

2.4 Cultural Resources

This section provides an analysis of impacts to cultural resources that would result from the implementation of the Warner Ranch project. This section identifies impacts to known and potential cultural resources within the project area including off-site improvements based upon available reports and site-specific studies. The assessments within this section are based on the following technical resource study: *A Cultural Resource Survey and Evaluation Program for the Warner Ranch Project*, dated September 18, 2014, prepared by Gallegos & Associates and later updated by Brian F. Smith & Associates. The results of the analysis are included in this section, and a copy of the report is included within Appendix F of this Environmental Impact Report (EIR), with confidential records and maps on file at the County of San Diego Planning & Development Services (PDS) and deposited with the South Coastal Information Center (SCIC).

2.4.1 Existing Conditions

2.4.1.1 Environmental Setting

Natural Environment

The project area is topographically varied, with relatively flat valley bottomland characterizing the southern portion of the property and moderate to steep slopes in the northwestern, northern, and eastern areas. Elevations range between approximately 350 and 1,000 feet above mean sea level. Several intermittent tributaries to the San Luis Rey River cross the property from north to south, including Gomez Creek and Pala Creek.

The southern portion of the project area is classified as a Quaternary alluvium geologic unit, which has weathered to very deep and well-draining granitic-based sandy loam. The western, northern, and eastern portions of the project area are primarily Mesozoic granitic rock (granodiorite) with some basic intrusive rock (gabbro). Over time, these granodioritic areas have deteriorated to shallow coarse sandy loams.

Ranching and agricultural activities have substantially altered the natural environment on site. Earthen berms and channelized underground pipes have been constructed for flood control and irrigation, altering the natural drainage in the area. Horse pastures, barns, bunkhouses, residences, an office building, and a horse arena are scattered across the project site and have also altered the natural landscape. Native plant communities consisting of chamise chaparral and mixed chaparral persist in many of the steeply sloped areas. Oak riparian woodland lines the Gomez Creek drainage, and sycamores (*Platanus* sp.) are the dominant trees in the less well-watered eastern drainage.

Cultural Environment

The cultures that have been identified in the general vicinity of the Warner Ranch project consist of a possible Paleo-Indian manifestation of the San Dieguito Complex, the Archaic and Early Milling Stone Horizons represented by the La Jolla Complex, and the Late Prehistoric Luiseño culture. The area was used for ranching and farming during the Spanish occupation of the region and extending into the historic period. See the cultural technical study for the detailed cultural background.

2.4.1.2 Methodology

The presence and significance of existing cultural resources associated with the Warner Ranch project was determined using the methodologies outlined in this section.

Methodologies included a review of institutional records and reports for the project site and immediate vicinity, a field survey, surface mapping, artifact collection, graphic and photographic documentation of bedrock milling, a historic structures assessment, historic archival research, and excavation of shovel test pits, test units, and mechanical trenches to determine the extent, integrity, and constituents of site deposits.

The evaluation of cultural resources is in conformance with the County of San Diego Resource Protection Ordinance (RPO) and the California Environmental Quality Act (CEQA), Section 21083.2 (PRC, Section 21000 et seq.). The statutory requirements of CEQA as defined in the CEQA Guidelines (14 CCR 15000 et seq.) were followed in evaluating the significance of the cultural resources.

Survey Methods

The vast majority of the project area (433.6 acres) was surveyed for cultural resources by Gallegos & Associates in 2006. An additional 80 acres was later added to the project area; this 80-acre parcel was surveyed by Brian F. Smith & Associates in 2010. The extremely steep slopes located in the northeastern and westernmost portions of the project area, as well as those areas comprising the eastern wall of upper Gomez Creek canyon, were spot-checked, with attention focused on relatively level topographic features and bedrock outcroppings. Locations of all archaeological resources encountered during the survey were mapped using a handheld Global Positioning System (GPS) unit. Representatives of the San Luis Rey Band of Luiseño Mission Indians provided Native American monitoring for both the 2006 and 2010 surveys. In January 2013, two additional off-site linear survey areas were added to the project. These surveys included a 21,800-foot proposed sewer alignment along State Route 76 (SR 76) and a proposed 3,500-foot water extension along Jeremy Road. All cultural resources were recorded according to the Office of Historic Preservation manual, *Instructions for Recording Historical Resources*, using California Department of Parks and Recreation (DPR) forms.

Testing Methods

A testing program was conducted by Gallegos in 2006 at sites CA-SDI-4502 and CA-SDI-17759, which included the excavation of shovel test pits (STPs) to determine the size of the site and the depth of cultural deposits. Six STPs were excavated at CA-SDI-17759; no cultural material was found. Ten STPs and one one-meter by one-meter (approximately three-foot by three-foot) test unit were excavated at CA-SDI-4502 to establish the site boundaries, determine whether there was a subsurface deposit, evaluate the significance of the site, and identify proper mitigation. Historic archival research and interviews were conducted to evaluate the historic resources on site (P-37-027237 and P-37-027238).

A subsurface testing program was conducted at CA-SDI-4503H by Brian F. Smith & Associates in 2011. Due to the uncertainty of buried deposits at the site, systematic mechanical trenching was used, rather than STPs. Trenching allowed for greater resolution on the subsurface nature of the deposit and with regard to the potential location of features (if present), as well as being more cost effective. The location of the eight trenches correlated with the location of the original structures identified on the 1901 and 1949 maps and the breadth of the known surface deposit identified by Gallegos in 2006.

Native American Participation and Consultation

Initial Native American consultation for the project was undertaken by Gallegos & Associates and County staff in conjunction with the 2006 survey. County staff contacted the Native American Heritage Commission for a Sacred Lands File Search and Native American Contacts List in June 2010. Those on the Contacts List were notified of the project, and a field meeting was held on September 23, 2010, to initiate consultation under Senate Bill 18. Representatives of the Pauma-Yuima Band, Rincon Band, and Pala Band were present, as well as County staff, representatives of the project applicant, the archaeological consultant, and the EIR consultant.

During the 2010 survey and the 2011 testing program, Brian F. Smith & Associates requested the presence of a representative from the Pala Band of Mission Indians. Pala provided a representative from the San Luis Rey Band of Luiseño Mission Indians.

2.4.1.3 Records Search Results

According to the records on file at the SCIC, there have been 36 cultural resource studies conducted within the records search area (a one-mile radius of the project site and the additional off-site improvements). A total of 33 cultural resources have been documented within one mile of the project site and the off-site improvements. Three of the previously recorded cultural resources have been identified within the 513.6-acre project site. Seven previous studies cross the off-site improvement areas, and five sites have been recorded within the off-site improvements right-of-way (ROW).

2.4.1.4 Survey Results

The purpose of the cultural technical study was to relocate previously recorded resources and identify new sites. Four archaeological sites and two historic structures were identified during the survey of the project: CA-SDI-4502, CA-SDI-4503H, CA-SDI-12208H, CA-SDI-17759, P-37-027237 (Gate House), and P-37-027238 (Main House). CA-SDI-746 is located just off site and will not be impacted by the proposed project. The site will be permanently fenced to ensure that there are no indirect project impacts. Five archaeological sites were previously recorded within the off-site sewer ROW along SR 76: CA-SDI-744, CA-SDI-12584, CA-SDI-13007H, CA-SDI-13767H, and CA-SDI-14609. No new resources were found during the survey for off-site improvements. The survey for the off-site water line along Jeremy Road was negative.

On-Site Cultural Resources

CA-SDI-4502

CA-SDI-4502 had been recorded as two bedrock milling features, consisting of one mortar and one slick, on separate boulders. The testing program included the excavation of 10 STPs and one one-meter by one-meter (approximately three-foot by three-foot) test unit, as well as collection of surface artifacts. The artifact assemblage consists of 27 ceramic sherds, one mano, one metate fragment, one other ground stone fragment, and 0.2 gram (0.007 ounce) of animal bone. Disturbance from bioturbation was noted in all levels of the unit, and impacts from ranching were evident. Construction of the road may have destroyed portions of the site. The range of artifacts at CA-SDI-4502 was limited.

CA-SDI-4503H

CA-SDI-4503H was recorded in 1978 as a historic trash scatter. The site was initially tested by Gallegos in 2006 through surface collection, historical research, and data analysis. No subsurface testing was conducted at that time because the site area had been heavily disturbed by past and ongoing surface grading, use of the area as a borrow site, and dumping of large piles of cut vegetation. Subsurface testing was conducted, which included a series of eight backhoe trenches that were excavated at the site in 2011. No cultural material was encountered in the trenches and no structural remains were observed on the site.

Historical analysis indicated that the F. John North family settled on 160 acres in the northeastern portion of the project area sometime prior to 1880; the household was listed on the 1880 census. The North family holdings are shown in San Diego County Plat Maps from 1892 and 1896, and a house is shown in the northern portion of the North property on the 1901 U.S. Geological Survey San Luis Rey quadrangle. The North family represents the generation of pioneer farmers that established agricultural communities throughout San Diego County during the late nineteenth century. F. John North's children attended Pala School, and he was active on the school board.

The artifact collection from CA-SDI-4503H consists of 245 individual pieces weighing a total of 1,024.3 grams (36.1 ounces). Much of the material was highly fragmented and non-diagnostic, and the actual number of individual items represented could not be determined. Datable artifacts collected at the site fall into two basic temporal periods. There were 27 items dated generally between 1880 and 1900. Given this time frame and the location of the site near the F. John North house on the 1901 U.S. Geological Survey map, these artifacts are likely associated with the North household. A total of 16 items date from after 1930 into the 1950s. These artifacts appear to represent the occupation of the ranch after the Lavenders purchased the property in 1939. The artifact collection contains material dating from the period of occupation by the North family.

CA-SDI-12208H

This site included a cabin and a low retaining wall, as well as a trash dump containing numerous medicine bottles, wine and spirit bottles, milk cans, and condiment jars, generally dating from the 1930s to the 1950s. Amateur collectors have previously removed bottles from the site, and cut brush has been placed over the deposit, presumably to obscure its location. The cabin, which was standing at the time it was originally recorded in 1979, has since collapsed, with only the door jamb and short segments of two walls still standing. The structure was constructed and occupied by Elmer Elert, a World War I veteran who had lost a leg in the war. The site is preserved in open space, and no testing was conducted.

CA-SDI-17759

CA-SDI-17759 was recorded during the 2006 survey of the property as a single bedrock milling feature, consisting of one milling slick. Six STPs were excavated, and no artifacts were identified.

P-37-027237 (Gate House)

The study of the Gate House consisted of on-site investigation of the structure, historic archival research, and interviews. A Primary Record and a Building, Structure, and Object Record form were completed and submitted to SCIC. The Gate House was constructed by the Lavenders after 1942, concurrent with the construction of the Main House (see P-37-027238 (Main House)). The building consists of a single-story, rectangular adobe block building with a Spanish-style roof and stuccoed chimney. A framed carport is located on the north side of the building. Fenestration consists of four-over-four pane, wood-framed double hung sash windows. A porch on the south side of the building has been enclosed with board and batten wooden board siding.

P-37-027238 (Main House)

Research for the Main House consisted of on-site investigation of the structure; historic archival research, including examination of old photographs provided by the property caretaker; and

interviews. A Primary Record and a Building, Structure, and Object Record form were completed and submitted to the SCIC.

The Main House is a single-story, rectangular, California ranch-style adobe building with Spanish Revival-style stucco exterior and tile roof. The north end of the building has a second-story loft addition. The house features multi-paned casement windows and wood-framed glass doors placed at various locations around the exterior. A number of stucco-covered chimneys protrude from the roofline. A large covered veranda, flagstone patio, and swimming pool on the southeast side of the building are recent additions.

The area of the site was first settled by Sylvester Gomez, who emigrated from Mexico around 1862. Gomez never achieved legal title to the land. His son-in-law, Francisco Moreno, realized the family needed to secure ownership of the land and filed for title to 320 acres, which included San Luis Rey Valley bottomlands at the mouth of Gomez Creek and extended for about a mile northward into Gomez Canyon. The Moreno home was located in the south portion of the project area, in the location of the main ranch house built by the Lavenders in the late 1930s. It has not been determined whether this was the same location of Sylvester Gomez's home or whether Moreno built a separate dwelling from that of his father-in-law.

The Gomez and Moreno families represent a group of pioneer farmers that established agricultural communities throughout San Diego County during the late nineteenth century. The Morenos were part of the Pala agricultural community, a neighborhood of farm families tied together through geographical boundaries and a common schoolhouse. Farmers living in small rural localities were instrumental in the development of San Diego, as they fed the growing urban population and provided business for local markets. Rural farm school districts represented the most common type of community in the county from 1870 to 1930.

The Morenos prospered on their Pala farmstead, and Francisco Moreno was involved in community affairs and served on the school board. While Moreno cultivated grain, as well as walnut and orange groves, a vineyard and winery became the primary agricultural activity on the farm. When Moreno died in 1902, his nephew took over operation of the winery. The Moreno family continued to improve their holdings throughout the early part of the twentieth century. In 1939, the parcel passed out of the Moreno family's control. The Lavenders purchased the 320-acre the Moreno property, as well as 160 acres that had once belonged to F. John North. The Lavenders moved onto the property in 1939 and began to construct a new house on the ruins of the Francisco Moreno house. In 1939, a single wall remained standing, which Pala residents claimed was 100 years old. The wall likely dates to the 1860s or early 1870s, when Sylvester Gomez and Francisco Moreno first occupied the parcel. Mrs. Lavender insisted that this wall not be taken down, and the couple proceeded to build a modern adobe house around the old wall. Mrs. Lavender used architectural magazines as inspiration and

designed a southwestern-style adobe house. The nearby Gate House (P-37-027237) was built at the same time and with the same type of construction.

The Lavenders eventually built a house on 50 acres located south of the highway and resided there. Around 1960, the Lavenders sold the current project area. By 1962, the property was owned by Barbara and George Fuller, who raised registered quarter horses and purebred Aberdeen Angus cattle. Many of the barns and other outbuildings currently standing on the property were built in the 1960s. By the early 1980s, the Warners owned the property. They hired the Weir Brothers, who specialized in adobe construction, and the Main House was extensively remodeled.

P-37-027238 may still hold potential archaeological significance, because of the remains of the Moreno Adobe. Floors, other living surfaces, foundations, privies, dumps, and artifacts from the Moreno occupation may still exist under or immediately adjacent to the existing Main House.

Off-Site Cultural Resources

CA-SDI-744

CA-SDI-744 was originally recorded by D.L. True in 1960 and has been updated multiple times since then. The site has been described as a large milling complex with ceramics, beads, lithics, and milling implements. While the site is recorded approximately to the edge of the alignment of SR 76, the site is 10 feet or more above the existing highway, and no associated cultural material was observed during the survey for the off-site sewer line. Based on the previous impacts associated with development of the highway and other impacts to the site, the probability of encountering intact deposits is considered low.

CA-SDI-12584

CA-SDI-12584 was originally recorded by True as Locus B of CA-SDI-744; the site has been updated multiple times. As a portion of CA-SDI-744, this site contains similar elements. In addition, a yoni (female fertility symbol) was identified at this site in 1991. As noted for CA-SDI-744, the site is actually several feet above the level of the existing highway, and no cultural material associated with it was found during the survey. Based on the extent of previous impacts from development of the highway, the probability of encountering intact cultural deposits is considered low.

CA-SDI-13007H

This site was originally recorded in 1992 as a scatter of historic glass and ceramics. The original site location map shows CA-SDI-13007H as extending into the sewer ROW along SR 76.

However, no cultural material was found within the ROW during the survey. This is consistent with a 2004 site record update that noted no cultural material within the highway ROW. Given the extent of previous impacts from development of the highway, the probability of encountering intact cultural deposits is considered low.

CA-SDI-13767H

CA-SDI-13767H was recorded in 1994 as a historic trash scatter containing small amounts of historic domestic refuse. The site form was updated in 2004, noting that no cultural material was found in the ROW of SR 76, although the site was originally mapped as being within the sewer improvements ROW within SR 76. No cultural material was found in the ROW during the current survey. Based on the extent of previous impacts from development of the highway, the probability of encountering intact cultural deposits is considered low.

CA-SDI-14609

This site was originally recorded in 1997 and was updated in 2004. CA-SDI-14609 was described as a series of loci, including pictographs. Locus C, a series of bedrock milling slicks, is recorded as extending to within a few feet of the sewer ROW along SR 76. No cultural material was found within or adjacent to the ROW during the current survey, which is consistent with the 2004 site record update. Based on the extent of previous impacts from development of the highway, the probability of encountering intact cultural deposits is considered low.

2.4.2 Regulatory Setting

Resource importance 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. A number of criteria are used in demonstrating resource importance. Specifically, criteria outlined in CEQA, the County RPO, and the San Diego County Local Register of Historical Resources provide the guidance for making such a determination. These regulations are detailed in the report in Appendix F.

Under CEQA, a historic resource is significant if it meets the criteria for listing on the California Register of Historical Resources (PRC SS5024.1; 14 CCR 4850 et seq.), including the following:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. 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

4. Has yielded, or may be likely to yield, information important in prehistory or history (14 CCR 4852).

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. If a resource meets any one of the following criteria as outlined in the Local Register of Historic Places, it will be considered an important resource:

1. Is associated with events that have made a significant contribution to the broad patterns of San Diego County's history and cultural heritage;
2. Is associated with the lives of persons important to the history of San Diego County or its communities;
3. Embodies 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. Has yielded, or may be likely to yield, information important in prehistory or history.

The County RPO has a set of criteria that must be addressed for any cultural resources encountered during a survey. These criteria include the following:

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:
 - (aa) Formally determined eligible or listed in the National Register of Historic Places by the Keeper of the National Register; or
 - (bb) 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:
 - (aa) 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

- (bb) Other formally designated and recognized sites which are of ritual, ceremonial, or sacred value to any prehistoric or historic ethnic group.

County of San Diego General Plan

The County's General Plan Conservation and Open Space Element addresses plans, policies, and goals regarding cultural resources. Cultural resources, found throughout the County of San Diego, are irreplaceable reminders of the County's prehistoric and historic past that continues to have value for communities today. These resources can provide clues to prehistoric and historic human behaviors, and provide scientific, religious, and other valuable educational information about our cultural past. In addition, these resources such as sacred places and traditional cultural properties continue to influence and have value for the County's living tribal people. The cultural environment encompasses both the built (post-1769) and the archaeological environments, which include both prehistoric and historic archaeological sites. Cultural resources are found throughout the County and include not only physical evidence of the past such as Native American rock shelters, and pictographs but the intangible evidence such as traditional cultural lands and sacred sites. Examples of historic cultural resources (the built environment) include homes, barns, bridges, fountains, and silos. In 2008, the County of San Diego had more than 23,000 recorded cultural resource sites and this number continues to grow. Select applicable General Plan policies are listed below:

- **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.
- **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.

- **COS-8, Protection and Conservation of the Historical 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.
- **COS-8.2, Education and Interpretation.** Encourage and promote the development of educational and interpretive programs that focus on the rich multicultural heritage of the County of San Diego.

2.4.3 Analysis of Project Effects and Determination as to Significance

According to the CEQA Guidelines, "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" (14 CCR 15126.4(b)(3)). An analysis of each site is provided below along with a determination as to the significance of the site, pursuant to Section 15064.5 of the CEQA Guidelines and the County RPO.

2.4.3.1 Archaeological Sites

Guidelines for the Determination of Significance

For the purposes of this EIR, any of the following will be considered a potentially significant environmental impact to archaeological resources:

1. The project, as designed, causes a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the 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.
2. The project, as designed, disturbs any human remains, including those interred outside of formal cemeteries.
3. Activities or uses damaging to significant cultural resources as defined by the Resource Protection Ordinance (RPO) are proposed and the project fails to preserve those resources.

The significance guidelines listed above have been selected for the following reasons:

Guideline 1 is derived directly from CEQA. Section 21083.2 of CEQA and Section 15064.5 of the CEQA Guidelines recommend evaluating archaeological resources to determine whether or not a proposed action would have a significant effect on unique archaeological resources. Guideline 2 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 Native American Heritage Commission for any project in which human remains have been identified. Guideline 3 was selected because cultural resources are protected under the RPO. Any project that would have an adverse impact (direct, indirect, or cumulative) on significant cultural resources as defined by this guideline would be considered a significant impact.

According to CEQA, any site that yields information or has the potential to yield information, even if limited, is considered significant. In addition, the County guidelines “consider most resources significant because they contain some information that contributes to our knowledge of prehistory.”

The RPO does not allow non-exempt activities or uses damaging to prehistoric lands determined to be RPO-significant on properties under County jurisdiction. The only exempt activity is scientific investigation. The project is required to be in conformance with applicable County standards related to cultural resources, including the noted RPO criteria for prehistoric sites. Non-compliance would result in a project that is inconsistent with County standards.

Analysis (Guidelines 1 and 3)

As a result of the archaeological resources survey, four archaeological resources (CA-SDI-4502, CA-SD-4503H, CA-SDI-12208H, and CA-SDI-17759) were documented and evaluated for significance according to CEQA (14 CCR 15064.5) and the RPO criteria. These sites include bedrock milling features, historic trash scatters, and historic structural remains. Each site is summarized in the following sections along with a determination as to the significance of the site. A detailed discussion of each site can be found in the archaeological resources study (Appendix F).

Archaeological Resources – Limited Significance

CA-SDI-17759 is identified as a bedrock milling site and CA-SDI-4502 is a temporary campsite that includes bedrock milling and an artifact scatter. The evaluation of these sites included subsurface testing in the form of excavation of STPs at both sites and a standard (one-meter-square) test unit at CA-SDI-4502. CA-SDI-17759 is a bedrock milling site that was also tested but was negative for artifacts. The recovered artifact assemblage from CA-SDI-4502 consists of 27 ceramic sherds, one mano, one metate fragment, one other ground stone fragment, and 0.2 gram (0.007 ounce) of animal bone. This limited amount of cultural material indicates that no significant

subsurface deposit is present at the site. The lack of a significant subsurface deposit combined with the exhaustive recording and curation of artifacts and bedrock milling features indicates that these sites are not likely to yield additional information important to understanding the history/prehistory of San Diego County. The sites do not possess locally, regionally, or otherwise unique cultural resources and therefore do not qualify as significant under the RPO. Because the importance of these archaeological resources is classified as limited and because the information or potential for information has been exhausted, any impacts incurred through the implementation of the proposed project will be **less than significant according to Guidelines 1 and 3**.

CA-SDI-4503H was identified as a historic trash scatter associated with occupation of the site by the North family between 1880 and the early 1900s, as well as the occupation of the ranch after the Lavenders purchased the property in 1939. The evaluation of the site included surface collection and subsurface testing in the form of the excavation of eight backhoe trenches. No subsurface cultural material was identified during the testing program, indicating that no significant subsurface deposit is present at this site. The lack of a significant subsurface deposit combined with the exhaustive recording and curation of surface artifacts indicates that CA-SDI-4503H is not likely to yield additional information important to understanding the history/prehistory of San Diego County. Because the importance of this archaeological resource is classified as limited and because the information or potential for information has been exhausted, any impacts incurred through the implementation of the proposed project will be **less than significant according to Guidelines 1 and 3**.

Archaeological Resources – Significant

The project design places one archaeological site, CA-SDI-12208H, in an open space easement. This resource was not relocated and therefore was not evaluated for significance; therefore, significance is assumed under both CEQA and the RPO. This site included a cabin (now collapsed) and a low retaining wall, as well as a trash dump containing numerous bottles, milk cans, and condiment jars, generally dating from the 1930s to the 1950s. Implementation of the proposed project would have a **less-than-significant** impact on the site because it will be preserved by its placement in open space; therefore, there will not be a substantial adverse change in the significance of the resource according to Guidelines 1 and 3.

Analysis (Guideline 2)

Human Remains

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; therefore, **no impacts** to Native American burial sites are expected.

2.4.3.2 Historic Sites

Guidelines for the Determination of Significance

For the purposes of this EIR, any of the following will be considered a potentially significant environmental impact to historic resources:

1. The project causes a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the 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 the Interior's Standards.
2. Activities or uses damaging to significant cultural resources as defined by the Resource Protection Ordinance (RPO) are proposed and the project fails to preserve those resources.

The significance guidelines listed above have been selected for the following reasons:

Guideline 4 is derived directly from CEQA. Section 21083.2 of the PRC and Section 15064.5 of the CEQA Guidelines recommend evaluating historical resources to determine whether or not a proposed action would have a significant effect on unique historical resources. Guideline 5 was selected because historical resources are protected under the RPO. Any project that would have an adverse impact (direct, indirect, or cumulative) on significant historic resources as defined by these guidelines would be considered a significant impact.

The County RPO does not allow non-exempt activities or uses damaging to historic resources determined to be RPO-significant on properties under County jurisdiction. The only exempt activity is scientific investigation. The project is required to be in conformance with applicable County standards related to cultural resources, including the noted RPO criteria for historic sites. Noncompliance would result in a project that is inconsistent with County standards.

Analysis (Guidelines 4 and 5)

As a result of the historic resources survey, two historic structures (P-37-027237 and P-37-027238) were documented and evaluated for significance according to CEQA Guidelines, Section 15064.5, and the RPO criteria. These resources include the Gate House and the Main House, both adobe buildings with Spanish Revival-style stucco exteriors and tile roofs. Each resource is summarized below along with a determination of significance. A detailed discussion of each resource can be found in the historic resources study (Appendix F).

Historic Resources – Limited Significance

Two historic resources (P-37-027237 (Gate House) and P-37-027238 (Main House)) within the Warner Ranch project development area were evaluated for significance according to CEQA Guidelines (14 CCR 15064.5) and RPO criteria. The evaluation included archival resource, oral histories, historic analysis, and on-site investigation. According to the evaluation, these resources are not significant according to CEQA and the RPO criteria because they (1) are not associated with events that have made a significant contribution to the broad patterns of California or San Diego County's history and cultural heritage; (2) are not associated with the lives of persons important to our past, including the history of San Diego County or its communities; (3) do not embody the distinctive characteristics of a type, period, region (San Diego County), or method of construction, or represent the work of an important creative individual, or possess high artistic values; and (4) lack the potential to further answer questions related to understanding the history of the area. Since these resources are evaluated as having limited significance, any impacts incurred through the implementation of the proposed project will be **less than significant according to Guidelines 4 and 5**.

2.4.3.3 Traditional Cultural Properties

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

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

1. A location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world;
2. A rural community whose organization, buildings and structures, or patterns of land use reflect the cultural traditions valued by its long-term residents;

3. An urban neighborhood that is the traditional home of a particular cultural group, and that reflects its beliefs and practices;
4. A location where Native American religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice; and
5. A location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity (Parker and King 1998, as cited in Appendix F).

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

No information has been obtained through Native American consultation or communication with the Native American monitor(s) during fieldwork that any of the evaluated sites are culturally significant. No Traditional Cultural Properties are known to exist within the project area that currently serve religious or other community practices. During the current archaeological evaluation, no artifacts or remains were identified or recovered that could be reasonably associated with such practices. All prehistoric archaeological material consisted of common flaked stone and ground stone items, and those in very limited quantities. Features consisted of bedrock milling. Because Traditional Cultural Properties are not present, there would be **no impact**.

2.4.4 Cumulative Impact Analysis

According to CEQA, the importance of cultural resources comes from the research value and the information 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 and test excavations. Significant sites that are placed in open space easements avoid impacts to cultural resources and also preserve the data. Significant sites that are not placed within open space easements preserve the information through recordation, test excavations, and data recovery programs that would be presented in reports and filed with the County of San Diego and the SCIC. The artifact collections from any potentially significant site would also be curated at a curation facility within San Diego County or with an affiliated Tribal curation facility. Alternatively, the collections may be repatriated to a Tribe of appropriate affiliation.

The cumulative study area includes the San Luis Rey River corridor and tributaries to it from Frey Creek on the east to Keys Canyon and Pala Mesa on the west. The study area includes Rice Canyon and the valley north of the San Luis Rey River, along Interstate 15. The cultural

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

Within the cumulative study area, SCIC has a record of 135 resources, including archaeological sites, historic structures, and isolates. Based on available information from SCIC and PDS records, sites CA-SDI-683, CA-SDI-684, CA-SDI-744, CA-SDI-745, CA-SDI-9854, CA-SDI-12584, CA-SDI-14607, CA-SDI-14610, and CA-SDI-14611 are CEQA-significant, and sites CA-SDI-6, CA-SDI-313/4356, CA-SDI-314, CA-SDI-682, and CA-SDI-14609 are both CEQA- and RPO-significant cultural resources because of their potential to provide important information about scientific research questions or the presence of culturally significant elements such as rock art or human remains. A total of 15 resources has been determined to be less than significant; the remainder of the resources in the cumulative study area has not been assessed to determine significance (or no information was available regarding significance testing). Prehistoric and historic settlement patterns can be very broad; therefore, it is prudent to consider a large study area when evaluating cumulative impacts.

Based on SCIC records, 84 archaeological surveys or reviews have occurred within this area (many focused on the same, or on different aspects of the same, development projects). A total of five development projects are known to have been processed or are currently being processed in the County PDS. Table 2.4-1, Mitigation Measures for Cumulative Impacts in the Project Area, presents information on these projects gathered from PDS records and a record search performed for the cumulative study area at SCIC. Of the five projects, one (Cingular) would have less than significant impacts to cultural resources (based on County file information), and one project has no impact data available due to its early status in processing (Prominence at Pala). Three projects (Meadowood, Gregory Canyon Landfill, and Campus Park) have incorporated measures to avoid known significant impacts; however, potentially significant impacts would remain due to the potential for buried resources. These three projects have incorporated grading monitoring and/or data recovery programs to ensure that if buried resources are present, they would be identified

and assessed for significance and proper recordation, avoidance, and data-recovery measures would be undertaken. Other mitigation measures are included in Table 2.4-1.

The proposed project's impacts to cultural resources would be reduced to less than significant through documentation of all the sites and through mitigation measures that include preservation of one site in open space, temporary and permanent fencing to avoid potential indirect impacts to an off-site resource, curation of collected cultural material at the San Diego Archaeological Center or at a culturally affiliated Tribal curation facility or repatriated to a culturally affiliated Tribe, relocation of bedrock milling, demolition monitoring, and archaeological monitoring by a County-approved archaeologist and a monitor representing the local Tribes during both on- and off-site grading activities. Similarly, impacts to any undiscovered or buried potentially significant cultural resources located within the cumulative projects' boundaries would be reduced below a level of significance by similar measures.

The two prehistoric sites that would be directly affected by the project consist of bedrock milling features, with a small amount of artifactual material at one. The historic period resources that would be subject to direct impacts include scatters of trash from the late nineteenth century and from the 1930s to 1950s. Similar sites are found throughout the cumulative impacts study area, many of which are not subject to impacts. Meadowood, Gregory Canyon Landfill, and Campus Park have incorporated mitigation measures to avoid known resources. As shown in Table 2.4-1, resources affected by Campus Park and Meadowood do not include bedrock milling features or historic period trash scatters and therefore would not combine to result in a cumulative adverse effect to these specific resources. The amount and nature of cultural material at the sites in the project is too small to be considered important, even cumulatively. The historic structures are common for the early to mid-twentieth century; again, their loss is not important, even when considered cumulatively with other such buildings. There is a potential for archaeological deposits associated with the nineteenth century occupation by the Gomez and Moreno families. This situation is similar to that of Meadowood and off-site improvements for Campus Park, at which there is a potential for subsurface remnants of the nineteenth century Monserate Adobe or cultural material associated with it.

Because the proposed project and the projects within the cumulative impact area have been examined for their significance of impacts to cultural resources, there is no cumulative loss of information associated with development in the area. Additionally, should new resources be discovered during development within the cumulative impact area, site-specific measures necessary to evaluate and collect relevant information would likely occur. The proposed project would not cumulatively contribute to a significant impact. Therefore, impacts would be **less than significant**.

2.4.5 Significance of Impacts Prior to Mitigation

A total of seven cultural resources have the potential to be impacted with the implementation of the proposed project. Of those resources, five (CA-SDI-4502, CA-SDI-4503H, CA-SDI-17759, P-37-027237, and P-37-027238) were determined to have limited significance. One site (CA-SDI-12208H) was not evaluated, so it is assumed to be significant under both CEQA and the RPO. One site (CA-SDI-746) is located off site on an adjacent property. In addition, there is a potential for undiscovered archaeological resources beneath existing buildings at P-37-027238. If such deposits are present, they are potentially significant under both CEQA and the RPO. For the off-site sewer alignment along SR 76, five sites were previously recorded within or adjacent to the ROW (CA-SDI-744, CA-SDI-12584, CA-SDI-13007, CA-SDI-13767, and CA-SDI-14609). However, the current survey conducted in 2013, as well as past surveys along SR 76, determined that these five sites do not appear to extend into the proposed sewer improvements ROW. See Table 2.4-2 for the significance of impacts prior to mitigation.

2.4.6 Mitigation

Potential direct impacts have been identified for archaeological deposits at P-37-027238, if such exist. However, as stated above these resources are evaluated as having limited significance. There is a potential for indirect impacts to CA-SDI-12208H, which is located in open space, and CA-SDI-746, which is located off site. In addition, there is a potential for previously undiscovered cultural resources to be encountered. The mitigation measures detailed below would ensure any potential impacts are below a level of significance.

M-CR-1 To mitigate for potential direct impacts to archaeological deposits beneath the existing structure at P-37-027238 (the Main House), the applicant shall implement the following program.

ANY PERMIT

M-CR-1.1 Demolition Monitoring

Intent: In order to mitigate for potential impacts to the significant component (1870s era adobe wall and possible subsurface resources) of the historic Main House (P-37-027238), a demolition monitoring program (including controlled excavations) shall be implemented pursuant to the County of San Diego (County) *Guidelines for Determining Significance, Report Format and Content Requirements: Cultural Resources* and the California Environmental Quality Act.

Description of Requirement: A County-approved Principal Investigator, known as the “Project Archaeologist,” shall be contracted to perform demolition monitoring and controlled excavations of the historic Main House (P-37-027238). The demolition monitoring program shall include but is not limited to the following:

- a. The Project Archaeologist shall perform the demolition monitoring duties and controlled excavations during the demolition of the historic Main House (P-37-027238). The contract or letter of acceptance provided to the County shall include an agreement that the demolition monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The cost of the monitoring shall be added to the grading bonds or bonded separately.

Documentation: The applicant shall provide a copy of the Demolition Monitoring Contract or letter of acceptance, cost estimate, and MOU to the [PDS, PCC]. Additionally, the cost of the monitoring work shall be added to the grading bond cost estimate.

Timing: Prior to approval of any grading and or improvement plans and issuance of any grading or construction permits.

Monitoring: The [PDS, PCC] shall review the contract or letter of acceptance, MOU, and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, LDR], for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

The following notes shall be placed on the grading/improvement plans:

M-CR-1.2 Demolition Monitoring

PREGRADING/DEMOLITION MEETING

Intent: In order to comply with the County *Guidelines for Significance, Report Format and Content Requirements: Cultural Resources* and the California Environmental Quality Act, a demolition monitoring program for the historic Main House (P-37-027238) shall be implemented.

Description of Requirement: The County-approved Project Archaeologist and [PDS, PCC], shall attend the pre-construction/demolition meeting with the contractors to explain and coordinate the requirements of the demolition monitoring and controlled excavation program. The Project Archaeologist shall monitor the demolition of the historic Main House (P-37-027238). The demolition monitoring program shall comply with the County *Guidelines for Determining Significance, Report Format and Content Requirements: Cultural Resources*.

Documentation: The applicant shall have the contracted Project Archaeologist attend the pre-construction/demolition meeting to explain the demolition monitoring requirements.

Timing: Prior to the pre-grading/demolition meeting, and prior to any clearing, grubbing, trenching, grading, or any land disturbances, this condition shall be completed.

Monitoring: The [DPW, PDCI] shall invite the [PDS, PCC] to the pre-grading/demolition meeting to coordinate the demolition monitoring requirements of this condition. The [PDS, PCC] shall attend the pre-construction/demolition meeting and confirm the attendance of the approved Project Archaeologist.

M-CR-1.3 Demolition Monitoring

DURING DEMOLITION

Intent: In order to comply with the County *Guidelines for Determining Significance, Report Format and Content*

Requirements: Cultural Resources, and the California Environmental Quality Act, a demolition monitoring program for the historic Main House (P-37-027238) shall be implemented.

Description of Requirement: The Project Archaeologist shall monitor the demolition of the historic Main House (P-37-027238). The demolition monitoring program shall comply with the following requirements:

- a. During the demolition of the historic Main House (P-37-027238), the Project Archaeologist shall be on site full time. The frequency and location of the inspections will be determined by the Project Archaeologist.
- b. In the event that the interior 1870s-era adobe wall or other cultural resource is identified, the Project Archaeologist shall have the authority to divert or temporarily halt demolition operations to allow evaluation of the potentially significant cultural resource. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist, shall determine the significance of the discovered resource(s). Demolition activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation.
- c. In the event that any portion of the 1870s-era adobe is identified, a preservation plan shall be prepared. The preservation plan shall include:
 - Reasonable efforts to preserve (through avoidance) the 1870s-era adobe in situ.
 - If preservation is not feasible, then a research design and data recovery program shall be implemented as identified in item d.
- d. A research design and data recovery program (controlled excavation) of the historic Main House (P-37-027238) shall be prepared and shall include but not be limited to the following:
 - If preservation in situ is not feasible, the wall may be dismantled and moved to another location on site.

- All building components, including the concrete slab foundation, shall be removed without disturbing the ground surface and/or as directed by the Project Archaeologist. Once the ground surface is exposed, the Project Archaeologist shall map all visible features and artifacts.
- A controlled excavation program to expose features and recover artifacts shall be conducted in conformance with professional standards if historic features or deposits are identified.
- All recovered materials shall be cataloged and analyzed and appropriate special studies conducted.

Documentation: The applicant shall implement the demolition monitoring program pursuant to this condition.

Timing: The following actions shall occur throughout the duration of the demolition of the historic Main House (P-37-027238).

Monitoring: The [DPW, PDCI] shall make sure that the Project Archaeologist is on site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Archaeologist or applicant fails to comply with this condition.

M-CR-1.4 Demolition Monitoring

ROUGH GRADING

Intent: In order to comply with the County *Guidelines for Determining Significance, Report Format and Content Requirements: Cultural Resources*, and the California Environmental Quality Act, a demolition monitoring program shall be implemented.

Description of Requirement: The Project Archaeologist shall prepare one of the following reports upon completion of the demolition activities for the historic Main House (P-37-027238) that require monitoring:

- a. If no cultural resources are encountered during demolition, then a final negative monitoring report shall be submitted

substantiating that demolition activities are completed and no cultural resources were encountered. Demolition monitoring logs showing the date and time that the monitor was on site must be included in the negative monitoring report.

- b. If cultural resources were encountered during demolition, the Project Archaeologist shall provide a demolition monitoring report stating that the demolition monitoring activities have been completed and that resources have been encountered. The report shall detail all cultural artifacts, features, and deposits discovered during monitoring and the anticipated schedule for completion of the disposition of artifacts (curation, repatriation) phase of the monitoring.

Documentation: The applicant shall submit the demolition monitoring report to the [PDS, PCC] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center.

Timing: Upon completion of all demolition activities, and prior to rough grading final inspection (Grading Ordinance Section 87.421.a.2), the report shall be completed.

Monitoring: The [PDS, PCC] shall review the report or monitoring memo for compliance with the project Mitigation, Monitoring, and Reporting Program, and inform [DPW, PDCI] that the requirement is completed.

M-CR-2 Due to the cultural sensitivity of the project area, monitoring of the project area shall be conducted by a qualified archaeologist and a Luiseño Native American monitor during ground-disturbing activities, including off-site improvements, to ensure that if buried features (e.g., human remains, hearths, historic deposits) are present, they will be handled in a timely and proper manner.

ANY PERMIT:

M-CR-2.1 Archaeological Grading Monitoring

Intent: In order to mitigate for potential impacts to undiscovered buried archaeological resources on the Warner Ranch project site, including off-site improvements, a grading monitoring program

and potential data recovery program shall be implemented pursuant to the County *Guidelines for Determining Significance, Report Format and Content Requirements: Cultural Resources* and the California Environmental Quality Act.

Description of Requirement: A County-approved principal investigator, known as the Project Archaeologist, shall be contracted to perform cultural resource grading monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The grading monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during, and after construction pursuant to the most current version of the County *Guidelines for Determining Significance, Report Format and Content Requirements: Cultural Resources*. The contract or letter of acceptance provided to the County shall include an agreement that the grading monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archaeologist shall provide evidence that a Luiseño Native American has been contracted to perform Native American grading monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

Documentation: The applicant shall provide a copy of the grading monitoring contract or letter of acceptance, cost estimate, and MOU to the [PDS, PCC]. Additionally, the cost of the monitoring work shall be added to the grading bond cost estimate.

Timing: Prior to approval of any grading and or improvement plans and issuance of any grading or construction permits.

Monitoring: The [PDS, PCC] shall review the contract or letter of acceptance, MOU, and cost estimate or separate bonds for compliance with this condition. The cost estimate shall be

forwarded to [PDS, LDR], for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

M-CR-2.2 Cultural Resources Report

OCCUPANCY

Intent: In order to ensure that the grading monitoring and demolition monitoring occurred during the demolition of the Main House (P-37-027238) and the grading phase of the project, a final report shall be prepared.

Description of Requirement: A final grading monitoring and data recovery report that documents the results, analysis, and conclusions of all phases of the archaeological monitoring program shall be prepared. The report shall include the following items:

- a. DPR site forms
- b. Daily monitoring logs
- c. Evidence that all cultural materials have been curated, which shall include but not be limited to the following:
 - Evidence that all prehistoric archaeological materials collected during the survey, testing, demolition monitoring and controlled excavations, and grading monitoring program have been submitted to a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native American Tribal 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 prehistoric archaeological materials have been received and that all fees have been paid.

or

- Evidence that all prehistoric materials collected during the survey, testing, demolition monitoring and controlled excavations, and grading monitoring program have been repatriated to a Native American group of appropriate Tribal affinity. Evidence shall be in the form of a letter from the Native American Tribe to whom the cultural resources have been repatriated confirming that the archaeological materials have been received.

Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. 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.

- d. If no cultural resources are discovered, a negative monitoring report must be submitted stating that the grading monitoring activities have been completed. Grading monitoring logs must be submitted with the negative monitoring report.

Documentation: The Project Archaeologist shall prepare the final report and submit it to the [PDS, PCC] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and the culturally affiliated Tribe.

Timing: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared.

Monitoring: The [PDS, PCC] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PCC] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PCC] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

The following notes shall be placed on the Grading/Improvement Plans:

M-CR-2.3 Archaeological Monitoring

PRECONSTRUCTION MEETING

Intent: In order to comply with the County of San Diego *Guidelines for Significance, Report Format and Content Requirements: for Cultural Resources*, a cultural resource grading monitoring program shall be implemented.

Description of Requirement: The County-approved Project Archaeologist, Luiseño Native American monitor, and [PDS, PCC] shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the grading monitoring program. The Project Archaeologist and Luiseño Native American monitor shall monitor original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The grading monitoring program shall comply with the County *Guidelines for Determining Significance, Report Format and Content Requirements: for Cultural Resources*.

Documentation: The applicant shall have the contracted Project Archaeologist and Luiseño Native American monitor attend the pre-construction meeting to explain the monitoring requirements.

Timing: Prior to the pre-construction conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed.

Monitoring: The [DPW, PDCI] shall invite the [PDS, PCC] to the pre-construction conference to coordinate the cultural resource monitoring requirements of this condition. The [PDS, PCC] shall attend the pre-construction conference and confirm the attendance of the approved Project Archaeologist.

M-CR-2.4 Archaeological Monitoring

DURING CONSTRUCTION

Intent: In order to comply with the County *Guidelines for Determining Significance, Report Format and Content*

Requirements: Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented.

Description of Requirement: The Project Archaeologist and Luiseño Native American monitor shall monitor all areas identified for development including off-site improvements. The grading monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. During the original cutting of previously undisturbed deposits, the Project Archaeologist and Luiseño Native American monitor shall be on site as determined necessary by the Project Archaeologist. 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 Luiseño Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the Luiseño Native American monitor.
- b. In the event that previously unidentified, potentially significant cultural resources are discovered, the Project Archaeologist or the Luiseño Native American monitor shall have the authority to divert or temporarily halt ground-disturbing operations in the area of discovery to allow evaluation of potentially significant cultural resources. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist. The Project Archaeologist, in consultation with the PDS Staff Archaeologist and the Luiseño Native American monitor, shall determine the significance of the discovered resources. Construction activities will be allowed to resume in the affected area only after the PDS Staff Archaeologist has concurred with the evaluation. For significant cultural resources, a research design and data recovery program to mitigate impacts shall be prepared by the Project Archaeologist and approved by the PDS Staff Archaeologist, then carried out using professional archaeological methods. The research design and data recovery program shall include (1) reasonable efforts to preserve (through avoidance) “unique” cultural resources or Sacred Sites pursuant to CEQA Section

21083.2(g), as the preferred option; (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. Isolates and clearly non-significant deposits will be minimally documented in the field and the monitored grading can proceed.

- c. 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, as identified by the Native American Heritage Commission, 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 Most Likely Descendant regarding their recommendations, as required by California Public Resources Code (PRC) Section 5097.98, has been conducted. The guidelines in PRC Section 5097.98, CEQA Guidelines Section 15064.5, and Health & Safety Code Section 7050.5 shall be followed. Upon conclusion of the proper treatment and disposition of the remains, the property owner or their representative shall advise the PDS Staff Archaeologist of the outcome.
- d. Monthly status reports shall be submitted to the Director of 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 overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

Documentation: The applicant shall implement the grading monitoring program pursuant to this condition.

Timing: The following actions shall occur throughout the duration of the grading construction.

Monitoring: The [DPW, PDCI] shall make sure that the Project Archaeologist is on site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the Project Archaeologist or applicant fails to comply with this condition.

M-CR-2.5 Archaeological Monitoring

ROUGH GRADING

Intent: In order to comply with the County *Guidelines for Determining Significance, Report Format and Content Requirements: Cultural Resources*, a grading monitoring program shall be implemented.

Description of Requirement: The Project Archaeologist shall prepare one of the following reports upon completion of the grading activities that require monitoring:

- a. If no archaeological resources are encountered during grading or demolition monitoring, then a final negative monitoring report shall be submitted substantiating that grading activities are completed and no cultural resources were encountered. Grading monitoring logs showing the date and time that the monitor was on site must be included in the negative monitoring report.
- b. If archaeological resources were encountered during grading or demolition monitoring, the Project Archaeologist shall provide a grading monitoring report stating that the field grading monitoring activities have been completed and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the curation phase of the monitoring.

Documentation: The applicant shall submit the grading and demolition monitoring report to the [PDS, PCC] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center and the culturally affiliated Tribe.

Timing: Upon completion of all grading activities, and prior to rough grading final inspection (Grading Ordinance Section 87.421.a.2), the report shall be completed.

Monitoring: The [PDS, PCC] shall review the report or field monitoring memo for compliance with the project Mitigation, Monitoring, and Reporting Program, and inform [DPW, PDCI] that the requirement is completed.

M-CR-2.6 Archaeological Monitoring

FINAL GRADING RELEASE

Intent: In order to comply with the County *Guidelines for Determining Significance, Report Format and Content Requirements: Cultural Resources*, a grading monitoring program shall be implemented.

Description of Requirement: The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the grading and demolition monitoring program if cultural resources were encountered during grading. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms
- b. Daily monitoring logs
- c. Evidence that all cultural materials have been curated, including but not limited to the following:
 - Prehistoric archaeological materials collected during the survey, testing, demolition monitoring and controlled excavations, and grading monitoring program shall be submitted and curated at a San Diego curation facility or a culturally affiliated Native American Tribal curation facility that meets federal standards per 36 CFR 79, and therefore would be professionally curated and made available to other archaeologists/ researchers for further study. The collections and associated records, including title, shall be transferred to the San Diego curation facility or culturally affiliated Native

American Tribal 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 prehistoric archaeological materials have been received and that all fees have been paid.

or

- Evidence that all prehistoric materials collected during the survey, testing, demolition monitoring and controlled excavations, and grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated confirming that the archaeological materials have been received.

Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. 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.

- d. If no cultural resources are discovered, a negative monitoring report must be submitted stating that the grading monitoring activities have been completed. Grading monitoring logs must be submitted with the negative monitoring report.

Documentation: The Project Archaeologist shall prepare the final report and submit it to the [PDS, PCC] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and the culturally affiliated Tribe.

Timing: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared.

Monitoring: The [PDS, PCC] shall review the final report for compliance this condition and the report format guidelines. Upon

acceptance of the report, [PDS, PCC] shall inform [PDS, LDR] and [DPW, PDCI] that the requirement is complete and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PCC] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

M-CR-3 In order to avoid indirect impacts to CA-SDI-746, which is located off site on a parcel adjacent to the Warner Ranch project area, permanent fencing will be maintained along the project boundary in this area and temporary fencing during grading will be required, as follows.

The following notes shall be placed on the grading/improvement plans:

M-CR-3.1 Temporary Fencing

PRE-CONSTRUCTION MEETING

Intent: In order to prevent inadvertent disturbance to CA-SDI-746, temporary construction fencing shall be installed.

Description of Requirement: Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed in all locations of the project where proposed grading or clearing is within 100 feet of CA-SDI-746. The placement of the temporary fencing shall be approved by the PDS, Permit Compliance Section. Upon approval, the temporary fencing shall remain in place until the conclusion of grading activities, after which the temporary fencing shall be removed.

Documentation: The applicant shall have a California-licensed surveyor, in consultation with the Project Archaeologist, install and certify the installation of the temporary fencing. The applicant shall submit photos of the fencing along with the certification letter to the [PDS, PCC] for approval.

Timing: Prior to the pre-construction meeting and prior to any clearing, grubbing, trenching, grading, or any land disturbances the temporary fencing shall be installed, and shall remain for the duration of the grading and clearing.

Monitoring: The [PDS, PCC] shall either attend the pre-construction meeting and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant's surveyor.

PERMANENT FENCING

Because permanent fencing is required for biological resources, see the biological permanent fencing mitigation measure M-BI-10 (see COA BIO No. 11).

M-CR-4 In order to avoid impacts to CA-SDI-12208H, the site will be left in open space, and temporary fencing will be in place during construction. Because the site is within biological open space, see biological temporary fencing mitigation measure M-BI-9 (see COA BIO No. 10).

M-CR-5 Although site CA-SDI-4502 was determined to have limited significance, which was exhausted through testing, recordation, and curation, in order to fully exhaust the information, the bedrock milling will be incorporated into landscaped areas for educational purposes as follows:

The following notes shall be placed on the grading/improvement plans:

M-CR-5.1 Relocation of Bedrock Milling Features

PRE-CONSTRUCTION GRADING AND/ OR IMPROVEMENTS

Intent: In order to meet the intent of the *County Guidelines for Determining Significance, Report Format and Content Requirements: Cultural Resources* and the California Environmental Quality Act, the bedrock milling of site CA-SDI-4502 shall be incorporated into the open space or landscape areas of the Warner Ranch project.

Description of Requirement: The bedrock milling of site CA-SDI-4502 shall be relocated to the on-site open space or landscape areas of the Warner Ranch project.

Documentation: The applicant shall:

- a. Provide a letter from the Project Archaeologist that the bedrock milling associated with site CA-SDI-4502 has been relocated.

The letter shall identify the location on site to which the bedrock milling was moved.

- b. The Project Archaeologist shall prepare updated DPR site record forms identifying the new location of the bedrock milling. Evidence in the form of a letter from the South Coastal Information Center that the DPR forms have been submitted to the South Coastal Information Center shall be submitted to the [PDS, PCC].

Timing: This condition shall be completed prior to any clearing, grubbing, trenching, grading, or any land disturbances.

Monitoring: The [PDS, PCC] shall review the letter from the Project Archaeologist and the South Coastal Information Center for compliance with this condition.

2.4.7 Conclusion

A cultural resources survey and record search found that there are six cultural resources on site and one archaeological site located off site. Five of the cultural resources on site were evaluated for the Warner Ranch project development and were determined to have limited significance. These sites have limited significance because artifacts collected and site documentation prepared during the survey and testing phase will be curated at a local or tribal repository or repatriated which preserves information contained within the sites (the site recordation and disposition of artifacts will exhaust all resource potential). Mitigation in the form of evidence that the recordation forms and artifacts have been placed in a local repository or repatriated will be made a condition of approval. The bedrock milling from CA-SDI-4502 will be relocated to a landscaped area within the proposed project. With the inclusion of these mitigation measures, all impacts to these sites are reduced to less than significant.

Although the structures at the Main House (P-37-027238) have been determined to have limited significance, there is a potential for subsurface archaeological resources at this site. The mitigation measure detailed in **M-CR-1** would mitigate these potential effects to less than significant because if resources are identified, site documentation will be prepared during the data recovery phase and artifacts will be curated at a local or tribal repository or repatriated. This will preserve information contained within the sites (the site recordation and disposition of artifacts will exhaust all resource potential).

Due to the potential for previously undiscovered cultural resources within the project area and off-site improvements, a monitoring program would be undertaken, as detailed in mitigation measure **M-CR-2**.

Permanent fencing along the project boundary would prevent unauthorized access to the off-site parcel on which CA-SDI-746 is located. This measure, **M-CR-3**, would avoid indirect impacts to the site because it will provide a permanent barrier to the off-site resource, kept in place through the Resource Management Plan (RMP). In addition, temporary fencing and grading monitoring will be required for any grading within 100 feet of the site to eliminate the potential for inadvertent damage.

Significance is assumed for site CA-SDI-12208H. This site was not tested but will be preserved in an open space easement. Because of the potential for inadvertent disturbance during project grading, mitigation in the form of temporary fencing and grading monitoring during project construction will be made a condition of approval (mitigation measure **M-CR-4**). With the inclusion of these mitigation measures, project impacts will be reduced to less than significant because it will be a part of biological open space and will not be accessible to the general public. In addition, to permanent protection, it will be managed as part of the RMP with annual inspections and further protection if necessary.

Although the site CA-SDI-4502 was determined to have limited significance, the bedrock milling features will be relocated within landscaping areas on site for educational purposes, as detailed in mitigation measure **M-CR-5**. This measure is a design feature.

These mitigation measures are sufficient to mitigate project impacts to cultural resources to less than significant.

**Table 2.4-1
Mitigation Measures for Cumulative Impacts in the Project Area**

Project Name	Cultural Resources	Mitigation Measures
Prominence at Pala	Unknown; potential for cultural resources, due to location on traditional lands. Report not available.	Report not available
Cingular Wireless ZAP	Impacts less than significant.	None
Meadowood	Three sites: historic building complex is less than significant; historic Monserate adobe site is possibly present in a subsurface context and potentially significant; site CA-SDI-682 is CEQA and RPO significant.	Preservation through capping, temporary fencing, and open space easement; monitoring

**Table 2.4-1
Mitigation Measures for Cumulative Impacts in the Project Area**

Project Name	Cultural Resources	Mitigation Measures
Gregory Canyon Landfill	Fifteen resources: six are CEQA significant, eight are less than significant, and one has significant prehistoric component and less-than-significant historic component. RPO significance not addressed. Impacts to four significant sites.	Excavation and re-interment of remains from Higgins Family Cemetery; monitoring, fencing, analysis, and curation of cultural material collected; landscaping screen to protect CA-SDI-313/ 4356 (Medicine Rock) from fugitive dust and visual impacts; monitoring of condition of Medicine Rock
Campus Park	One on-site historic resource is less than significant; there are no on-site archaeological resources. CA-SDI-682, located in off-site road alignment, is CEQA and RPO significant. Historic Monserate adobe site may be present in a subsurface context in off-site road alignment; potentially significant.	Temporary fencing and monitoring

**Table 2.4-2
Significance of Impacts Prior to Mitigation**

Site Number	Site Significance	Impact	Significance of Impact
<i>Project Site</i>			
CA-SDI-746	Not noted – off site	Possible indirect	Significant
CA-SDI-4502	Limited	Direct	Less than significant
CA-SDI-4503H	Limited	Direct	Less than significant
CA-SDI-12208H	Assumed CEQA and RPO significant, in lieu of testing	Possible indirect	Significant
CA-SDI-17759	Limited	Direct	Less than significant
P-37-027237 (Gate House)	Limited	Direct	Less than significant
P-37-027238 (Main House)	Limited	Direct	Less than significant
P-37-027238 (potential archaeological deposits)	Assumed CEQA and RPO significant, if present	Direct	Significant, if deposits present
<i>Off-Site Improvements</i>			
CA-SDI-744	Not noted – site outside ROW	None – site outside ROW	Less than significant
CA-SDI-12584	Not noted – site outside ROW	None – site outside ROW	Less than significant
CA-SDI-13007	Not noted – site outside ROW	None – site outside ROW	Less than significant
CA-SDI-13767	Not noted – site outside ROW	None – site outside ROW	Less than significant
CA-SDI-14609	Not noted – site outside ROW	None – site outside ROW	Less than significant