural resources as defined by the RPO and fails to preserve those resources.

Impact Analysis

Site CA-SDI-15117 is identified as RPO significant. This site is significant because it represents a location of past intense human occupation. Buried deposits can provide information that can answer important scientific research questions about prehistoric or historic activities that have scientific, religious, or other ethnic value of local, regional, state, or federal importance. The cultural resources analysis prepared for the project concluded that implementation of the project would result in a significant impact to CA-SDI-15117 if mitigation measures were not implemented. The project would directly impact site CA-SDI-15117 through the construction of the project and indirectly impact this site because of increased human activity associated with project implementation (**Impact CR-1**).

2.2.3 Cumulative Impact Analysis

The cumulative study area includes the localized study area within a one mile radius of the project site and was selected because this area contains the four cumulative projects (see Table 1-3 and Figure 1-9).

The cumulative projects in the vicinity of the Lake Jennings Market Place project are listed in Section 1.7, “List of Past, Present, and Reasonably Anticipated Future Projects in the Project Area” and are shown on Figure 1-9. None of the cumulative projects within the cumulative study area contain significant cultural resources. According to the Initial Study/Mitigated Negative Declaration (IS/MND) for the Eastern Service Area Secondary Connection Project (Helix Environmental Planning, Inc., 2015), 24 previously recorded cultural resources were identified within one-half-mile

from the site. In general, most of the sites were disturbed by modern activities with sparse surficial and sparse shallow subsurface deposits. The subsurface testing at the reservoir portion of the Eastern Service Area Secondary Connection Project indicates that there is a sparse subsurface component that is highly disturbed and does not appear to be of significance based on the sparseness and lack of integrity. Much of the discharge pipeline runs along a paved road, indicating that cultural resources that are or were present would very likely have been previously disturbed during road construction. ASM conducted a visual inspection of the discharge pipeline alignment, and no evidence of the presence of cultural resources was observed. Based on an analysis of records and a survey of the Lakeside Tractor Supply Project by a County of San Diego approved archaeologist, Sue Wade, it has been determined that the project site contains one archaeological resource (CA-SDI-21070). However, the site was tested and determined to not be significant. The Lake Jennings Park Road Subdivision Project was surveyed twice in 1977 (Hanna, MSA) and once in 2007 (Shalom). All studies were negative for cultural resources. Based on a County approved archaeologists' analysis of records and a survey of the Peter Rios Estates Apartment Complex Project property, the site does not contain structures that are historically significant. One site (P-37-033818), a rock and concrete lined well was not evaluated and as such, is assumed RPO significant. However, site P-37-033818 will be preserved in open space. In addition, the project will be conditioned to cap site P-37-033818 for protection. With the requirement of open space and site capping, there will be no impacts to this site.

As indicated in subchapter 2.2.2, the project would not impact a significant historical structure, human remains, or County RPO cultural resource. Residential Structure No. 1 is not considered significant from a CEQA perspective, because it is not associated with events that made a contribution to the patterns of California's history or cultural heritage. Residential Structure No. 2 is not a significant resource as defined by CEQA or the RPO because it does not meet the qualifications for inclusion on the National Register of Historic Places, nor is the structure associated with significant prehistoric or historic events. No known human remains are within the project impact area and none are expected to be discovered. Implementation of the capping plan and placement within open space, which is proposed as part of the project, would ensure that CA-SDI-15117 would be preserved on site, and would not be significantly impacted by the development of the project. Therefore, the proposed project would not contribute to a cumulative impact and further cumulative analysis is not warranted.

Similar to the proposed project, in the event that unknown cultural resources are present on the cumulative project sites (Eastern Service Area Secondary Connection Project, Lakeside Tractor Supply Project, Lake Jennings Park Road Subdivision Project, and Peter Rios Estates Apartment Complex Project), impacts would be primarily mitigated through the collection and curation of information and the preservation of the most important resources. This reduces the potential for cumulative effects and the proposed project would not considerably contribute to a significant cumulative impact to cultural resources.

2.2.4 Significance of Impacts Prior to Mitigation

The following significant impacts related to cultural resources would occur with project implementation:

Impact CR-1: Site CA-SDI-15117 has several characteristics that qualify it as a significant resource, both because of its scientific research value and its eligibility for the California Register of Historical Resources (CRHR). The project would directly impact site CA-SDI-15117 through the construction of the project and indirectly impact this site because of increased human activity associated with project implementation.

Impact CR-2: Unknown CEQA and/or RPO-significant archaeological resources could be buried within the project site. Such previously undiscovered cultural sites could be disturbed during on-site earth-disturbing activities. Impacts to any unknown cultural resources are potentially significant.

2.2.5 Mitigation Measures

Implementation of the following mitigation measures is proposed to reduce impacts to cultural resources to less than significant.

M-CR-1a To mitigate for direct impacts to archaeological site CA-SDI-15117, the applicant shall implement a site capping program as detailed in the Historic Properties Treatment Plan (HPTP) prepared by ASM Affiliates (Appendix D2) to the satisfaction of Planning & Development Services (PDS) that shall include, but not be limited to, the following requirements:

- Prior to placing the cap, provide evidence that a County approved project archaeologist has been contracted to implement the site capping program to the satisfaction of PDS. A letter from the project archaeologist shall be submitted to PDS.
- The project archaeologist shall contract with a Kumeyaay Native American monitor to be involved with the capping program as outlined in the County of San Diego Report Format and Content Guidelines (2007).
- A pre-construction meeting shall be held between the developer's representative, project archaeologist, Kumeyaay Native American monitor, and County staff archaeologist to review the requirements of the HPTP and determine if amendments are necessary due to any material changes. At that time, a schedule for construction for the physical protection elements shall be established to facilitate future coordination and on-site monitoring. All HPTP amendments shall be approved in writing by all parties prior to construction of the physical protection elements. Prior to construction, the developer's representative, engineer/landscape architect, and contractor shall meet onsite with the project archaeologists and Kumeyaay Native American monitor to review the plan requirements, confirm the construction schedule, and establish coordination procedures.
- Prior to any grading or construction associated with the project, a licensed land surveyor shall stake the site boundary. The project archaeologist shall review and confirm the boundary delineation and examine the existing condition of the site. Temporary fencing (e.g., orange precautionary tape) shall then be constructed around the entire perimeter of the site boundary and maintained until capping is commenced.
- All work related to the physical capping of CA-SDI-15117 shall be monitored by the project archaeologist and Kumeyaay Native American monitor and coordinated with the project engineer and contractor.
- Immediately prior to commencement of capping, the temporary fencing shall be removed and the boundary clearly staked at regular intervals.
- The site shall be prepared for capping by removal of any non-archaeological materials and debris.

2.2 Cultural Resources

- Capping of the archaeological site shall be conducted by first placing construction fabric (e.g., Amoco) over the entire surface of the site and covered with a 2-4 inch layer of sterile sand. The sand shall be evenly spread using rubber-tired equipment (i.e., tracked graders or similar equipment shall not be used). The sand layer shall be covered with an earthen cap of a minimum of 2.0 feet of clean fill soil and moderately compacted. This layer shall be “feathered” out to at least five feet (and ten feet when feasible) beyond the defined boundary of the capping area to create a buffer, except in the southerly portion of the site which will be protected as part of RPO Wetlands buffer. The materials to be used for capping shall not be stockpiled on the site.
- After capping, landscape the portion of the cap that will not be a part of the asphalt parking lot with drought resistant shallow rooted plants. The plants shall be selected in consultation with a landscape architect. Temporary irrigation of the revegetation area south of the masonry wall shall be removed as soon as the vegetation has been established.
- Monthly status reports shall be submitted by the project archaeologist to PDS starting from the date of the notice to proceed to termination of implementation of the site-capping program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation.
- After the cap has been completed and both the landscaping and asphalt parking lot installed, the project archaeologist shall prepare a final letter report that describes the plan compliance procedures and site conditions before and after construction.
- After capping, all of the following activities are prohibited from taking place on the capped archaeological site: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities (except for parking lot); trash dumping; or use for any purpose other than as open space, except as detailed in the sole exceptions below:

The sole exception(s) to this prohibition is:

 - The planting of shallow rooted plants, irrigation lines, or utility lines in the sterile cap above the archaeological deposits, according to a plan approved by PDS.
 - Placement and use of an asphalt parking lot, property line wall, and water line on top of the capped site.

M-CR-1b To mitigate for direct impacts to archaeological site CA-SDI-15117, the applicant shall implement a monitoring program for subsurface disturbances of the site cap that shall include any trenching, grading, or excavation activities for the placement of utilities (public water line), hardscape (asphalt parking lot, retaining wall), or landscape to the satisfaction of PDS. Requirements are outlined in mitigation measure M-CR-2 below.

M-CR-1c To mitigate for direct impacts to, and fully preserve the significant portions of archaeological site CA-SDI-15117, an archaeological easement shall be placed over the site which will be capped with soil and upon which a paved lot will also be placed. The following easement will be granted to the County of San Diego:

Grant to the County of San Diego an archaeological easement over archaeological site CA-SDI-15117. This easement is for the protection of archaeological site CA SDI-15117, which will be capped with a 2 to 4-inch layer of sand, a minimum 2.0-foot layer of soil, and upon which an asphalt parking lot will be constructed. The easement language shall, to the satisfaction of Planning and Development Services restrict or prohibit activities that could potentially damage the capped site, such as the installation of utilities and drainage facilities underneath the asphalt parking lot that could penetrate the cap and adversely affect the archaeological deposits.

M-CR-1d To mitigate for direct impacts to archaeological site CA-SDI-15117, the applicant shall curate all artifacts collected during the survey and significance testing phases. Curation requirements shall include current and previous studies as outlined below:

Provide evidence to the satisfaction of PDS that all prehistoric archaeological materials recovered during both the Eighmey (1999) and Cook (2007) archaeological investigations of the property, including all significance testing, as well as grading monitoring activities, have been curated at a San Diego facility or culturally affiliated 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. 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.

Historic materials shall be curated at a San Diego curation facility as described above and shall not be curated at a Tribal curation facility. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

M-CR-2 To mitigate for direct impacts to undiscovered archaeological resources and subsurface disturbance to the site cap for archaeological site CA-SDI-15117, the applicant shall implement an archaeological monitoring program to the satisfaction of PDS that shall include, but not be limited to the following requirements:

- Provide evidence that a County approved project archaeologist has been contracted to implement an archaeological monitoring and data recovery program to the satisfaction of PDS. A letter from the project archaeologist shall be submitted to PDS.
- The project archaeologist shall contract with a Kumeyaay Native American monitor to be involved with the archaeological monitoring program as outlined in the County of San Diego Report Format and Content Guidelines for Cultural Resources (2007).

2.2 Cultural Resources

- The County approved project archaeologist and Kumeyaay 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 County of San Diego Report Format and Content Guidelines for Cultural Resources (2007).
- The project archaeologist and Kumeyaay Native American monitor shall monitor all areas identified for development including offsite improvements. In addition, subsurface disturbance of the site cap for archaeological site CA-SDI-15117 shall be monitored. Monitoring of the site cap shall take place during trenching, grading, or excavation activities for the placement of utilities (public water line), hardscape (asphalt parking lot, property line wall), or landscape.
- The project archaeologist shall determine that an adequate number of monitors (archaeological/Native American) are present to ensure that all earth-moving activities are observed and shall be onsite during all grading activities for areas to be monitored.
- During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Kumeyaay Native American monitor(s) shall be onsite full time to perform full time monitoring. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the project archaeologist in consultation with the Kumeyaay Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the project archaeologist in consultation with the Kumeyaay Native American monitor.
- Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed. Should the isolates and/or non-significant deposits not be collected by the project archaeologist, then the Kumeyaay Native American monitor may collect the cultural material for transfer to a Tribal Curation facility or repatriation program.
- In the event that previously unidentified potentially significant cultural resources are discovered, the project archaeologist or Kumeyaay 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 project archaeologist shall contact a County staff archaeologist at the time of discovery. The archaeologist, in consultation with the County staff archaeologist and Kumeyaay Native American monitor, shall determine the significance of the discovered resources. The County staff archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area.
- A Research Design and Data Recovery Program (Program) is required to mitigate impacts to identified significant cultural resources. The Research Design and Data Recovery Program shall be prepared by the project archaeologist in coordination with the Kumeyaay Native American Monitor. The County approved archaeologist shall review and approve the Program,

which shall be carried out using professional archaeological methods. The Program shall include (1) reasonable efforts to preserve (avoidance) “unique” cultural resources 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. The preferred option is preservation (avoidance).

- If any human remains are discovered, 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 remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (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.
- In the event that previously unidentified cultural resources are discovered, all cultural material collected during the archaeological monitoring program shall be processed and curated at a San Diego facility or culturally affiliated 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. 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.
- Monthly status reports shall be submitted by the project archaeologist to PDS starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on the overall monitoring program.
- 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 by the project archaeologist and submitted to the satisfaction of PDS prior to the issuance of any building permits. The report will include California Department of Parks and Recreation Primary and Archaeological Site forms.
- In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to PDS by the project archaeologist that the grading monitoring activities have been completed.

2.2.6 Conclusion

The cultural resources analysis prepared for the project concluded that implementation of the project would result in a significant impact to CA-SDI-15117 if mitigation measures were not implemented. Additionally, it was concluded that grading activities have the potential to impact undiscovered archaeological resources on the site. Mitigation measures have been identified (M-CR-1 through M-CR-2) to reduce these impacts to less than significant. A capping plan, placement of significant sites in an archaeological easement, curation of artifacts, as well as monitoring during project construction is proposed.

Capping (M-CR-1a) has been found to be one of the most effective, long-term means of resource preservation and conservation. Implementation of the capping plan, which is proposed as part of the project, would ensure that CA-SDI-15117 would be preserved on site, and would not be significantly impacted by development of the project. Therefore, development of the project, which includes the implementation of the capping plan, would result in a less than significant impact to CA-SDI-15117.

Although a parking lot would be placed over a portion of the cap for site CA-SDI-15117, placement of archaeological site CA-SDI-15117 in an archaeological easement (M-CR-1c) would provide further protection. Additionally, implementation of mitigation measure M-CR-2, which requires an archaeological monitoring program, would ensure that grading activities associated with the project would not impact undiscovered cultural resources or the site cap. Furthermore, the curation of artifacts (M-CR-1d) preserves information that is important to understanding the prehistory or history of San Diego County. With the implementation of these mitigation measures, project impacts to cultural resources would be reduced to below a level of significance.

**Table 2.2-1.
Recorded Sites Within One-Mile Radius of the Project**

Site Trinomial	Site Type	Estimated Size
CA-SDI-5549	Milling Station	100 m ²
CA-SDI-5550	Milling Station	100 m ²
CA-SDI-5552	Camp/Milling Station (sherds, debitage)	1250 m ²
CA-SDI-5553	Milling Station	25 m ²
CA-SDI-8231	Milling Station	100 m ²
CA-SDI-9872	Camp (Milling, debitage)	2250 m ²
CA-SDI-9873	Camp, Milling Station (sherds, debitage)	900 m ²
CA-SDI-11705	Camp, Milling Station (sherds, debitage)	550 m ²
CA-SDI-12248	Processing and Milling Station	350 m ²
CA-SDI-13188	Milling Station	200 m ²

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