

## 4.4 Cultural and Tribal Cultural Resources

This section describes the existing conditions and regulatory setting related to cultural and tribal cultural resources (TCRs) on the Fanita Ranch Project (proposed project) site, evaluates the potential for impacts to those resources due to implementation of the proposed project, and recommends mitigation measures to reduce or avoid adverse impacts. The information in this section is based on the following:

- Cultural Resources Phase I Survey Report prepared by Atkins (2017) (Confidential Appendix E1)
- Phase II Cultural Resources Testing and Evaluation Report prepared by Rincon Consultants, Inc. (Rincon) (2020) (Confidential Appendix E2)
- Tribal Cultural Resources Consultation Efforts for the Fanita Ranch Project Memorandum prepared by Rincon (2020) (Confidential Appendix E3)
- Fanita Ranch Development Project Phase I In-Fill Pedestrian Surveys prepared by Rincon (2020) (Confidential Appendix E4)

Confidential Appendices E1 through E4 are bound under a separate cover because they contain sensitive information regarding the location and components of cultural resources and TCRs and, pursuant to state and federal law, are not made available to the general public. Individuals who meet the Secretary of the Interior's Professional Qualifications Standards or California State Personnel Board Specification for Associate State Archaeologist or are a representative of a tribal government may request to view the reports by appointment at the City of Santee's (City's) Development Services Department. At the time of the request, the individual shall provide a copy of their qualifications to the City along with a letter stating that they will not distribute the confidential documents. Archaeological site locations are exempt from the California Public Records Act, as specified in California Government Code, Section 6254.10, and from the Freedom of Information Act (Exemption 3), under the legal authority of both the National Historic Preservation Act (Public Law 102-574, Section 304[a]) and the Archaeological Resources Protection Act (Public Law 96-95, Section 9[a]).

### 4.4.1 Environmental Setting

The following sections describe the archaeological background and history of the project site, defined as the full 2,638-acre property, and discuss known historic, archaeological, cultural resources, and TCRs in or around the proposed project's area of potential effects (APE). The APE is the geographic area or areas in which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for diverse kinds of effects caused by the undertaking.

#### 4.4.1.1 Archaeological Background

The project site lies in what is described generally as Southern California Bight. This region extends from the Mexican border to Santa Monica and includes the Counties of Orange and San Diego, western Riverside County, and the Southern Channel Islands. At European contact, the region was occupied by the Tongva, Juaneño, Luiseño, Cupeño, and Kumeyaay (Ipai and Tipai). For this study, the prehistoric cultural chronology for the Southern California Bight is presented following Byrd and Raab (2007), who divided it into the Early (9600–5600 Before Common Era [BCE]), Middle (5600–1650 BCE), and Late (1650 BCE–1769 Common Era [CE]) Holocene.

##### Prehistory

###### ***Early Holocene (circa 9600–5600 BCE)***

Evidence of Paleo-Indian occupation of Southern California remains very limited. The earliest accepted dates for human occupation of the California coast are from the Northern Channel Islands, off the Santa Barbara coast, as early as 9600 BCE. Traditional models describe California's first inhabitants as big-game hunters roaming North America during the end of the last Ice Age. As the Ice Age ended, warmer and drier climatic conditions are thought to have created wide-spread cultural responses and caused migrations to areas with moister conditions, such as the Southern California coast.

The San Dieguito Complex is a well-defined cultural response to these changing climatic conditions in the Southern California coastal region and was named originally for the cultural sequence in the western portion of the County of San Diego (County). Leaf-shaped points, knives, crescents, and scrapers characterize the artifact assemblages throughout the region. San Dieguito sites show evidence generally of the hunting of various animals, including birds, and gathering of plant resources.

###### ***Middle Holocene (circa 5600–1650 BCE)***

The Middle Holocene is viewed as a time of cultural transition. During this time, the cultural adaptations of the Early Holocene gradually altered. Use of milling stone tools began to appear across most of central and Southern California around 6000–5000 BCE, indicating a focus on the collection and processing of hard-shelled seeds. Environmental changes in the Southern California Bight are thought to have been the key factor in these changing adaptations. Occupation patterns indicated semi-sedentary populations focused on the bays and estuaries of the Counties of San Diego and Orange, with shellfish and plant resources as the most important dietary components. In the San Diego area, this adaptive strategy is known as the La Jolla complex.

Sometime around 4,000 years ago, extensive estuarine silting began to cause a decline in shellfish and thus a depopulation of the coastal zone. Settlement shifted to river valleys, and resource exploitation focused on hunting small game and gathering plant resources.

**Late Holocene (circa 1650 BCE–1769 CE)**

The Late Holocene witnessed numerous cultural adaptations. The bow and arrow was adopted sometime after 500 CE, and ceramics are found with frequency in sites dating to circa 1200 CE. Food surpluses, especially of acorns, sustained populations. Other exploited food resources include shellfish, fish, small terrestrial mammals, and small-seeded plants. Settlement patterns of the Late Holocene are characterized by large residential camps linked to smaller specialized camps for resource procurement.

**Ethnographic**

The people who traditionally occupied the region along the Pacific coast from the central part of the County southward into Baja California and eastward into the County of Imperial were originally referred to by Europeans as the “Diegueño” or “Diegueno” because they lived on the lands granted to Mission San Diego de Alcalá by the Spanish crown. Today, the Native Americans dubbed Diegueno generally refer to themselves as the Kumeyaay. Linguistic studies support the division of the Kumeyaay people into northern (Ipai) and southern (Tipai) dialect groups, while often identifying the Desert Kumeyaay of the eastern County, portions of northeastern Baja California, and the majority of the western portion of the County of Imperial as Kamia. Prior to European contact, the boundary between the Kumeyaay groups was not rigid and the distinction between them likely existed as a gradient rather than a clear division of cultural and political units. These groups shared closely related Yuman languages, as well as customs, beliefs, and material culture. For the purposes of the proposed project, the Tipai group will be the focus as the project site is located in the southern portion of the Kumeyaay territory.

The Tipai occupied the Pacific coast from La Jolla south to Ensenada and Todos Santos Bay in Baja California, Mexico. The proposed project is in the southern portion of the Kumeyaay territory where the Tipai originally settled. The Northern Kumeyaay (Ipai) occupied the area north of La Jolla to Agua Hedionda Lagoon. Kumeyaay territory extended inland throughout the Cuyamaca and Laguna mountains into the Yuha and Anza-Borrego Deserts of the County of Imperial. The region includes tremendous environmental variation and resource zones. Neighboring groups included the Luiseño and Cupeño to the northwest, the Cahuilla to the northeast, the Quechan to the east, and the Paipai to the south.

Tipai territory was divided among bands that typically controlled 10 to 30 linear miles in a drainage system and up to the drainage boundaries. Within each band’s territory, a primary village and a number of secondary homesteads were located along tributary creeks. Each band was composed of 5 to 15 kinship groups (sibs or *shiimul*), some of which were divided among more than one band. Approximately 50 to 75 named kinship groups were located throughout the entire Kumeyaay territory.

Tipai winter villages were located in sheltered valleys near reliable sources of water with the entire band present. Many Tipai camped in coastal valleys at certain times of the year and gathered

coastal resources. Fish were taken with hooks, nets and bows, often from tule boats. Shellfish were gathered from the sandy beaches (e.g., *Chione* and *Donax*) and rocky shores (e.g., mussels and abalone). Common game birds included doves and quail; migratory birds included geese. A primary source of protein came from rabbits, woodrats, and other small game living along the mesas and foothills. These animals were caught using throwing sticks, the bow and arrow, or in nets on community drives. Hunting large game such as deer and mountain sheep was the role of expert hunters trained in specialized hunting folklore. During the winter, small game and seasonal herbs were collected in the valleys, and yucca was gathered in the mountains for its stalks, flowers, and leaves. For the Tipai, and many other Southern California groups, acorns were the primary staple. During the late spring and summer, small groups foraged in favored spots, usually at progressively higher elevations as various resources ripened.

The Kumeyaay practiced plant husbandry which included clearing lands for planting seeds of greens, shrubs, and specific trees; sowing grass seed on burned fields; and transplanting various crops near village sites. Tipai baskets were high quality and of the same weave and forms found elsewhere in Southern California; carrying nets and sacks were also made and used. Pottery was manufactured regularly in the form of water jars, cooking and storage pots, and cremation urns. The Tipai made and traded curved clay pipes, stone pipes, and medicine sucking tubes. Religious mythologies shared by the Tipai and other Kumeyaay groups include abstract spiritual concepts and a higher creator-god. Kuuchama, or Tecate Peak, was the most sacred landmark. Ceremonies among the Kumeyaay are similar to those of other Southern California native peoples including puberty rites, marriage, naming, cremation of the dead, and the annual mourning ceremony (*keruk*) for all those of the sib who died the previous year.

## History

The post-contact history of California is divided into three periods: the Spanish period (1769–1822), the Mexican period (1822–1848), and the American period (1848–present). These historic periods are described below.

### **Spanish Period (1769–1822)**

The first European expedition to observe present day Southern California was undertaken in 1542 by Juan Rodrigues Cabrillo. The Spanish landed in Point Loma, approximately 20 miles west of the proposed project. For more than 200 years, Cabrillo and other Spanish, Portuguese, British, and Russian explorers sailed the Alta (upper) California coast and made limited inland expeditions, but they did not establish permanent settlements.

In 1769, the Spanish established the first European settlement in the region at Mission San Diego de Alcalá. This was the first of 21 missions erected by the Spanish between 1769 and 1823. The mission and its associated presidio were built initially near the Kumeyaay village of Cosoy, near the present site of Old Town San Diego. However, the water supply at this location was low and

the soil was not very fertile. Thus, the mission was moved in 1774 to its present location, near the Kumeyaay village of *Nipaguay*. The missions were responsible for administering to the local tribes and converting the population. In 1775, a force of Kumeyaay surrounded Mission de Alcalá and set fire to the structure and fought against the small contingent of Spanish guards.

During this period, Spain deeded ranchos to prominent citizens and soldiers, though very few in comparison to the following Mexican period. Presidio commandants were given the authority to grant house lots and garden plots to soldiers and sometime after 1800, soldiers and their families began to move toward the base of Presidio Hill to receive land grants from the presidio commandants. To manage and expand their herds of cattle on these large ranchos, colonists enlisted the labor of the surrounding Native American population.

### ***Mexican Period (1822–1848)***

The Mexican period commenced when news of the success of the Mexican Revolution (1810–1821) against the Spanish crown reached California in 1822. This period was an era of extensive interior land grant development and exploration by American fur trappers west of the Sierra Nevada Mountains. The California missions declined in power and were ultimately secularized in 1834. By 1835, the presidio and Mission San Diego de Alcalá had been abandoned and lay in ruins. The hallmark of the Mexican period was large ranchos deeded to prominent Mexican citizens, frequently soldiers, by the governor.

The Mexican government recognized the newly established Pueblo of San Diego in 1834. The pueblo did not fare as well as other California towns during the Mexican period. Secularization of the missions caused increased hostilities by Native Americans against the *Californios* living in the County during the late 1830s. Attacks on outlying ranchos and an unstable political and economic climate caused the pueblo's population to drop from approximately 500 to 150 permanent residents by 1840. In 1838, San Diego was demoted from pueblo status and made a subprefecture of the Los Angeles Pueblo.

Rancho El Cajon was a 48,800-acre property located in the present day Cities of El Cajon, Bostonia, Santee, Lakeside, Flinn Springs, and the eastern part of La Mesa and the County. The project site was property of the Rancho El Cajon and was given by Governor Pio Pico to Maria Antonia Estudillo, daughter of Jose Antonio Estudillo and wife of Miguel Pedorena in 1845. At this time, the ranch was used for ranching and cattle grazing and later houses and corrals were built on the ranch with large crop fields. Thomas W. Sutherland, guardian of Pedorena's heirs, filed a claim for Rancho El Cajon as required by the Land Act of 1851 with the Public Land Commission in 1852, and was granted a patent in 1876. During the Civil War, the heirs of the land began to sell parts of the ranch.

### ***American Period (1848–Present)***

The American period in the County began as early as 1846 when the U.S. military occupied San Diego and effectively ended *Californio* resistance in 1847. The American government assumed formal control of Alta California with the signing of the Treaty of Guadalupe Hidalgo in 1848, in which the United States agreed to pay Mexico \$15 million for the territory that included California, Nevada, Utah, and parts of Colorado, Arizona, New Mexico, and Wyoming. During the early American period, cattle ranches dominated much of Southern California, although droughts and population growth resulted in farming and urban professions supplanting ranching through the late nineteenth century. After the United States took control of San Diego in 1846, the political and economic situation stabilized and population increased. The discovery of gold in Northern California in 1848 led to the California Gold Rush, which resulted in a massive population increase. By 1853, the population of California exceeded 300,000. Thousands of settlers and immigrants continued to pour into the state, particularly after the completion of the transcontinental railroad in 1869. By the 1880s, the railroads had established networks throughout Southern California, resulting in fast and affordable shipment of goods, as well as means to transport new residents.

### ***County of San Diego History***

The County was organized formally in February of 1850, and grew slowly during the 1860s. The mid-1800s saw the urbanization of San Diego thanks to the development and promotion of the area by Alonzo Horton, who offered free lots to anyone who would build a house worth \$500. The Santa Fe Railroad began construction in 1880, with the first trains arriving in 1882. After several population booms, San Diego reached a population of 35,000 by 1888.

The twentieth century brought further development to San Diego. John D. Spreckels launched a major building campaign with the purpose of modernizing the City of San Diego. Summer cottage retreats began to develop in the beach communities of Ocean Beach and La Jolla. Improvements in public transportation caused development to spread to the areas of University Heights, Greater North Park, and Mission Hills. In 1915, the Panama-California Exposition was held in San Diego in celebration of the opening of the Panama Canal. During the 1920s, San Diego's population grew from 74,683 to 147,897 due to the Panama-California Exposition and efforts to attract the U.S. Navy to San Diego. The naval and military presence provided the population and economy that allowed the City of San Diego further development. The County continues to be an important military center. One of the largest metropolitan areas in California, the County is a popular vacation destination known for its beaches, mild climate, and urban events.

### ***City of Santee History***

In 1877, George A. Cowles, an early resident of the County, purchased 4,000 acres of land to develop vineyards in what is now modern day City of Santee (City). Ranching activities took place

during the late nineteenth and early twentieth centuries, with large tracts of land managed by a small number of wealthy families.

By 1891, a post office and the first school were constructed in the developing town known as Cowleston. In 1893, 6 years after Cowles' death, his wife remarried and renamed the town after her new husband, Milton Santee. The Edgemoor Farm Dairy Barn was built in 1913, and still stands today. The farm was purchased by Walter Hamlin Dupee and was developed into a national award-winning dairy farm, polo pony ranch, and early tourist attraction. Santee continued to develop as the federal government purchased land to use for World War II military training and as development firms purchased large tracts of land to implement residential uses. By 1950, the City had 2,000 residents, which continued to expand over the following 20 years, to 25,750. Due to the exponential growth, a group of volunteers established a local land use and planning advisory board in 1968. Out of this effort, the City was incorporated officially as a city in 1980.

### ***Fanita Ranch Site History***

When Hosmer P. McKoon, a practicing attorney and a real estate investor, purchased 9,500 acres of Rancho El Cajon, in 1885, he named the property Fanita Rancho in honor of his wife Fannie. It was known for its horticulture. Cattle and sheep were also raised on the ranch.

In addition to horticulture and cattle ranching, the McKoon family began to mine granite at the rancho. The McKoon Quarry was located west of Eucalyptus Hills on the hillside north of present day Summit Avenue in the City. The property is listed as plot #427. The quarry produced a light gray tonalite granite dimensional cut stone marketed as "Mission silver-gray granite" and was used for the construction of monuments. After the 1950s, the mine appeared to have been abandoned. Evidence of the quarry is still present on the project site. This land use does not appear to have affected the archaeological resources, except perhaps to increase activity and access.

In 1898, the Scripps family took possession of Fanita Rancho and used the area to raise cattle and to operate a country resort for family and friends. During World War II, 2,300 acres of the ranch were acquired by the federal government and used as a military training ground. Afterward, the Carlton Company purchased another 4,300 acres of the ranch; aerial images from 1953 and 1964 indicate Fanita Ranch's main farm and ranch operation, including the farmhouse and other associated features, were demolished and replaced with single-family dwellings along Willowgrove and Gorge Avenues. Later, additional portions of the remaining Fanita Rancho property were sold to private parties, further splitting the original land holding of which the 2,638-acre project site is now under the ownership of HomeFed Fanita Rancho, LLC (applicant).

#### 4.4.1.2 Previous Research

This section presents a summary of the two most recent full testing programs completed for previously recorded resources located in the development footprint. For a complete list of previous research studies that had taken place on the project site, refer to Table 1 in Appendix E1.

##### **Cardenas 1983**

Sean Cardenas (1983) completed a Phase II testing program for three archaeological sites (CA-SDI-8336, CA-SDI-8342, and CA-SDI-8344) for the then proposed Fanita Ranch Resubdivision Project. Testing included a surface survey with artifact collection, mapping of archaeological features, and a 1-meter by 1-meter test unit (or surface scrape) at each archaeological site. Based on the testing results, Cardenas (1983) concluded that the cultural constituents at each site were shallow, and the data potential was exhausted during the Phase II testing. Cardenas recommended all three sites as not eligible for the California Register of Historical Resources (CRHR). The 1983 Fanita Ranch Resubdivision Project was not completed. This report is on file at the South Coastal Information Center (SCIC).

##### **RECON 1998**

Russell Collett and Dayle Cheever of Regional Environmental Consultants (RECON) prepared a Phase II study for the proposed Fanita Ranch Project in 1998. The Phase II testing was conducted for six archaeological sites: CA-SDI-8243, CA-SDI-8337 (subsumed by CA-SDI-8243), CA-SDI-8338 (subsumed by CA-SDI-8243), CA-SDI-8340 (outside of the current development footprint), CA-SDI-8341 (outside of the current development footprint), and CA-SDI-8345 (discovered previously but had not been evaluated formally at the time of the study). Sites CA-SDI-8243 (including subsumed sites) and CA-SDI-8345 are described in detail in Table 4.4-1, Archaeological Sites within the Proposed Project APE. The evaluation of these sites included a pedestrian survey, mapping of archaeological features, and excavations. The analysis concluded that two of these sites (CA-SDI-8243 and CA-SDI-8338) were eligible for the CRHR and significant under CEQA, and the remaining four sites (CA-SDI-8337, CA-SDI-8340, CA-SDI-8341, and CA-SDI-8345) were recommended ineligible for the CRHR and not significant under CEQA. CA-SDI-8243 and CA-SDI-8338 were considered significant under CEQA for their potential to add to the understanding of inland, Late Prehistoric human activity (Criterion D of CRHR). The remaining four archaeological sites were found to be not significant under CEQA due to the lack of surficial deposits and insufficient data on the sites to answer scientific research questions regarding prehistory (not eligible under Criterion D of the CRHR). The 1998 Fanita Ranch Project was not developed. This study is not on file at the SCIC but was provided by RECON in January 2018.

## Previous Recording Events

Table 4.4-1 depicts the known resources within the APE, who first recorded each resource, and the type of testing these resources have undergone.

**Table 4.4-1. Archaeological Sites within the Proposed Project APE**

Trinomial No./Field Number	Resource Description	Recording Events/Study Type/Conclusion
Stowe Trail	Historic – Road/trail remnants.	Not previously recorded. Atkins Phase I survey – Recommended not eligible.
CA-SDI- 22189	Historic – Remains of a shooting range of uncertain affiliation.	Not previously recorded. Atkins Phase I survey – Recommended not eligible.
Fanita Rancho CA-SDI-22504	Historic – Remains of Rancho with gates, posts, barbed wire fencing, various access roads (dirt and paved), one granite quarry, a rock wall dam, and a low-density historic-era artifact scatter distributed across the site.	Not previously recorded. Atkins Phase I survey – Recommended not eligible.
CA-SDI-22178	Prehistoric – Sparse lithic scatter.	Not previously recorded. Atkins Phase I survey – Recommended not eligible.
CA-SDI-22179	Prehistoric – Sparse lithic scatter. Artifacts include groundstone, lithics including utilized flakes, and one scraper plane.	Not previously recorded. Atkins Phase I survey – Recommended Phase II testing. Rincon Phase II testing – Recommended not eligible.
CA-SDI-22180	Prehistoric – Milling station site with two slicks on two outcrops.	Not previously recorded. Atkins Phase I survey – Recommended Phase II testing. Rincon Phase II testing – Recommended not eligible.
CA-SDI-22181	Prehistoric – Milling station site with one slick.	Not previously recorded. Atkins Phase I survey – Recommended not eligible.
CA-SDI-22182	Prehistoric – Milling station site with one slick.	Not previously recorded. Atkins Phase I survey – Recommended Phase II testing. Rincon Phase II testing – Recommended not eligible.
CA-SDI-22183	Prehistoric – Sparse lithic scatter.	Not previously recorded. Atkins Phase I survey – Recommended not eligible.
CA-SDI-22184	Prehistoric – Milling station site with two slicks.	Not previously recorded. Atkins Phase I survey – Recommended not eligible.

**Table 4.4-1. Archaeological Sites within the Proposed Project APE**

Trinomial No./Field Number	Resource Description	Recording Events/Study Type/Conclusion
CA-SDI-22185	Prehistoric – Milling station site with one slick.	Not previously recorded. Atkins Phase I survey – Recommended Phase II testing. Rincon Phase II testing – Recommended not eligible.
CA-SDI-22186	Prehistoric – Milling station with five slicks on two granite outcrops.	Not previously recorded. Atkins Phase I survey – Recommended Phase II testing. Rincon Phase II testing – Recommended not eligible.
CA-SDI-22187	Prehistoric – Sparse lithic scatter.	Not previously recorded. Atkins Phase I survey – Recommended not eligible.
CA-SDI-22188	Prehistoric – Sparse lithic scatter. Artifacts include lithic debitage, groundstone, and a core.	Not previously recorded. Atkins Phase I survey – Recommended Phase II testing. Rincon Phase II testing – Recommended not eligible.
CA-SDI-5981	Prehistoric – Quartz projectile point and one utilized flake.	Originally recorded by Richard Carrico of Westec Services in 1980. Westec Phase I testing – Recommended not eligible.
CA-SDI-5985	Prehistoric – One scraper and one pushplane.	Originally recorded by Richard Carrico of Westec Services in 1980. Westec Phase I testing – Recommended not eligible.

**Table 4.4-1. Archaeological Sites within the Proposed Project APE**

Trinomial No./Field Number	Resource Description	Recording Events/Study Type/Conclusion
CA-SDI-8243 (CA-SDI-8337 and CA-SDI-8338 were subsumed within CA-SDI-8243 by Atkins [2017])	Prehistoric – Large area with milling features including slicks, mortars, basins, cupules, and hearth features. Artifacts include lithic tools and debitage, groundstone, ceramics, and faunal bone fragments. Bone fragments found in concentrations and isolation were identified on site. A total of 190 burned bone fragments were found. Three of these were determined to be “likely human,” 71 “possibly human,” 59 “likely nonhuman,” 55 “nonhuman,” 2 “definitely nonhuman.” Nine were not able to be relocated and have not been categorized.	Site CA-SDI-8243 was originally recorded by G. R. Fink in 1975 as three separate sites: CA-SDI-8337, CA-SDI-8338, and CA-SDI-8243. The sites were updated in 1980 by R. Franklin, at which time the boundaries of the sites were extended. Locus A was updated in 1996 by A. Schroth, J. Perry, and L. Tift. A 1998 report by RECON was never formally submitted to the SCIC; however, it recommended both loci of CA-SDI-8243 be considered eligible. A 2006 ASM Affiliates, Inc. survey report, which was not provided to the SCIC, also recommended both loci of CA-SDI-8243 as eligible.  Site CA-SDI-8337 was originally recorded in 1980 by Franklin. A 1998 report by RECON was never formally submitted to the SCIC; however, it recommended this site be considered not eligible.  Site CA-SDI-8338 was originally recorded by Franklin in 1980. A 1998 report by RECON was never formally submitted to the SCIC; however, it recommended this site be considered eligible. A 2006 ASM Affiliates, Inc. survey report, which was not provided to the SCIC, also recommended CA-SDI-8338 as eligible.  During the survey completed by Atkins for the proposed project, sites CA-SDI-8337 and CA-SDI-8338 were incorporated into CA-SDI-8243.  Atkins Phase I survey – Recommended Phase II testing.  Rincon Phase II testing – Recommended eligible.
CA-SDI-8336	Prehistoric – Milling station site with 20 slicks and 3 basins. Artifacts include lithic debitage and a marine shell fragment.	The site was originally recorded by Franklin in 1980. In 1983, the site was updated by Sean Cardenas who recommended the site as not unique. The 1983 study performed subsurface testing and limited artifact collection. Cardenas observed significantly more milling features (and milling elements) and lithic artifacts. Atkins revisited the site in July 2016, approximately 20 meters east of the GIS data provided by the SCIC, and recommended it potentially eligible.  Atkins Phase I survey – Recommended Phase II testing.  Rincon Phase II testing – Recommended not eligible.

**Table 4.4-1. Archaeological Sites within the Proposed Project APE**

Trinomial No./Field Number	Resource Description	Recording Events/Study Type/Conclusion
CA-SDI-8341	Prehistoric – Milling station site with 10 slicks.	Originally recorded by Franklin in 1980. A 1998 report by RECON was never formally submitted to the SCIC; however, it recommended this site be considered not eligible. Atkins Phase I survey – Recommended not eligible.
CA-SDI-8342	Prehistoric – Milling station site containing two loci. Locus A: One mortar, nine slicks, and one cupule. Locus B: Two slicks.	The site was originally recorded as a milling station in 1980 by Franklin. The site was updated in 1983 by Cardenas who recommended the site as not unique. At that time, the site expanded and included tools. In July of 2016, the site was relocated approximately 50 meters north of the GIS data provided by the SCIC. Atkins found features mirroring those recorded by Cardenas in 1983. Artifacts were not observed on the surface by Atkins or by previous surveys although subsurface testing in 1983 did yield lithic artifacts. Atkins Phase I survey – Recommended Phase II testing. Rincon Phase II testing – Recommended not eligible.
CA-SDI-8344	Prehistoric – Milling station site with four slicks on two granite outcrops.	The site was originally recorded in 1980 by Franklin and updated in 1983 by Cardenas, the latter of whom recommended the site as not unique. Unlike Franklin, Cardenas observed numerous lithic tools on the surface and performed subsurface testing, which yielded additional artifacts, including lithic tools. Cardenas collected several artifacts from the site. The site was relocated by Atkins in July of 2016, approximately 75 meters southwest of the GIS data provided by the SCIC. Atkins Phase I Survey – Recommended Phase II testing. Rincon Phase II testing – Recommended not eligible.

**Table 4.4-1. Archaeological Sites within the Proposed Project APE**

Trinomial No./Field Number	Resource Description	Recording Events/Study Type/Conclusion
CA-SDI-8345	Prehistoric – Milling station site with 22 milling features, 54 slicks, and 7 basins. Artifacts include bone fragments, groundstone, hammerstone, a core, and lithic debitage.	This site was originally recorded in 1977, by Hightower, although records have since disappeared from the SCIC. The site was updated in 1980, by Franklin, who reported disturbance to the site by a jeep trail, quarrying, and dirt bike trails. Franklin reported milling stations with 6 slicks but no artifacts. A 1998 report by RECON was never formally submitted to the SCIC; however, it recommended this site be considered not eligible.  Atkins Phase I survey – Recommended Phase II testing.  Rincon Phase II testing – Recommended eligible.
CA-SDI-14686	Prehistoric – Sparse lithic scatter with hammerstones, cores, and lithic debitage.	Originally recorded by A. Schroth, L. Tift, and J. Perry of Gallegos and Associates in 1996. The site form was updated by Brian Case in 1997 (unspecified affiliation). The site was destroyed by that subsurface testing and data recovery. Gallegos and Associates Phase I testing – Recommended not eligible.
CA-SDI-22503	Prehistoric – Milling station site with four slicks and one basin. Artifacts identified include groundstone, ceramics, and lithic debitage.	Not previously recorded.  Rincon Phase I survey – Recommended Phase II testing.  Rincon Phase II testing – Recommended not eligible.

**Sources:** Confidential Appendix E1; Confidential Appendix E2.

**Notes:** GIS = geographic information systems; SCIC = South Coastal Information Center

**Bold** indicates recommended eligible for listing on CRHR.

#### 4.4.1.3 Known Cultural Resources

Cultural resources are districts, buildings, sites, structures, areas of traditional use, or objects that represent the physical evidence of human activities. Cultural resources can be divided into three categories: archaeological resources (prehistoric and historic), built environment resources (architectural), and TCRs. The previously known cultural resources found on or within the proposed project’s APE, which includes the proposed development area, the Special Use area, off-site extension of roadways, and the trail network within the Habitat Preserve, are discussed below. Refer to Figure 4.4-1a, Cultural Survey Area, and Figure 4.4-1b, Additional Cultural Survey Area, for illustrations of the areas surveyed for cultural resources on the project site.

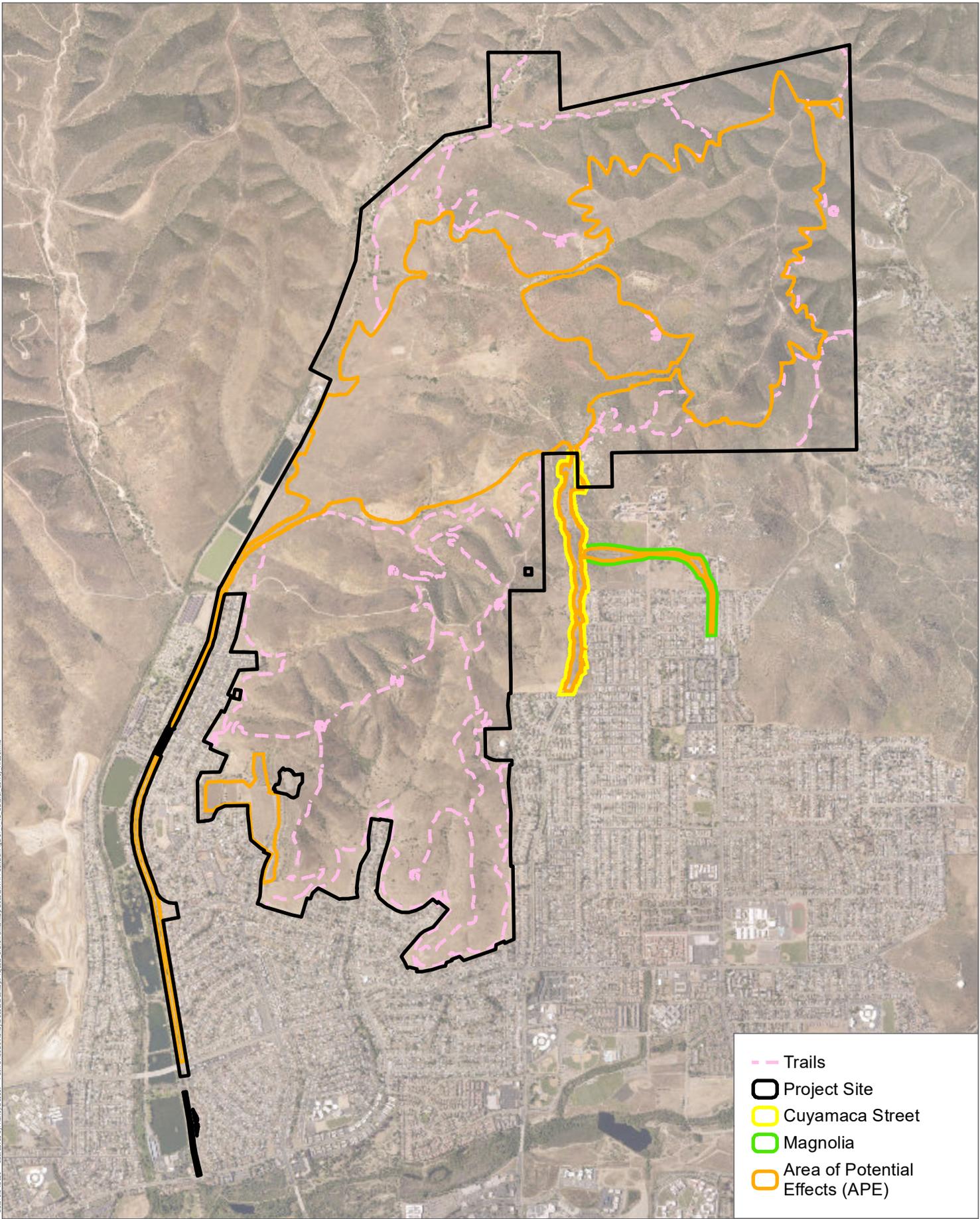
#### Archival Research

As part of the proposed project, a California Historical Resources Information System (CHRIS) records search was conducted in May 2016, by the SCIC to identify all previously recorded cultural

resources and previously conducted surveys within 1 mile of the APE (Confidential Appendix E1). The SCIC CHRIS records search included providing data from the Historic Properties data files, the National Register of Historic Places (NRHP), the CRHR, lists of California Historic Landmarks, California Points of Historic Interest, the Inventory of Historic Structures, historic maps of the area, topographic quadrangle maps, submitted reports pertaining to the proposed project (including a 1-mile buffer around the APE), and records for all recorded archaeological sites within 1 mile of the proposed project. Data was also requested from RECON and ASM Affiliates, Inc. who had conducted limited surveys of the project site in 1997–1998 and 2005–2006, respectively, but had not submitted their results to the SCIC.

The CHRIS records search revealed 95 archaeological sites within 1 mile of the proposed project, with 13 sites located within the project vicinity, and 11 of these sites were situated within the proposed APE. In addition, the search reported 32 previous studies had taken place on the project site, 22 of which are within the APE. Refer to Table 1 in Confidential Appendix E1 for details of the previous studies.

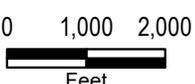
Date: 3/2/2020 - Last saved by: Rmnd/Doodla - Path: C:\Users\Rmnd\Documents\Projects\_Consulting\Map\_Docs\ER14\Cultural\Fig4.1a\_Cultural\_Survey\_Areas.mxd



-  Trails
-  Project Site
-  Cuyamaca Street
-  Magnolia
-  Area of Potential Effects (APE)

Source: Atkins 2017; SanGIS Imagery 2017.

 **Harris & Associates**

**Figure 4.4-1a**  
Cultural Survey Area

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## Resources within the APE

A Phase I pedestrian survey was conducted by Atkins covering 800 acres within the proposed APE and the trail system proposed at that time on July 5, 2016, through August 3, 2016, and October 26, 2016, through December 9, 2016 (Confidential Appendix E1). The proposed trail, sewer, and water systems have been modified since 2016. The modified trail segments, proposed wastewater headworks facility on Padre Dam Municipal Water District property, and an additional segment of proposed water pipeline near the Special Use area that were not surveyed in 2016 were surveyed on January 28 and February 11, 2020, and are shown on Figure 4.4-1b (Confidential Appendix E4). The purpose of the Phase I surveys was to locate the surficial cultural resources within the APE. The surveys did not cover the entire 2,638-acre project site because the remainder of the area is not part of the development footprint. Subsequent Phase I surveys were conducted by Rincon, as described below. Not all previously existing sites were surveyed in this pedestrian survey due to the density of artifact concentrations on the ground surface. The density of these sites was known before this study, and their presence was noted. Tribal monitors, supplied by Red Tail Environmental, accompanied Atkins archaeologists during all fieldwork.

An additional Phase I pedestrian survey was completed by Rincon (Confidential Appendix E2) of a portion of CA-SDI-8243 (described in detail below) between April 3, 2018, and April 6, 2018, and the Cuyamaca Street and Magnolia Avenue extensions (on and off-site) on July 2, 2018, which were added to the project APE subsequent to the completion of the initial phase of cultural resources investigations completed by Atkins.

Rincon was also tasked with completing Phase II evaluations of 11 previously identified archaeological sites considered eligible or potentially eligible for the CRHR (Confidential Appendix E1) and one site (CA-SDI-22503) identified during the Rincon Phase I pedestrian survey for a total of 12 archaeological sites that underwent Phase II testing. Rincon also conducted archival research for the historic-period Fanita Rancho property (CA-SDI-22504) and evaluated the rancho for CRHR and NRHP eligibility. The Phase II program included the development of an excavation plan, research themes, and coordination with the Kumeyaay Cultural Repatriation Committee representative, Clint Linton, as human remains are known to exist on the project site and the Kumeyaay Cultural Repatriation Committee was assigned most likely descendant status by the Native American Heritage Commission (NAHC).

Archaeological resources recorded during Atkins' Phase I pedestrian survey (Confidential Appendix E1) and Rincon's Phase I survey and Phase II testing (Confidential Appendix E2) included historic and prehistoric features and artifacts such as: bedrock milling features, flaked tools and debitage (lithics), ceramics, groundstone, and faunal remains. Ceremonial objects, including quartz crystals, and human remains were also recovered. Cultural resources were divided into two classes for this project: sites and isolated finds (isolates). Archaeologists recorded 24 sites and 43 isolates between 2017 and 2018. See Table 4.4-1 for a description of 24 recorded resources

within the Atkins and Rincon survey areas (Confidential Appendices E1 and E2), and what type of archaeological investigations these sites underwent. A detailed description of each resource is provided in the following sections.

## **Historic Resources**

A built environment resource or historic resource is any building, structure, object, or district. Resources that are listed in or eligible for the NRHP or the CRHR, are considered historic resources for the purposes of CEQA. Historic resources are, or may be, significant architecturally or culturally in local, state, or national history. Historic resources on the project site may fall into three broad categories: individually eligible buildings, structures, and objects; historic districts; and historic landscapes.

### ***Stowe Trail***

Stowe Trail is a historic dirt road that runs north–south on both sides of Sycamore Canyon Creek along the western boundary of the proposed project. The dirt road likely started as a logging road sometime during the nineteenth century. This site was originally reported in 2012; however, no record was submitted to the SCIC. The dirt road’s original route connected Poway with the San Diego River via Beeler and Sycamore Canyons. The dirt road served as an important route for the communities of Stowe and Goodan Ranch. A portion of the dirt road in the Goodan Ranch/Sycamore Canyon County Preserve has been documented and determined eligible as a historic resource (Primary Record No. 030197); however, Atkins was unable to locate records formalizing the dirt road’s significance. The overall length of Stowe Trail is unclear. Historical U.S. Geological Survey maps suggest it is quite short, extending approximately 1 mile north of Stowe to intersect with other trails. The dirt road is currently a graded, uncapped dirt road, which experiences regular recreational bike and hiking traffic in addition to motorized vehicle use for both recreational and professional purposes.

Although the Stowe Trail was locally important for several decades, no historic artifacts were observed during the Phase I pedestrian survey (Confidential Appendix E1). It is likely that modern activity, including road maintenance, entirely replaced the original road surface and has disturbed or obscured any subsurface historic or prehistoric cultural materials. For these reasons, the section of the dirt road within the APE is unlikely to contain cultural deposits, and no further testing was recommended. It is not eligible for listing in the NRHP, CRHR, or any local designation under any of the criteria (Confidential Appendix E1).

## **Cultural and Archaeological Resources (Prehistoric) within the Area of Potential Effect**

### ***CA-SDI-22178***

This site was originally recorded by Atkins (Confidential Appendix E1) and includes a sparse lithic scatter (lithic debris created from the process of stone tool making) containing seven flakes. The

site measures approximately 7 meters east–west and 5 meters north–south. The flakes are located in a barren patch of a grassy field. It is possible the site could extend into the surrounding vegetation. The site is moderately disturbed by bioturbation (disturbance of subsurface soils resulting from burrowing rodents and ants). Artifacts appeared to have collected here as a result of alluvial processes and the current location of the site is unlikely to be the area of the original deposit. No further testing was recommended and this site was recommended not eligible for CRHR, NRHP, or local listing by Atkins (Confidential Appendix E1).

#### **CA-SDI-22179**

This site was originally recorded during the Phase I survey by Atkins (Confidential Appendix E1) and consisted of 10 flakes and 3 stone tools. Ground surface visibility was 100 percent. The site measures approximately 25 meters southwest to northeast and 10 meters southeast to northwest. The three stone tools include one utilized flake, one mano (loaf-shaped handstone used for grinding flora, fauna, and pigments) fragment, and one scraper plane. The site area is flat and is primarily vegetated with sparse grass, providing 90 percent ground surface visibility.

During the Phase II testing (Confidential Appendix E2), a second artifact concentration consisting of five simple interior flakes was identified (Locus B). Testing for this site was concentrated around the original artifact concentration (referred to as Locus A) and Locus B and included eight shovel test pits (STPs or excavations). All STPs at CA-SDI-22179 were excavated to a depth of 30 centimeters below surface (cmbs) and were negative for cultural material. The soil composition of the tested area consisted mainly of medium reddish-brown silty loam of moderate compaction giving way to a clay matrix. No test units were excavated at CA-SDI-22179, based on the lack of subsurface cultural deposits from the STP testing. Based on these tests, CA-SDI-22179 is not eligible for listing in the NRHP, CRHR, or any local designation because it does not meet the eligibility criteria (Confidential Appendix E2).

#### **CA-SDI-22180**

This site was originally recorded during the Phase I survey by Atkins (Confidential Appendix E1) and contains two granitic bedrock outcrops, each with one milling slick (grinding surface used to process flora and fauna). No associated artifacts were observed. At the time of survey (Confidential Appendix E1), ground surface visibility was approximately 35 percent. Vegetation is predominately chamise, laurel sumac, black sage, buckwheat, mustard, and tall grasses. Immediately uphill of this site is another newly recorded archaeological site, CA-SDI-22186.

Phase II testing (Confidential Appendix E2) consisted of six STPs placed around the milling features (slicks, basins, cupules, or Cuyamaca ovals, often found in granitic outcrops and used for processing flora and fauna) to delineate the subsurface boundary of the site. All six were negative for cultural constituents; therefore, no test excavation unit was completed. Based on these tests,

CA-SDI-22180 is not eligible for listing in the NRHP, CRHR, or any local designation because it does not meet the eligibility criteria (Confidential Appendix E2).

**CA-SDI-22181**

This site was originally recorded by Atkins (Confidential Appendix E1) and consists of one granitic bedrock outcrop with one slick. The outcrop is positioned on a moderate south facing slope. It measures 2.72 meters long by 1.96 meters wide by 36.5 centimeter high. Ground surface visibility at the site was approximately 80 to 100 percent at the time of survey. Vegetation is predominately laurel sumac, buckwheat, mustard, and tall grasses. The slick measures 31 centimeters long by 16.5 centimeters wide by 2.5 centimeters deep. No additional cultural materials were observed at this site. Due to this site being situated on a steep eroding slope, it is unlikely to contain subsurface deposits. No additional testing was recommended, and the site is not eligible for CRHR, NRHP, or local listing (Confidential Appendix E1).

**CA-SDI-22182**

This site was originally recorded during the Phase I survey by Atkins (Confidential Appendix E1) and consists of one granitic bedrock outcrop with one milling slick. This granite outcrop measures 2.03 meters long by 2.03 meters wide by 42 centimeters high. The slick itself measures 27.2 centimeters long by 26.3 centimeters wide with no depth. A fleeting stream bed lays immediately north of the milling feature. Flora included chamise, laurel sumac, buckwheat, mustard, tall grasses, and an oak tree 25 meters east of the bedrock outcrop. No associated artifacts were recorded at this site during the Phase I survey (Confidential Appendix E1).

The site received minimal Phase II testing (Confidential Appendix E2), as most of the area surrounding the isolated milling feature was within an ephemeral drainage. Additionally, no surface artifacts were noted in the area during Phase II testing. Due to the lack of subsurface deposits encountered during the STPs, a test unit was not excavated for this site. Based on Phase II testing, CA-SDI-22182 is not eligible for listing in the NRHP, CRHR, or any local designation because it does not meet the eligibility criteria (Confidential Appendix E2).

**CA-SDI-22183**

This site was originally recorded during the Phase I survey by Atkins (Confidential Appendix E1) and contains a sparse lithic scatter containing five quartzite flakes. Ground surface visibility was approximately 75 to 100 percent at the time of survey. Vegetation is characterized by laurel sumac, buckwheat, California sagebrush, chaparral yucca, and chamise. The site measures approximately 5 meters north to south and 10 meters east to west. Four of the flakes were recorded on the southern side of the dirt road, and one flake was recorded on the road. Due to the current erosional environment, other artifacts which may have once been part of the site have likely been displaced

downhill. Therefore, no additional testing was recommended, and the site is not eligible for CRHR, NRHP, or local listing (Confidential Appendix E1).

#### **CA-SDI-22184**

This site was originally recorded during the Phase I survey by Atkins (Confidential Appendix E1) and consists of one granitic bedrock outcrop with two slicks. A dirt bike trail partially buries the bedrock on its eastern side. The northern end of the bedrock is river-worn and mossy. One of the slicks appears to be partially buried; therefore, the actual size of the slick cannot be determined. Vegetation in this area is predominately laurel sumac, California sagebrush, mountain mahogany, chamise, and wild cucumber. Ground surface visibility was 100 percent at the time of survey. No artifacts were observed. Because this site is situated directly within a river channel with extensive erosion, it is unlikely to contain subsurface deposits. Therefore, no additional testing was recommended and the site is not eligible for CRHR, NRHP, or local listing (Confidential Appendix E1).

#### **CA-SDI-22185**

This site was originally recorded during the Phase I survey by Atkins (Confidential Appendix E1) and consists of one granitic bedrock milling feature with one milling slick. The borders of the slick have been severely exfoliated and the slick likely extends beneath the ground surface. This boulder sits at an approximately 45-degree angle, suggesting that it may have shifted position since prehistoric times. The ground surface visibility was approximately 40 percent at the time of survey, and no associated artifacts were observed. Vegetation is characterized by laurel sumac and California sage.

The Phase II testing (Confidential Appendix E2) consisted of four STPs. Each STP was negative for cultural resources. The STPs displayed significant disturbance due to burrowing animals. Additional disturbance within the site included recreational bike paths and dirt roads used for accessing the area. Due to the lack of subsurface expression, data recovery efforts have little potential to discover pertinent information from the site. Based on the Phase II testing, CA-SDI-22185 is not eligible for listing in the NRHP, CRHR, or any local designation because it does not meet the eligibility criteria (Confidential Appendix E2).

#### **CA-SDI-22186**

This site was originally documented during the Phase I survey by Atkins (Confidential Appendix E1) and is composed of two granitic bedrock outcrops containing five milling features. One outcrop contains two milling slicks and the other contains three milling slicks. The site is located on a moderately steep slope that faces northeast. The surrounding vegetation is characterized by sumac and black sage. No associated artifacts were observed during the Phase I survey.

Phase II testing (Confidential Appendix E2) included the excavation of seven STPs and the excavation of a 1 meter by 1 meter test unit. Of the seven STPs, two were positive for cultural

materials and the remaining five STPs were negative. STP excavations yielded few subsurface artifacts: one mano fragment and one piece of faunal bone (a fragment of the right humerus of a brush rabbit). STPs yielding artifacts displayed significant disturbance due to burrowing animals. No intact, charcoal-bearing features or diagnostic artifacts were encountered during the Phase II testing of the site; therefore, a chronology for the site was not established. The low density of artifacts encountered at the site implies it was used for a limited time and for a limited range of activities. Based on the Phase II testing, CA-SDI-22186 is not eligible for listing in the NRHP, CRHR, or any local designation because it does not meet the eligibility criteria (Confidential Appendix E2).

#### **CA-SDI-22187**

This site was originally recorded during the Phase I survey by Atkins (Confidential Appendix E1) and is a newly documented sparse lithic scatter. Fifteen flakes were recorded. The vegetation in the site is predominately lords candle yucca, chamise, and laurel sumac. Due to the current erosional environment, other artifacts which may have once been part of the site have likely been displaced downhill. Therefore, no additional testing was recommended and the site is not eligible for CRHR, NRHP, or local listing (Confidential Appendix E1).

#### **CA-SDI-22188**

This site was originally documented during the Phase I survey by Atkins (Confidential Appendix E1) and contains a sparse lithic scatter with several lithic tools. Specifically, the site contains 36 lithic flakes, including one made of non-local chert, one utilized flake, one lithic core, one bifacial mano fragment, and one unifacial mano fragment. The lithics discovered were located on a dirt road. The scarce vegetation observed included chamise, laurel sumac, white sage, buckwheat, mustard, black sage, and tall grasses. The site measures approximately 184 meters northwest to southeast and 129 meters southwest to northeast.

Phase II testing (Confidential Appendix E2) for CA-SDI-22188 consisted of 35 STPs and the excavation of one 1-meter by 1-meter test unit. Of the 35 STPs, 5 were positive for subsurface cultural material. STP excavations yielded few subsurface artifacts; seven lithic flakes and one charcoal sample were recovered. In the STP, bioturbation, or the disturbance of the soil by living organisms, was evident. Additional disturbance at the site included the construction of several berms and push piles. The low density of artifacts encountered at the site implies it was used for a limited time and for a limited range of activities. Based on the Phase II testing, CA-SDI-22188 is not eligible for listing in the NRHP, CRHR, or any local designation (Confidential Appendix E2).

#### **CA-SDI-5981**

This previously recorded site consisted of one utilized flake and one projectile point. This site was originally recorded in 1980 by Richard Carrico. Local vegetation is tall grass and ground surface visibility was less than 15 percent at time of survey. Atkins was unable to relocate this site during

the 2016 survey and, therefore, did not recommend further testing. The site is not eligible for CRHR, NRHP, or local listing (Confidential Appendix E1).

### **CA-SDI-5985**

This previously recorded site consisted of one pushplane and one side scraper. This site was originally recorded in 1980 by Richard Carrico. Local vegetation is tall grass and ground surface visibility was less than 15 percent at time of survey. Atkins was unable to relocate this site during the 2016 survey. The site is not eligible for CRHR, NRHP, or local listing (Confidential Appendix E1).

### **CA-SDI-8243**

CA-SDI-8243 has been subject to six different recording and updating events (1975, 1980, 1996, 1998, 2016, and 2018). It was recorded originally as three separate sites (CA-SDI-8337, CA-SDI-8338, and CA-SDI-8243). Prehistoric site CA-SDI-8243 was originally recorded by G.R. Fink in 1975 and included 12 mortars, 5 basins, 11 mini-mortars, and 5 slicks. Fink identified several surface artifacts including ceramics, debitage, flaked stone tools, cores, and ground stone including complete and fragmented manos. The site was recorded originally as roughly 180 meters by 150 meters. In 1980, R. Franklin identified a second locus of the site; the original site location recorded by Fink was identified as Locus A; a new concentration measuring 30 meters by 60 meters was recorded as Locus B and consisted of six bedrock milling slicks on several outcrops and a low-density lithic scatter. Franklin recorded a total of 24 slicks, 4 mortars, 10 basins, 12 cupules, and a rock wall at Locus A in 1980 and noted extensive looting at both loci. Over time the loci boundaries were expanded and several new features were identified. In 1996, Gallegos and Associates updated Locus A; in 1997, it was subject to Phase II testing by Mooney & Associates for the San Diego Water Reunification Project Pipeline. The work included 20 postholes, 4 STPs, and 6 test excavation units. The subsurface excavations focused on areas considered to be centrally located habitation areas. Mooney & Associates also updated the surface constituents of Locus A and identified 11 previously unrecorded milling features consisting of 39 slicks, 18 basins, and 14 mortars.

In 1998, RECON implemented a Phase II testing program of CA-SDI-8243, where previous testing by Mooney & Associates had not occurred, that included both Locus A and Locus B. As part of this testing, RECON confirmed the recorded location of the recorded bedrock milling features and found them to be accurately mapped. RECON completed a test unit and one core reduction flake was recovered from the initial, 0 to 10 centimeter level (Confidential Appendix E2).

CA-SDI-8243 Locus A was updated in 2016 by Atkins during the Phase I survey for the proposed project (Confidential Appendix E1). Locus B was not updated because it was not recorded in the proposed development footprint. Atkins recorded a total of 44 milling features containing 88 slicks, 3 mortars, and 2 basins. Surface constituents including 188 burned bone fragments were recorded and reviewed by a professional coroner. Of the 188 burned bone fragments, 3 were identified as likely human, 71 possibly human, 59 likely faunal, and 55 faunal. In addition, several

other artifacts were identified: 581 flakes were recorded, 68 granitic mano fragments and 1 volcanic mano, 15 cores, 8 granitic metates, 14 utilized flakes, 15 scrapers, 1 obsidian tool, 1 preform projectile point of volcanic stone, 2 projectile points, 4 hammerstones, 85 Tizon brownware sherds, 1 hearth, and 1 rock with cupules were also found in the previously recorded locus and spaced intermittently between the previously recorded boundaries for sites, CA-SDI-8337 and CA-SDI-8338. Therefore, Atkins subsequently determined that CA-SDI-8243 Locus A, CA-SDI-8337, CA-SDI-8338 Locus A, and CA-SDI-8338 Locus B should be subsumed by CA-SDI-8243. The redrawn boundaries for CA-SDI-8243 did not include CA-SDI-8243 Locus B or CA-SDI-8338 Locus C. Based on the findings of the survey and the presence of likely human remains as determined by the coroner, Atkins recommended the site eligible for CRHR listing.

Rincon (Confidential Appendix E2) completed a Phase I survey of a portion of prehistoric site CA-SDI-8243 not surveyed previously by Atkins (Confidential Appendix E1). The survey identified one new milling feature and artifact locus. In addition to the new locus, Rincon recorded several artifacts along a small ephemeral drainage that bisects CA-SDI-8243 and artifacts along the margins of CA-SDI-8243 Locus A. In addition to artifacts and milling features, 16 burned bone fragments were found during the Rincon survey.

As part of the Phase II testing program for the proposed project, Rincon (Confidential Appendix E2) completed testing in areas that had not been tested previously. Rincon did not complete testing in areas that would be avoided by the proposed project. The testing program focused on the southern, eastern, and western boundaries of CA-SDI-8243 to delineate the subsurface expression of the site. Testing consisted of 134 STPs and the excavation of 5, 1 meter by 1-meter test units. Of the 134 STPs, 46 were positive for cultural materials. The STP excavations yielded 172 subsurface artifacts, including charcoal, groundstone, faunal remains, lithics, and historical refuse. Bioturbation was noted in nearly all STPs.

CA-SDI-8243 produced the most diverse artifact assemblage of all sites tested for the proposed project. A total of 473 artifacts were recovered up to a depth of 110 cmbs. These tested areas represent marginal localities on the cusp of the larger site; however, the assemblage suggests several activities were ongoing throughout the site. In addition to habitation debris, ceremonial artifacts such as a quartz crystal, as well as human remains, were found, suggesting that this site functioned as a large habitation site during the Late Prehistoric Period and may have been occupied into the Protohistoric Period based on the radiocarbon date from one of the test units. Based on the breadth of artifacts and activities represented and the location of the site, CA-SDI-8243 likely acted as a regional habitation center. Although artifact density varies throughout the portion of CA-SDI-8243 that falls within the development footprint, the portion of CA-SDI-8243 that would be avoided by the proposed project appears to contain dense surface deposits and several bedrock milling outcrops that contain cupules.

According to Rincon (Confidential Appendix E2), the site has yielded and has the potential to yield additional data important to the study of prehistory. The constituents still present at the site retain the potential to continue yielding data pertinent to the research themes presented in the Phase II testing program. Additionally, the presence of human remains associated with intact burial features indicate that the site has tremendous data potential, as human remains can provide a wealth of data concerning diet and general population health; they also provide evidence of work habits and labor. Based on the data potential of the site, Rincon recommends site CA-SDI-8243 as eligible for the NRHP and CRHR under Criterion D/4: potential to yield significant data about the past.

### **CA-SDI-8336**

CA-SDI-8336 was originally recorded by Franklin in 1980. Franklin observed 1 isolated flake, 11 slicks, and 3 or more basins on widely separated granitic bedrock outcrops. The site was later updated in 1983 by Cardenas to a large milling station composed of five bedrock milling locations and a sparse surface/subsurface lithic collection. Cardenas (1983) completed Phase II testing for the site and concluded it was not eligible for the CRHR because it did not contain significant data potential (Confidential Appendix E1).

The site was revisited during the Atkins Phase I survey (Confidential Appendix E1) and was observed immediately east of the previously recorded polygon. Seven bedrock milling features and one andesite core reduction flake, and one chione shell fragment were observed. The bedrock milling features are similar to those recorded in the 1983 site record. Specifically, during the site visit, Atkins observed 7 bedrock milling features with 20 milling slicks and 3 basins. Vegetation is predominately laurel sumac, chamise, buckwheat, black sage, California sagebrush, beavertail cactus, and grasses. The site measures approximately 68 meters in the east–west direction and 24 meters in the north–south direction.

Phase II testing (Confidential Appendix E2) for CA-SDI-8336 consisted of nine STPs, placed in proximity to the previously recorded milling features, where possible. All nine STPs were excavated to a minimum depth of 30 cmbs and were negative for cultural material. The STPs displayed significant disturbance due to burrowing animals. In addition to testing, Rincon conducted a brief survey to identify if any surface artifacts remained at the site. None were encountered during this effort. Rincon considers CA-SDI-8336 a limited activity site that lacks a subsurface component and has a sparse surface assemblage limited to few remaining lithics and milling features. Any further research efforts such as a data recovery program would not yield any additional pertinent data. The integrity of the site is poor because a service road borders the area and burrowing animals have disturbed the subsurface integrity. Therefore, CA-SDI-8336 is not eligible for listing in the NRHP, CRHR, or any local designation.

**CA-SDI-8341**

This previously recorded resource is a collection of 10 milling slicks. This site was originally recorded in 1980. Local vegetation consists of grasses and oak trees and visibility of bedrock outcrops was 100 percent at time of survey. Atkins was unable to relocate the site during the 2016 survey and, therefore, did not recommend further testing. The site is not eligible for CRHR, NRHP, or local listing (Confidential Appendix E1).

**CA-SDI-8342**

CA-SDI-8342 was originally recorded by Franklin in 1980, identifying three slicks on one bedrock outcrop. The site was later updated in 1983 by Cardenas to be described as a small milling station with two bedrock milling locations. Cardenas recorded six bedrock milling features with one mortar, nine slicks, and one cupule in location A and one bedrock milling feature with two slicks in location B. Cardenas concluded from Phase II testing that the cultural constituents were shallow and did not warrant further investigation based on the lack of data potential and recommended the site not eligible for the CRHR and NRHP (Confidential Appendix E1).

Atkins updated the site forms in 2017 based on the Phase I survey and observed two bedrock milling locations, approximately 31 meters apart, located approximately 50 meters north of the GIS data provided by the SCIC. These bedrock milling features were similar to those described in the 1983 site record form and were determined to be the same site. Atkins did not observe any artifacts. Vegetation at the time of survey was predominately beavertail cactus, buckwheat, and tall grasses. It is possible some milling slicks extend beneath the ground surface. Milling surfaces were observed to be moderately exfoliated by natural weathering (Confidential Appendix E1).

Rincon (Confidential Appendix E2) completed Phase II testing for CA-SDI-8342, which had also been subject to previous testing by Cardenas in 1983 near the northern boundary of the site. Rincon's testing program consisted of nine STPs and one 1-meter by 1-meter test unit. Of the nine STPs, four were positive for cultural materials. STPs negative for cultural materials were excavated to a minimum depth of 30 cmbs. STP excavations yielded few subsurface artifacts and each had evidence of bioturbation. In addition to the disturbance created by bioturbation, evidence of historical fires and small trails created by foot and bike traffic were identified. Rincon (Confidential Appendix E2) identified CA-SDI-8342 as a limited activity site that includes bedrock milling features and a shallow, low-density lithic assemblage, suggesting the site was likely used for resource processing and not long-term habitation. Based on the Phase II testing, CA-SDI-8342 is not eligible for listing in the NRHP, CRHR, or any local designation.

**CA-SDI-8344**

Franklin recorded CA-SDI-8344 in 1980 as two bedrock outcrops with four slicks. Cardenas conducted Phase II testing of CA-SDI-8344 in 1983. Based on the results of the testing program,

Cardenas recorded four bedrock milling features with six slicks. In addition, five quartzite mano fragments and three quartzite flakes were observed on the surface. Subsurface testing yielded one quartzite mano fragment, one unifacial knife, two scrapers, and four flakes. Cardenas recommended the site not eligible for the CRHR because it lacked data potential (Confidential Appendix E1).

Atkins revisited and updated the site in 2017 during the Phase I survey; however, the site was not found at the original location. Instead, two bedrock milling features were observed approximately 75 meters southwest of the coordinates. One feature has one milling slick and the other feature contains three milling slicks. The bedrock milling features are similar to the features noted in the 1983 site record and correspond with the 1980 sketch map. No associated artifacts were observed (Confidential Appendix E1).

Rincon (Confidential Appendix E2) completed Phase II testing at CA-SDI-8344. Rincon's testing program consisted of 13 STPs and one 1 meter by 1 meter test unit. The STP excavations recovered few artifacts: three pieces of charcoal and one granitic hammerstone. Bioturbation at the site was visible in the STPs and on the surface. Additionally, fragments of charred organic material were noted on the surface and are interpreted as remnants from historical and modern fires that have occurred in the area. Similar to CA-SDI-8342, foot and bike traffic paths were evident near the site and charcoal found on the surface provided evidence of historical fires in the area. Additionally, Rincon identified the location of the surface scrape completed by Cardenas in 1983. Rincon (Confidential Appendix E2) concluded that CA-SDI-8344 is a limited activity site with a low-density subsurface component and exposed milling features on the surface. Data recovery efforts have little potential to contribute pertinent data. Therefore, based on Phase II testing, CA-SDI-8344 is not eligible for listing in the NRHP, CRHR, or any local designation because it does not meet the eligibility criteria.

#### **CA-SDI-8345**

CA-SDI-8345 was originally recorded by Franklin in 1977 as a milling site with associated lithic and ceramic scatters. The site was described as multiple milling features with six slicks on widely spaced granitic bedrock outcrops. The site was recorded as disturbed by a jeep trail, quarrying, and dirt bike trails. Franklin did not observe any artifacts during the survey (Confidential Appendix E1).

A Phase I survey was conducted in November 2016 by Atkins. In total, 16 granitic bedrock milling features, 4 bone fragments, and a sparse lithic and ceramic scatter were observed. The coroner identified one likely and three possibly human bone fragments that were burned at high temperature, indicating cremation. Because of the condition of these remains and their context (occurring within this large site), it is likely that this bone represents human cremations which may extend into the subsurface. The site measured approximately 65 meters in the north–south direction and 35 meters in the east–west direction.

During Rincon's Phase I survey (Confidential Appendix E2), previously unrecorded milling features were encountered that were interpreted as an extension of CA-SDI-8345. The features included five milling slicks on three bedrock outcrops along a ridge overlooking the historic-period granite quarry. Three slicks were highly exfoliated and lacked perceivable depth. Two slicks located on a small exposure of bedrock were in better condition and, like the other slicks, lacked perceivable depth. Rincon (Confidential Appendix E2) examined the area surrounding the features and did not locate any new artifact scatters or isolates in the area. The area appeared heavily trafficked: several trails bisected the area and modern refuse and graffiti were evident throughout. After discussing possible impacts to the features by the proposed project, Rincon included this extension of CA-SDI-8345 in the Phase II testing program.

Phase II testing for CA-SDI-8345 consisted of 38 STPs and the excavation of one 1-meter by 1-meter test unit. Of the 38 STPs, 4 were positive for cultural material and the remaining 34 STPs were negative for cultural material. STP excavations yielded 12 subsurface artifacts, including 2 lithic flakes, 1 mano fragment, 1 scraper, 1 quartz crystal, and 7 Tizon brownware potsherds. The STPs yielding artifacts displayed significant disturbance from burrowing animals. Additional disturbance at the site included recreational bike paths and dirt roads and a portion of the now defunct granite quarry.

CA-SDI-8345 produced a relatively higher density of artifacts and a diverse artifact assemblage when compared to the majority of tested sites. The presence of several bedrock outcrops with milling features and the presence of groundstone tools suggest this area was used for resource processing. In addition to these resource processing tools and habitation debris such as faunal, ceramics, and lithics, ceremonial artifacts such as quartz crystals and the presence of human remains (found by Atkins in 2017) suggest this site functioned as a habitation site during the Late Prehistoric Period. Rincon (Confidential Appendix E2) identified this site as a habitation site which has yielded and has the potential to yield additional important information regarding prehistory. The Phase II investigations completed by Rincon and others (RECON 1998) have yielded data that contributes to the understanding of prehistory for the site. The presence of ceremonial objects and the diversity of artifacts encountered suggest CA-SDI-8345 has the potential to yield significant information regarding prehistory and is recommended eligible for the NRHP and CRHR under Criterion D/4; potential to yield significant data about the past (Confidential Appendix E2).

### **CA-SDI-14686**

This site, originally recorded by A. Schroth, L. Tift, and J. Perry of Gallegos and Associates in 1996, consisted of a sparse lithic scatter. In 1997, five post hole tests and four STPs were excavated, and all artifacts were collected. The site was recorded by Robert Case as containing five lithic cores, two hammerstones, one hammerstone fragment, and an unspecified number of flakes. Six unspecified artifacts were located on the surface. Local vegetation is tall grass and

ground surface visibility was less than 15 percent at the time of the survey. Atkins did not observe any remaining artifacts. It appears that all data potential has been exhausted as the result of the previous investigations. Therefore, no additional testing is recommended, and the site is not eligible for CRHR, NRHP, or local listing (Confidential Appendix E1).

### **CA-SDI-22503**

During the Phase I survey performed by Rincon (Confidential Appendix E2), CA-SDI-22503 was identified as a prehistoric site (Confidential Appendix E1). The dimensions of the site are approximately 40 meters north–south by 20 meters east–west. Four milling slicks and one basin were identified on four bedrock outcrops. Seven groundstone fragments were also found during the survey. No additional artifacts were found during the survey effort. Rincon recommended Phase II testing be completed to address the NRHP and CRHR eligibility status of the resource.

For Phase II testing on CA-SDI-22503, Rincon (Confidential Appendix E2) excavated a total of 20 STPs and 1 test unit. Of the 20 STPs, 2 were positive for cultural materials. The low-density of artifacts encountered at the site implies the site was used for a limited period of time and for a limited range of activities. Site integrity is poor due to the unstable surface and bioturbation activity. Based on the Phase II testing, CA-SDI-22503 is not eligible for listing in the NRHP, CRHR, or any local designation because it does not meet the eligibility criteria.

## **Cultural and Archaeological Resources (Historic) within the Area of Potential Effect**

### **CA-SDI-22189**

This site is composed of the remaining pavement and earthwork once used as a shooting range. Historical aerial photographs first depict CA-SDI-22189 in 1964. These photographs depict what appear to be a range officer’s hut and a small structure of unknown nature on the eastern end of each of the berms (perhaps distance labels). These structures were removed shortly after and do not appear in 1966 aerials photographs. No remains of these structures were observed during the pedestrian survey.

Extant remains of CA-SDI-22189 include a short-paved shooting platform and berms at 50, 100, 200, and 300 yards. The firing line, recognized by the pavement, is backed against a low east–west-trending hill and faces directly north toward the earthen berms, which served as bullet backstops. The project site has no record of shooting clubs and was never owned by any department of the U.S. military. However, an earth grid, which appears to have been used as a military bombing or artillery target, suggests that the military did have access and use of the area. It is likely that CA-SDI-22189 was affiliated with the historic Camp Elliott, which bounded the project site to the west. That area of Camp Elliott is now part of Marine Corps Air Station Miramar.

The site has been heavily disturbed. The paved firing line is largely intact but is deteriorating. The streets have been disturbed by modern traffic and have changed in width and have some variation

in route. Vegetation has overgrown much of the firing line and grows on top of the berms. The berms have been damaged by recreational use, particularly dirt biking. No historic artifacts were observed. No further testing was recommended, and it is not eligible for listing in the NRHP, CRHR, or local designation under any of the criteria (Confidential Appendix E1).

### ***Fanita Rancho (CA-SDI-22504)***

CA-SDI-22504 is an area historically known as “Fanita Rancho,” where ranching and farming activities occurred, that was used prehistorically by the Kumeyaay and their ancestors. Rincon (Confidential Appendix E2) conducted a Phase I survey on this site and archival research at the Santee Historical Society and the San Diego History Center. Rincon also completed a review of historical maps and aerial imagery and reviewed archival data in the digital library at the Bancroft Library, University of California, Berkeley. During the Phase I survey (Confidential Appendix E2), several historic-period features were encountered that represent various historical activities on the Fanita Rancho property. These include but are not limited to gates, posts, barbed wire fencing, various access roads (dirt and paved), one granite quarry, a rock wall dam, and a large artifact scatter containing various colored glass shards and porcelain ceramic fragments lacking diagnostic features, such as maker’s marks. These features were recorded as part of the historic rancho and represent the historical use of the rancho.

The Phase I survey and archival research completed for CA-SDI-22504 provided information regarding the purchase history and subsequent division of the property, including the use of the rancho during the late nineteenth century through the mid-twentieth century. Limited artifacts and features remain of the rancho and the archival data indicate CA-SDI-22504 was a historic homestead used for agricultural, ranching, and mining purposes. No standing structures remain within the APE.

The portion of CA-SDI-22504 located in the development footprint is not eligible for listing in the NRHP, CRHR, or any local designation because it lacks the integrity necessary to convey its historic significance, including integrity in location, setting, design, materials, workmanship, association, and feeling. Thus, CA-SDI-22504 is not eligible for listing in the NRHP or CRHR under any of the criteria (Confidential Appendix E2).

### **Isolates**

The Atkins’ pedestrian survey discovered 43 new isolates (Confidential Appendix E1). None were recorded during the Rincon surveys. Several of these isolates are composed of more than one artifact. The total artifact counts of these isolates include 1 chione shell fragment, 43 flakes, and 13 lithic tools, which include 2 edge-modified flakes, 1 hammerstone, 1 scraper plane, 1 unifacial preform, 2 cores, and 6 manos. These isolates occur in several areas of the project site. Isolates located on the surface provide little context regarding their origins or manufacture, and are generally considered as a group or in relation to nearby sites. Refer to Table 3 in Confidential

Appendix E1 for a detailed description of the isolates recovered during the Phase I survey conducted by Atkins.

## Human Remains

On July 5, 2016, Atkins (Confidential Appendix E1) identified concentrations of highly fragmented burned large mammal bone immediately west of CA-SDI-8243. Similar concentrations were discovered on July 7, 2016, within CA-SDI-8338a (now a part of CA-SDI-8243). Smaller concentrations were discovered on July 26, 2016, in the northeastern corner of the updated CA-SDI-8243 boundary, and on December 1 in an area within the updated boundary of CA-SDI-8345, identifying these concentrations as possible human cremations. Descriptions of these sites are detailed previously.

As a part of the Atkins Phase I report (Confidential Appendix E1), the coroner identified 4 bone fragments as likely human and 76 as possibly human bones. All bones discovered were small fragments that appeared to have been burned at high temperature. All possibly human bone fragments occur within the updated boundary of CA-SDI-8243, except one, which occurs within the updated boundary of CA-SDI-8345. Of the remains within CA-SDI-8243, the majority occur within two concentrations, a smaller third concentration contains only one likely human and two possibly human bone fragments. All likely human or possibly human remains occur near large collections of bedrock milling features. All occurrences of these remains are located on shallow soil and appear to have surfaced by means of bioturbation (animals or plants disturbing the soil). It is not known whether the remains were at one time contained within an urn or are accompanied by funerary offerings.

Rincon performed Phase II testing at both of the sites (CA-SDI-8243 and CA-SDI-8345) previously identified as having human remains (Confidential Appendix E2). Rincon collected 15 burned bone fragments at CA-SDI-8243. In April 2018, the County Medical Examiner's Office examined the bone fragments and identified one calcined cranial bone fragment and nine burned long bone shaft fragments as human and one cranial bone as possible human, all Native American in origin. Rincon did not encounter human remains during their Phase II testing for CA-SDI-8345.

## Tribal Cultural Resources

TCRs are defined as sites, features, places, cultural landscapes, or sacred places or objects that are of value to Native American tribes and are either on or eligible for the CRHR or a local register or that a lead agency may at its discretion choose to treat as a TCR (California Public Resource Code, Section 21027[a][1][a]-[B]). The following section is based on a TCR Memorandum prepared by Rincon (Confidential Appendix E3) documenting consultation efforts for the proposed project.

### ***Native American Heritage Commission***

As part of the process of identifying TCRs that may be impacted by the proposed project, Atkins (Confidential Appendix E1) requested a Sacred Lands File search be completed by the NAHC on March 22, 2016. The NAHC responded on March 23, 2016, reporting that sites had been located within the El Cajon Quadrangle of the APE and that it had been completed with positive results. The NAHC provided contact information for 15 tribal groups and individuals who should be contacted regarding the Sacred Lands File results. On April 8, 2016, letters were sent to each of the listed groups and individuals (Confidential Appendix E3). The Viejas Band of Mission Indians (Viejas) responded requesting participation in the Phase I pedestrian survey. No other tribes responded.

### ***Senate Bill 18 Consultation***

The City submitted a Local Government Tribal Consultant List Request to the NAHC on September 6, 2018, and received the list on October 11, 2018. On October 18, 2018, the City prepared and sent Senate Bill (SB) 18 notification letters to the 24 tribes provided on the list by the NAHC. Pursuant to California Government Code, Section 65352.3(a)(2), each tribe had 90 days from the date on which they receive the letter to respond and request consultation. The City received one response to the SB 18 consultation letters from Ray Teran, Resource Management for Viejas. In a letter dated October 24, 2018, Mr. Teran stated that the proposed project had been reviewed by Viejas and that the tribe requested a Kumeyaay cultural monitor be on site for ground-disturbing activities. No consultation meetings were requested by Viejas or any other tribe contacted under SB 18. Consultation under SB 18 has been closed for the proposed project (Confidential Appendix E3).

### ***Assembly Bill 52 Consultation***

The City prepared and sent Assembly Bill (AB) 52 notification letters to the three tribal contacts that formally requested notification of projects in the City on September 7, 2018. Under California Public Resources Code, Section 21080.3.1(b), the tribes had 30 days from the receipt of the notification letters to request consultation under AB 52. The City received one response to the AB 52 consultation letters from Art Bunce, Tribal Attorney for the Barona Band of Mission Indians (Barona). In a letter dated September 14, 2018, Mr. Bunce requested consultation for the proposed project on behalf of Barona. On September 21, 2018, the City sent the Phase I Pedestrian Study completed by Atkins to Mr. Bunce for review and stated that the Phase II evaluation and testing report would be transmitted once complete. The results of the consultation are provided in detail in Confidential Appendix E3 and summarized below.

On February 12, 2019, Mr. Bunce attended an in-person meeting at the City offices with representatives from the City, the applicant, Rincon, and the tribal cultural monitor (Red Tail Environmental). During the meeting, a review of the proposed project was presented, along with the results of the Phase II testing effort. Mr. Bunce provided a brief history of the origins of the

Barona tribe. Mr. Bunce noted that Barona's primary goal is to preserve the integrity of significant TCRs, in particular ancestral remains, and would likely seek avoidance of portions of sites CA-SDI-8243 and CA-SDI-8345 that would be impacted by the proposed project. He requested that a site visit take place in order for him to better discuss the proposed project with the Barona Tribal Council. Mr. Bunce also requested that additional maps be made to present to the Tribal Council, including maps at larger scale depicting areas where cultural resources exist and where avoidance was planned for the proposed project.

On March 5, 2019, Mr. Bunce attended an on-site meeting with representatives from the City, the applicant, and Rincon to discuss the proposed project. The on-site meeting included a tour of the project site focusing on the development footprint and archaeological sites CA-SDI-8243 and CA-SDI-8345. While at the CA-SDI-8243 site, the applicant's representative explained the modifications that could be made to avoid known significant resources. While at the CA-SDI-8345 site, the applicant's representative explained modifications that had already been made (as a result of the conclusions of the Phase I report) to avoid impacts to significant resources. Mr. Bunce stated that it would be important to have his Tribal Council members visit the project site and stated that a meeting with the Tribal Council should be coordinated to explain these modifications in person. A meeting was scheduled for April 12, 2019.

On March 19, 2019, Mr. Bunce attended an in-person meeting with representatives from the City, applicant, Rincon, and applicant's civil engineer (Hunsaker & Associates) to review graphics requested at the meetings held on February 12, 2019, and March 5, 2019. The graphics depicted the proposed development footprint as it relates to prehistoric sites CA-SDI-8243 and CA-SDI-8345, highlighting the areas where resources would be avoided and where resources would be potentially impacted. Two site capping alternatives for the impacted areas of CA-SDI-8243 were also presented. Mr. Bunce collected the graphics for use at the presentation to the next Barona Tribal Council meeting.

On April 12, 2019, Mr. Bunce and representatives from the Barona Tribal Council including Chairman Edwin "Thorpe" Romero, Vice Chairman Ray Welch, Councilmembers Tony Rodriguez, Manuel Navarro, Clayton Curo, and tribal members Cody Perez and Sheila Alvarez, attended an on-site meeting with representatives from the City, applicant, Rincon, and Red Tail Environmental to view and discuss sites CA-SDI-8243 and CA-SDI-8345, the location of sensitive artifacts, and the preservation of sites through avoidance measures including capping. For CA-SDI-8345, the group discussed the applicant's revisions to early construction plans that would limit impacts to CA-SDI-8345 and avoid sensitive locations identified during the cultural resources' studies.

The group also visited the two areas of CA-SDI-8243 that would be impacted by the proposed development. While viewing the portion of CA-SDI-8243 that would be within the development

footprint, the applicant's representative described the possibility of further avoiding resources through the provision of a buffer. The majority of the discussion regarding CA-SDI-8243 between the Barona Tribal Council, the City, and the applicant focused on the capping options for a portion of CA-SDI-8243. The group discussed the two design options for capping the site that were previously discussed at the March 19, 2019, meeting at the City and presented to the Barona Tribal Council prior to the field visit. The members of the Barona Tribal Council asked for an opportunity to take the two options to the rest of the councilmembers to select the preferred option. The meeting was concluded, and Mr. Bunce stated he would provide the feedback to the City.

Following the meeting held on April 12, 2019, the City requested feedback from the Barona Tribal Council regarding input on the mitigation for the proposed project on the following dates: April 29, May 13, and June 10, 2019. Mr. Bunce responded to these requests stating the Barona Tribal Council was considering the capping design options and would provide its comments on the proposed project. On June 27, 2019, the City sent an email to Mr. Bunce requesting an update regarding Barona's direction on the grading alternatives as the input could affect the proposed project's design. The City requested that a response be provided no later than July 15, 2019. Mr. Bunce replied that the Tribal Council will provide comments no later than the public comment period for the EIR and, hopefully before that, and to proceed with preparation of the EIR. On September 9, 2019, the City provided Mr. Bunce with an update of the status of the EIR and a copy of the Draft TCR Memorandum (Confidential Appendix E3) via email. The TCR memorandum summarized the results of the Phase I and II analysis, the AB 52 consultation process to date, and recommended mitigation measures. The memorandum also responds to the two CEQA Guidelines Appendix G questions regarding significance of the TCRs on the project site. The email requested input on the TCR Memorandum by October 1, 2019, and an update on the status of the Tribal Council's deliberations for the proposed project. On October 7, 2019, the City received a letter from Mr. Bunce on behalf of the Barona Band of Mission Indians, noting that the mitigation and related proposals as set forth in the Draft TCR Memorandum are largely satisfactory and provided four comments.

Following receipt of Mr. Bunce's letter, Rincon and the City reached out to Mr. Bunce via email on November 1, 12, and 18, 2019, and telephone on November 5 and 12, 2019, to obtain clarification of the four comments raised in the letter and the process to conclude the AB 52 consultation. On November 19, 2019, Mr. Bunce responded to Rincon's request for clarification regarding the letter received by the City on October 7, 2019.

On January 30, 2020, the City, Rincon, and applicant met to review graphics for the proposed project and mitigation measures developed to address potential impacts to TCRs. The City also provided a letter summarizing the AB 52 consultation process to date and the proposed mitigation measures, as well as copies of graphics and a thumb drive including the Phase I and Phase II

Cultural Reports that had been previously reviewed by Mr. Bunce. The City requested that Mr. Bunce on behalf of Barona conclude consultation by letter on or before February 10, 2020.

On March 9, 2020, the City emailed Mr. Bunce regarding the status of the City's January 30, 2020, request to conclude AB 52 consultation and provided a draft, template letter from Barona to the City, as requested by Mr. Bunce at the January 30, 2020, meeting. On March 11, 2020, Mr. Bunce responded via email stating that the Tribal Council was still working to organize a meeting to discuss the proposed project with two other tribal groups. On March 18, 2020, the City's attorney emailed Mr. Bunce requesting an update on the City's request to conclude consultation and followed up with Mr. Bunce via a phone call on March 24, 2020. During the call, Mr. Bunce stated that the Barona Tribal Council had yet to review the information provided during the January 30, 2020, meeting and that he estimated the Tribal Council would take an additional 2 to 12 months to respond.

Correspondence pertaining to AB 52 consultation is included as Confidential Appendix E4. Thus, as of the preparation of this EIR, the AB 52 consultation has not concluded.

#### **4.4.2 Regulatory Framework**

The treatment of cultural resources is governed by federal and state laws and guidelines. There are specific criteria for determining whether prehistoric and historic sites or objects are significant or protected by law. Federal and state significance criteria generally focus on resource integrity and uniqueness, relationship to similar resources, and potential to contribute important information to scholarly research. Some resources that do not meet federal significance criteria may be considered significant under state criteria. The laws and regulations seek to mitigate impacts on significant prehistoric or historic resources. The federal and state laws and guidelines for protecting historic resources are summarized below.

##### **4.4.2.1 Federal**

#### **National Historic Preservation Act of 1966**

The National Historic Preservation Act of 1966 established the NRHP as the official federal list of cultural resources that have been nominated by state offices for their historic significance at the local, state, or national level. Listing on the NRHP provides recognition that a property is significant to the nation, the state, or the community and requires that federal agencies consider historic values in the planning for federal and federally assisted projects. Properties listed in the NRHP, or "determined eligible" for listing, must meet certain criteria for historic significance and possess integrity of form, location, and setting. Structures and features must usually be at least 50 years old to be considered for listing on the NRHP, barring exceptional circumstances. Criteria for listing on the NRHP, which are set forth in Title 26, Part 63, of the Code of Federal Regulations (36 CFR Part 63), are significance in American history, architecture, archaeology, engineering,

and culture as present in districts, sites, buildings, structures; and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association; and that are:

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

Eligible properties must meet at least one of the criteria and exhibit integrity, measured by the degree to which the resource retains its historic properties and conveys its historic character, the degree to which the original fabric has been retained, and the reversibility of changes to the property. The fourth criterion is typically reserved for archaeological resources. These criteria have largely been incorporated into CEQA Guidelines, Section 15064.5.

#### **4.4.2.2 State**

##### **Assembly Bill 52**

AB 52 amends CEQA Guidelines, Section 15064.5, to require TCRs to be considered as potentially significant cultural resources. It requires that CEQA lead agencies consult with tribes that have requested consultation at initiation of the CEQA process to identify and evaluate the significance of these resources.

##### **California Environmental Quality Act**

State law also protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The California criteria for the CRHR are nearly identical to those for the NRHP. The State Historic Preservation Officer maintains the CRHR. Properties listed, or formally designated eligible for listing, in the NRHP are automatically listed in the CRHR, as are State Landmarks and Points of Interest. The CRHR also includes properties designated under local ordinances or identified through local historic resource surveys.

Section 21083.2 of the California Public Resources Code directly addresses the protection of unique archaeological resources under CEQA. A “unique archaeological resource” implies an archaeological artifact, object, or site about which it can be clearly demonstrated that there is a high probability that it meets one of the following criteria:

- The archaeological artifact, object, or site contains information needed to answer important scientific questions and there is a demonstrable public interest in that information, or

- The archaeological artifact, object or site has a special and particular quality, such as being the oldest of its type or the best available example of its type, or
- The archaeological artifact, object, or site is directly associated with a scientifically recognized important prehistoric or historic event or person.

For a resource to qualify as a unique archaeological resource, the agency must determine that there is a high probability that the resource meets one of these criteria without merely adding to the current body of knowledge (California Public Resources Code, Section 21083.3[g]). An archaeological artifact, object, or site that does not meet at least one of the above criteria is a non-unique archaeological resource (California Public Resources Code, Section 21083.2[h]). An impact on a non-unique resource is not a significant environmental impact under CEQA (14 CCR 15064.5[c][4]).

### **California Health and Safety Code, Section 7050.5**

California Health and Safety Code, Section 7050.5, Disturbance of Human Remains, establishes intentional disturbance, mutilation, or removal of interred human remains as a misdemeanor and specifies protocol for the inadvertent discovery of human remains.

### **California Register of Historical Resources (California Public Resources Code, Section 5020 et. seq.)**

Properties or sites that are eligible for inclusion in the CRHR are termed “historical resources.” State law protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The California criteria for the register are nearly identical to those for the NRHP. These criteria may apply to any historic, built environmental feature, and to historic or prehistoric archaeological sites. Under the provisions of CEQA Guidelines, Section 15064.5(a)(3), a lead agency shall find that a property is historically significant if it determines that it meets one or more of the criteria for listing on the CRHR, which extend to any building, structure, feature, or site that:

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.

With few exceptions, to qualify as a historic resource, a property must be at least 50 years old and also must retain physical integrity and integrity to its period of significance. For historic structures and buildings, significantly altering the setting, remodeling, or moving the structure may diminish or destroy its integrity. However, under some conditions, a building that has been moved or altered

may still retain its historic significance. Landscaping or landscape features may, in some cases, contribute to the significance of a historic architectural property. Such elements are assessed as part of the setting of the historic architectural property.

Archaeological sites may also qualify as historic resources under CEQA Guidelines, Section 15064.5(a)(3). Archaeological sites most often are assessed relative to CRHR Criterion D (for potential to yield data important to history or prehistory). An archaeological deposit that has been extensively disturbed and archaeological artifacts found in isolation may not be eligible for listing on the CRHR because the lack of stratigraphic context may impair the ability of the resource to yield significant data. A resource that does not meet one of the criteria for eligibility to the CRHR is not a historic resource under CEQA, and impacts to such a property are not significant.

The State Historic Preservation Officer maintains the CRHR. Properties listed, or formally designated eligible for listing, on the NRHP are automatically listed on the CRHR, as are State Landmarks and Points of Interest. The CRHR also includes properties designated under local ordinances or identified through local historic resource surveys.

### **Native American Historic Cultural Sites (California Public Resources Code, Section 5097 et. seq.)**

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy a Native American historic or cultural site that is listed or may be eligible for listing in the CRHR.

### **Senate Bill 18**

California Government Code, Section 65352.3 (adopted pursuant to the requirements of California SB 18 of 2004), requires local governments to contact, refer plans to, and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government's jurisdiction, and are identified, upon request, by the NAHC. As noted in the California Office of Planning and Research's Tribal Consultation Guidelines (2005), "the intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places."

### 4.4.2.3 Local

#### Santee General Plan

Divided into nine elements, the Santee General Plan is a statement of intent by the City as to the future development of the community. This is accomplished through objectives and policies that serve as a long-term policy guide for physical, economic, and environmental growth.

The Conservation Element of the Santee General Plan discusses water resources, land resources, archaeological and cultural resources, biological resources, and open space. Section 4.3 of the Conservation Element discusses archaeological, cultural, and historic resources known to be within the City. The goal of the Conservation Element is to conserve open space, natural, and cultural resources. The following objective and policies contained in the Conservation Element of the Santee General Plan are relevant to the analysis found in this section:

- **Objective 8.0:** Preserve significant cultural resources.
  - **Policy 8.1.** The City shall require either the preservation of significant historic or prehistoric sites, or the professional retrieval of artifacts prior to the development of a site, consistent with the provisions of the California Environmental Quality Act. Preservation may include various measures including avoidance, preservation in place, incorporation into open space, or covering or capping. The type of preservation would depend upon the nature and significance of the archaeological resource and the practical requirements of the proposed land use.
  - **Policy 8.2.** The City should require curation of any recovered artifacts as a condition of any cultural resources mitigation program.

### 4.4.3 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the proposed project would have a significant impact on cultural resources or TCRs if it would:

- **Threshold 1:** Cause a substantial adverse change in the significance of a historic resource pursuant to Section 15064.5.
- **Threshold 2:** Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- **Threshold 3:** Disturb any human remains, including those interred outside of dedicated cemeteries.
- **Threshold 4:** Cause a substantial adverse change in the significance of a tribal cultural resource defined in Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historic resources as defined in Section 5020.1(k), or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Section 5024.1(c). In applying the criteria set forth in Section 5024.1(c), the lead agency shall consider the significance of the resource to a California Native American tribe.

#### 4.4.4 Method of Analysis

The analysis of cultural resources and TCRs is based on the Cultural Resources Phase I Survey Report (Confidential Appendix E1), the Phase II Cultural Resources Testing and Evaluation Report (Confidential Appendix E2), the Tribal Cultural Resources Consultation Efforts for the Fanita Ranch Project Memorandum (Confidential Appendix E3), and the Fanita Ranch Development Phase I In-Fill Pedestrian Surveys (Confidential Appendix E4). As described previously, a CHRIS records search, an NAHC Sacred Lands File search, contact with local tribes, and a review of historical aerial photographs and maps were undertaken by Atkins to determine the presence or absence of cultural resources. A Phase I pedestrian survey was also performed, which covered 800 acres within the proposed development footprint and approximately 17 miles of proposed trails. Rincon completed an additional Phase I survey of off-site Magnolia Avenue and Cuyamaca Street improvement areas, as well as a portion of CA-SDI-8243 not previously surveyed by Atkins (Confidential Appendix E1). Additionally, Rincon completed Phase II evaluations of 12 archaeological sites considered eligible or potentially eligible for the CRHR. Regardless of the ultimate type of development constructed on the proposed school site (school or residential), the impacts to cultural resources would be the same due to similar ground-disturbing activities. Therefore, the analysis below adequately and concurrently addresses the proposed project preferred land use plan with school and the land use plan without school.

#### 4.4.5 Project Impacts and Mitigation Measures

##### 4.4.5.1 Threshold 1: Historic Resources

***Would implementation of the proposed project cause a substantial adverse change in the significance of a historic resource pursuant to Section 15064.5?***

**Impact:** The proposed project would not cause a substantial adverse change in the significance of historic resources.      **Mitigation:** No mitigation is required.

**Significance Before Mitigation:** Less than significant.      **Significance After Mitigation:** Less than significant.

#### Impact Analysis

Based on Appendix G of the CEQA Guidelines, implementation of the proposed project would have a significant adverse impact if it would cause a substantial adverse change in the significance of a historic resource as defined in CEQA Guidelines, Section 15064.5. A substantial adverse change in the

significance of a historic resource would have potential to occur if the elements that contribute to its significance were to be damaged through direct or indirect impacts of a project. Under CEQA, built environment and archaeological resources (both historic and prehistoric) may qualify as historic resources under CEQA; however, for clarity of this discussion, built environment resources are addressed under Threshold 1, and archaeological resources are addressed under Threshold 2 in Section 4.4.5.2.

CEQA Guidelines, Section 15064.5(a)(4), state that a “substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.” A resource is considered “materially impaired” if it:

- Demolishes or materially alters in an adverse manner those physical characteristics of a historic resource that convey its historic significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR; or
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historic resources . . . or its identification in a historic resources survey. . . unless the public agency reviewing the effects of the proposed project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially impairs in an adverse manner those physical characteristics of a historic resource that convey its historic significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.

CEQA requires a lead agency to identify measures to mitigate significant adverse impacts to historic resources. CEQA Guidelines, Section 15064.5(b)(4), states that “the lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures” deemed prudent and feasible.

The Cultural Resources Phase I Survey Report (Confidential Appendix E1) evaluated one potential historic resource, the Stowe Trail, which runs through the very western edge of the APE and connects the City of Santee with the City of Poway. Atkins was unable to locate any documentation specifying the precise length or boundaries of the Stowe Trail. However, historical U.S. Geological Survey maps suggest it is quite short, extending approximately 1 mile north of Stowe to intersect with other trails. The dirt road was of local importance to Stowe, a small ranching community in northern Sycamore Canyon (north of the project site), in the latter half of the nineteenth century. The dirt road had likely fallen out of use by 1942. Although this dirt road was locally important for several decades, no historic artifacts were observed during the pedestrian survey. It is likely that modern activity, including road maintenance, entirely replaced the original road surface and has disturbed or obscured any subsurface historic or prehistoric cultural materials. For these reasons, this section of the dirt road is unlikely to contain cultural deposits and was recommended not eligible to the NRHP, CRHR, or any local designation because it lacks the integrity necessary

to convey its historic significance (Confidential Appendix E1). Therefore, the proposed project’s impact to this site would be less than significant.

No other historic resources were observed on site or identified through records searches or archival research. Therefore, the proposed project would not cause a substantial adverse change in the significance of a historic resource pursuant to Section 15064.5 of the CEQA Guidelines. Impacts would be less than significant.

## Mitigation Measures

The proposed project would have a less than significant impact to historic resources; therefore, no mitigation is required.

### 4.4.5.2 Threshold 2: Archaeological Resources

***Would implementation of the proposed project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.?***

**Impact:** Development of the proposed project would have the potential to cause a substantial adverse change to CRHR- or NRHP-eligible archaeological resources.

**Mitigation:** Site Capping Program (CUL-1), Phase III Data Recovery Excavation Program (CUL-2), Worker Environmental Awareness Program (CUL-3), Cultural Resources Mitigation and Monitoring Program (CUL-4), Cultural Resources Construction Monitoring (CUL-5), Native American Construction Monitoring (CUL-6), Previously Unidentified Archaeological Resources (CUL-7), Curation of Archaeological Resources (CUL-8), and Cultural and Tribal Cultural Impacts Associated with Biological Restoration (CUL-9).

**Significance Before Mitigation:** Potentially significant.

**Significance After Mitigation:** Less than significant.

## Impact Analysis

Based on Appendix G of the CEQA Guidelines, implementation of the proposed project would have a significant adverse impact if it would cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines.

“Unique archaeological resources” are defined under CEQA through the California Public Resources Code, Section 21083.2(g). A unique archaeological resource implies an archaeological artifact, object, or site about which it can be clearly demonstrated that there is a high probability that it meets one of the following criteria identified in CEQA Guidelines, Sections 15064–15065(c):

- The archaeological artifact, object, or site contains information needed to answer important scientific questions and there is a demonstrable public interest in that information, or
- The archaeological artifact, object or site has a special and particular quality, such as being the oldest of its type or the best available example of its type, or
- The archaeological artifact, object, or site is directly associated with a scientifically recognized important prehistoric or historic event or person.

For a resource to qualify as a unique archaeological resource, the agency must determine that there is a high probability that the resource meets one of these criteria without merely adding to the current body of knowledge (California Public Resources Code, Section 21083.3[g]). An archaeological artifact, object, or site that does not meet the above criteria is a non-unique archaeological resource (California Public Resources Code, Section 21083.2[h]). An impact on a non-unique resource is not a significant environmental impact under CEQA (14 CCR 15064.5[c][4]). If an archaeological resource qualifies as a historic resource under CRHR criteria, then the resource is treated as a historic resource for the purposes of CEQA.

Impacts to archaeological resources most often occur as the result of excavation or grading. Archaeological resources may also incur indirect impacts as the result of project activity that increases erosion or the accessibility of a surface resource, and thus increases the potential for vandalism or illicit collection. According to the Cultural Resources Phase I Survey Report prepared by Atkins (Confidential Appendix E1), a CHRIS records search, a review of aerial photographs, and a Phase I pedestrian survey were performed on the approximately 800 acres of the project APE and 17 miles of proposed trails. The CHRIS records search and the Phase I pedestrian survey identified 24 sites and 43 isolates throughout the project site. Based on the quality and integrity of the sites, Atkins recommended 11 of these archaeological sites undergo Phase II testing.

In 2018, Rincon completed a Phase I survey of the Cuyamaca Street and Magnolia Avenue extensions and a portion of archaeological site CA-SDI-8243, none of which were surveyed previously. Rincon also evaluated the historic-period Fanita Rancho (CA-SDI-22504) property through an archival research and Phase I survey. Rincon completed Phase II testing of the 11 previously identified archaeological sites considered eligible or potentially eligible for the CRHR (Confidential Appendix E1) and one new site (CA-SDI-22503) identified during the Phase I pedestrian survey completed by Rincon for a total of 12 sites that underwent Phase II testing.

Based on the results of Rincon's Phase II testing, two archaeological sites, CA-SDI-8243 and CA-SDI-8345, have been recommended eligible for the NRHP and CRHR due to their data potential. The 10 remaining sites are recommended as ineligible for the NRHP and CRHR or any local designations due to their lack of data potential and no further management considerations are recommended. The two eligible sites are discussed below.

### **CA-SDI-8243**

A portion of CA-SDI-8243 would be impacted by the proposed project. It is considered a large prehistoric habitation site that yielded 473 artifacts, which is the largest and most diverse assemblage of all the sites tested during the investigation. It contained ceremonial quartz crystals and human remains, among other artifacts, which suggests it likely acted as a regional habitation center. The constituents still present at the site retain the potential to continue yielding data

pertinent to the research themes presented in the Phase II testing program (Confidential Appendix E2). Based on the data potential of the site, the Phase II Cultural Resources Testing and Evaluations Report (Confidential Appendix E2) recommends site CA-SDI-8243 as eligible for the NRHP and CRHR under Criterion D/4: Have yielded, or may be likely to yield, information important in prehistory or history. Because development of the proposed project would partially impact CA-SDI-8243, impacts would be potentially significant.

#### **CA-SDI-8345**

A portion of CA-SDI-8345 would be impacted by the proposed project. It is considered a habitation site that consists of several bedrock outcrops with milling features and groundstone tools that suggest this area was used for resource processing. In addition to these resource processing tools and habitation debris, such as faunal, ceramics, and lithics, a ceremonial artifact and the presence of human remains suggest this site functioned as a habitation site during the Late Prehistoric Period. The location of CA-SDI-8345 also provided a vantage point that would have allowed those occupying the Sycamore Canyon valley to look out over the City. The presence of ceremonial object and the diversity of artifacts encountered suggest CA-SDI-8345 has the potential to yield significant information regarding prehistory and is also recommended eligible under Criterion D/4: Have yielded, or may be likely to yield, information important in prehistory or history. Because development of the proposed project would partially impact CA-SDI-8345, impacts would be potentially significant.

#### **Unknown Resources**

The proposed project, which would involve substantial grading and excavation in native soils, would be located on currently undeveloped land resulting in considerable cuts into native terrain where cultural resources are known to occur. Therefore, there is a potential for the presence of previously unknown archaeological resources or TCRs to be discovered. Depending on the sensitivity of these resources, impacts would be potentially significant.

#### **Areas Located Outside the Area of Potential Effect**

Although it is outside the scope of the proposed project's potential effects to archaeological resources or TCRs, in an effort to cooperate with Barona, and in response to Barona's request during consultation, the City shall include the following condition of approval for the proposed project to be completed prior to the issuance of grading permits.

In an effort to cooperate with Barona, the City has agreed that a surface inventory of sensitive areas adjacent to the proposed project's development footprint (but outside of the APE) shall be a condition of approval for the proposed project and shall be completed prior to the issuance of grading permits. This inventory shall be completed by a qualified archaeologist who meets or exceeds the Secretary of Interior's Professional Qualifications

Standards for archaeology and a Native American monitor of Kumeyaay descent. The inventory shall be limited to 100 feet from the development footprint and shall be focused on areas that are known to be sensitive for cultural resources. In the event a cultural resource or TCR is identified adjacent to the proposed project's development footprint, the resource shall be recorded using the California Department of Parks and Recreation Series 523 forms, and environmental sensitive area fencing shall be put in place to protect the resource prior to ground-disturbing activities and shall remain in place until project-related ground disturbance is complete. Because these areas are outside of the proposed project's development footprint and would not be impacted by the proposed project development, no further analysis beyond a surface inventory shall be completed.

### Mitigation Measures

Because portions of archaeological sites CA-SDI-8243 and CA-SDI-8345 are located within the development footprint, impacts to these resources would be potentially significant. Preservation in place is the preferred mitigation strategy under CEQA for archaeological sites. Preservation in place can be achieved by project design for avoidance, incorporation into an open space, or capping of the site and construction of features over the cap that will not directly impact the site. The proposed project has been designed to avoid or cap a minimum of 40 percent of CA-SDI-8243 and avoid a minimum of 60 percent of CA-SDI-8345 as shown on the Vesting Tentative Map.

On-site biological resources restoration for the proposed project is required under Mitigation Measures BIO-1, BIO-2, BIO-12, and BIO-15. These mitigation measures require areas outside of the construction footprint on the project site to undergo biological resources restoration. At the time of the EIR public review, the exact locations of the restoration areas have yet to be established because consultation with regulatory agencies is ongoing. To protect cultural resources from unnecessary impacts, and in keeping with the requests of the consulting Native American tribes, cultural resources surveys shall be completed once consultation with regulatory agencies is completed, and the exact restoration areas are established. Implementation of Mitigation Measure CUL-9 would avoid and mitigate potential impacts to cultural resources and TCRs from the on-site biological resources restoration required by Mitigation Measures BIO-1, BIO-2, BIO-12, and BIO-15.

Implementation of Mitigation Measures CUL-1 through CUL-9 would reduce cultural resources and TCRs impacts to below a level of significance.

**CUL-1: Site Capping Program.** Prior to implementation of a site (or locus) capping program, a site capping plan shall be prepared by a qualified archaeologist who meets or exceeds the Secretary of Interior's Professional Qualifications Standards for archaeology. The plan shall be reviewed and approved by the Project Planner for the City of Santee with input from Native American tribal groups who have consulted on the project. The plan shall include the following or equivalent steps:

1. Retain an archaeological monitor and Kumeyaay monitor to observe the capping process.
2. Remove organic material from the archaeological site surface by hand, including brushing, raking, or use of power blower. Use of motorized vehicles for vegetation removal is prohibited. All vegetation shall be removed at ground surface such that no soil disturbance results.
3. Remaining root balls and masses in the ground after hand removal of vegetation stems and trunks shall be sprayed with topical pesticide per the pesticide manufacturer's specifications to ensure no further growth. The resulting dead vegetation masses shall be left in place. Complete surface vegetation removal and die-off of root massing shall be achieved before geotextile placement.
4. No remedial grading, sub-grade preparation, or scarification shall occur before placement of the geotextile fabric.
5. A biaxial geogrid (Tensar BX1200, TX 160, or equivalent) shall be laid over the ground surface where capping is to take place, and a minimum buffer area to be determined by the City of Santee through consultation with a qualified archaeologist, the Native American groups who have consulted on the project, and the most likely descendant as the final grading plans are prepared. The geogrid type and verification of its technological capability shall be provided by a qualified geotechnical engineer during plan check of final grading plans.
6. Placement of fill soils on top of the geotextile fabric shall be done in no greater than 8-inch lifts with rubber-tired equipment.
7. Geotextile fabric shall be capable of preventing compaction and load impacts on underlying archaeological resources.
8. Fill soils shall have a pH ranging from 5.5 to 7.5 only.
9. Fill soils shall be free of archaeological resources (i.e., culturally sterile).
10. Fill soils shall be spread from the outside with rubber-track, heavy equipment such that the equipment would only be working on top of the fill soils. The fill soils shall be placed ahead of the loading equipment so that the machine does not have contact with the archaeological site surface.
11. The fill soils shall be sufficiently moist so that they are cohesive under the weight of the heavy equipment as the material is spread out over the archaeological site and buffer area.
12. After the first 12–18 inches of fill are laid, larger equipment may be used to increase the fill to desired grade.

A minimum of 24 inches of fill material shall be maintained between the surface of the archaeological cap and any ground-disturbing activities. Ground-disturbing activities include but are not limited to grading; excavation; compaction; placement of soil, sand,

rock, gravel, or other material; clearing of vegetation; and construction, erection, or placement of any underground utilities, buildings, or structures.

**CUL-2: Phase III Data Recovery Excavation Program.** For areas within CA-SDI-8243 and CA-SDI-8345 that cannot be avoided, capped, or designated as open space by the proposed project, a Phase III Data Recovery Excavation Program shall be completed to comprehensively document the resources and exhaust the data potential of the resources prior to the issuance of project grading permits. The Phase III Data Recovery Excavation Program shall be conducted by a qualified archaeologist who meets or exceeds the Secretary of Interior’s Professional Qualifications Standards for archaeology in accordance with the California Office of Historic Preservation’s 1990 Archaeological Resource Management Reports: Recommended Contents and Format; CEQA; California Public Resources Code, Section 21084.1; and CEQA Guidelines, Section 15126.4(b).

Prior to implementing the field component of the Phase III Data Recovery Excavation Program, a Phase III Data Recovery Plan shall be prepared by the qualified archaeologist selected to carry out the program. The plan shall be prepared in consultation with Native American groups who have participated in consultation for the proposed project, and shall be reviewed and approved by the Project Planner at the City of Santee. The plan shall guide the Phase III Data Recovery Excavation Program. The plan shall, at minimum, include the following:

- Phase III research design including but not limited to the following:
  - Summary of previous research completed for CA-SDI-8243 and CA-SDI-8345
  - Discussion of relevant research questions that can be addressed by the resources. Relevant research topics include but are not limited to the following:
    - Site chronology
    - Dietary reconstruction
    - Paleo-environment reconstruction
    - Settlement pattern
    - Introduction and use of artifact typologies, such as projectile point typologies and ceramics
- Methods used to gather data
  - Number of data recovery units to be excavated
    - The number of recovery units shall be determined based on industry standards for establishing data redundancy. Industry standard typically requires that between 3 to 10 percent of intact site deposits impacted by the proposed project be recovered and analyzed as part of a Phase III Data Recovery Program. The final percentage shall be determined based on the percentage of the site to be impacted by the proposed project, the research

questions established for the Phase III, in consideration of the guidelines established by the Office of Historic Preservation for Phase III Data Recovery Programs and in consultation with the qualified archaeologist, City of Santee, and Native American groups who have participated in consultation for the project.

- Artifact screening methods to be used
- Procedures to follow in the event human remains are discovered (Mitigation Measure CUL-10)
- Procedures for backfilling excavated units prior to the completion of the Phase III fieldwork
- Laboratory methods to analyze the artifacts, including but not limited to the following:
  - Methods used to analyze ceramics, lithics, groundstone, and specialty items, such as beads
  - Protein residue analysis
  - Radiocarbon dating
  - Ethnobotanical studies
- Curation procedures (Mitigation Measure CUL-8)

The Phase III data recovery fieldwork shall be completed in accordance with the established plan by a qualified archaeologist. The fieldwork shall be observed by a minimum of one Native American monitor. The Native American monitors shall be of Kumeyaay descent.

Following the completion of the Phase III data recovery fieldwork, the results shall be summarized in a Phase III Data Recovery Report. The report shall be completed by a qualified archaeologist and shall include the results of the fieldwork and laboratory analysis and address the research questions established in the Phase III Data Recovery Plan. The report shall also include the California Department of Parks and Recreation Series 523 form updates for the sites CA-SDI-8243 and CA-SDI-8345. The report shall be submitted to the consulting Native American groups and the Project Planner at the City of Santee for review. Upon acceptance of the final report, an electronic version of the final report shall be submitted to the South Coastal Information Center and the San Diego Archaeological Society.

**CUL-3: Worker Environmental Awareness Program.** Prior to the commencement of project-related ground-disturbing activities, including but not limited to site clearing, grubbing, trenching, and excavation, a qualified archaeologist who meets or exceeds the Secretary of Interior’s Professional Qualifications Standards for archaeology shall provide a

Worker Environmental Awareness Program for the general contractor, subcontractors, and construction workers participating in ground-disturbing activity for project construction. The Worker Environmental Awareness Program training shall describe the potential of exposing archaeological resources, types of cultural materials that may be encountered, and directions on the steps that shall be taken if such a find is encountered. This training may be presented alongside other environmental training programs required prior to construction. A Worker Environmental Awareness Program acknowledgment form shall be signed by workers who receive the training.

**CUL-4: Cultural Resources Mitigation and Monitoring Program.** Following the completion of the Phase III Data Recovery Excavation Program, and prior to the start of any ground-disturbing activity for project construction, including but not limited to site clearing, grubbing, trenching, and excavation, a qualified archaeologist who meets or exceeds the Secretary of Interior's Professional Qualifications Standards for archaeology shall be retained to prepare a Cultural Resources Mitigation and Monitoring Program for unanticipated discoveries during project construction. The information gathered during the Phase III Data Recovery Excavation Program will help to inform the Cultural Resources Mitigation and Monitoring Program. The Cultural Resources Mitigation and Monitoring Program shall be prepared in consultation with Native American tribes who have participated in consultation for the proposed project. The Cultural Resources Mitigation and Monitoring Program shall include provisions for archaeological and Native American monitoring of all ground disturbance related to construction of the proposed project, project construction schedule, procedures to be followed in the event of discovery of archaeological resources, and protocols for Native American coordination and input, including review of documents. The Cultural Resources Mitigation and Monitoring Program shall outline the role and responsibilities of Native American monitors. It shall include communication protocols and opportunity and timelines for review of cultural resources documents related to discoveries that are Native American in origin. The Cultural Resources Mitigation and Monitoring Program shall include provisions for Native American monitoring during testing or data recovery efforts for unknown resources that are Native American in origin (Mitigation Measures CUL-6 and CUL-7). Once completed, the Cultural Resources Mitigation and Monitoring Program shall be reviewed and approved by the Project Planner at the City of Santee prior to the start of any ground-disturbing activities.

**CUL-5: Cultural Resources Construction Monitoring.** A qualified archaeologist who meets or exceeds the Secretary of Interior's Professional Qualifications Standards for Archaeology shall be present during ground-disturbing activity for project construction, including but not limited to site clearing, grubbing, trenching, and excavation, for the duration of the proposed project or until the qualified archaeologist determines monitoring is no longer

necessary. The archaeological monitor shall prepare daily logs and submit weekly updates to the Project Planner at the City of Santee regarding the activities observed. In the event that previously unidentified prehistoric or historic archaeological materials or human remains are encountered during project construction, the significance of the discovery shall be assessed based on the steps outlined in the Cultural Resources Mitigation and Monitoring Program identified in Mitigation Measures CUL-4, CUL-7, and CUL-10 for the proposed project.

At the completion of monitoring, the qualified archaeologist shall prepare a Cultural Resources Monitoring Report to document the findings during the monitoring effort for the proposed project. The report shall include the monitoring logs completed for the proposed project and shall document any discoveries made during monitoring. The report shall also include the monitoring logs prepared by the Native American monitor for the proposed project. The Cultural Resources Monitoring Report shall be submitted to the City of Santee and the South Coastal Information Center.

**CUL-6: Native American Construction Monitoring.** A minimum of one Native American monitor shall be present during ground-disturbing activity for project construction, including but not limited to site clearing, grubbing, trenching, and excavation, for the duration of the proposed project or until the qualified archaeologist determines monitoring is no longer necessary. The Native American monitors shall be of Kumeyaay descent. The Native American monitors shall prepare daily logs and submit weekly updates to the qualified archaeologist and the Project Planner at the City of Santee. In addition, the Native American monitors shall prepare and submit a summary statement upon completion of monitoring to include in the Cultural Resources Monitoring Report prepared for the proposed project (see Mitigation Measure CUL-5). The Project Planner at the City of Santee shall review and include the summary statement as part of the cultural resources monitoring report prepared for the proposed project.

**CUL-7: Previously Unidentified Archaeological Resources.** If cultural resources are encountered during ground-disturbing activities, work in the immediate area shall be halted, and the qualified archaeologist shall evaluate the resource in consultation with the Native American monitor. If necessary, the evaluation may require preparation of a Treatment Plan and archaeological testing for California Register of Historical Resources or National Register of Historic Places eligibility. If the City of Santee, in consultation with the qualified archaeologist, determines that the discovery is significant and cannot be avoided by the proposed project, additional work, such as the data recovery excavation described in Mitigation Measure CUL-2, shall be completed prior to the resumption of ground-disturbing activities in the immediate area to mitigate any significant impacts to cultural resources.

**CUL-8: Curation of Archaeological Resources.** Upon completion of project construction, archaeological collections that have not been repatriated or buried on site (per Mitigation Measure CUL-11), along with final reports, field notes, and other standard documentation collected, shall be permanently curated at a facility that meets the State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections. A qualified archaeologist who meets or exceeds the Secretary of the Interior's Professional Qualifications Standards for archaeology shall be required to secure a written agreement with a recognized museum repository regarding the final disposition and permanent storage and maintenance of all archaeological resources recovered as a result of the Phase III archaeological investigations and monitoring activities that have not been repatriated or buried on site. The written agreement shall specify the level of treatment (preparation, identification, curation, cataloging) required before the collection would be accepted for storage. The cost of curation is assessed by the repository and is the responsibility of the applicant.

**CUL-9: Cultural and Tribal Cultural Impacts Associated with Biological Restoration.** Prior to the execution of Mitigation Measures BIO-1, BIO-2, BIO-12, and BIO-15, the supervising biologists and applicant shall consult with the City of Santee, a qualified archaeologist who meets the Secretary of Interior's Professional Qualifications Standards for archaeology, and the Native American groups who have participated in consultation for the proposed project to complete the following tasks to address potential impacts to cultural and tribal cultural resources:

1. After the identification of possible biological restoration areas, the archaeologists and a Native American monitor of Kumeyaay descent shall complete a cultural resource records search of the California Historical Resources Information System and in-fill pedestrian surveys of any areas not previously investigated by Atkins (December 2017) or Rincon (May 2020) as part of the proposed project.
  - The survey shall include the biological mitigation area and a 100-foot buffer.
  - The survey shall be carried out using transects spaced no greater than 10 meters apart to be consistent with the standard field methods used by the previous studies (Atkins [December 2017] or Rincon [May 2020]).
  - A Native American monitor shall be present and shall participate in the survey effort.
  - Any cultural and or tribal cultural resources identified during the restoration effort shall be documented using California Department of Parks and Recreation Series 523 forms and be filed at the South Coastal Information Center.
  - A Phase I report that documents the survey locations and the results of the survey and includes California Department of Parks and Recreation Series

523 forms for any resources identified during the survey effort shall be completed by the qualified archaeologist. The report shall be prepared in accordance with the California Office of Historic Preservation's 1990 Archaeological Resource Management Report's: Recommended Contents and Format and California Environmental Quality Act; California Public Resources Code, Section 21084.1; and California Environmental Quality Act Guidelines, Section 15126.4(b). The final report shall be electronically submitted to the City of Santee and the South Coastal Information Center.

2. If human remains are identified on the surface during the pedestrian survey, the location of the human remains and a 50-foot buffer shall be avoided. Steps outlined in Mitigation Measure CUL-10 shall be followed in the event human remains are identified.
3. If a resource not containing human remains cannot be feasibly avoided, then a Phase II evaluation of the resource shall occur to determine the eligibility of the resource for listing on the California Register of Historical Resources. The Phase II evaluation shall be implemented by a qualified archaeologist who meets the Secretary of Interior's Professional Qualifications Standards for archaeology and observed by a Native American monitor.
  - If the resource is recommended eligible by the qualified archaeologist and the City of Santee concurs with the recommendation, Mitigation Measure CUL-2 shall be carried out.
    - Following completion of Mitigation Measure CUL-2, Mitigation Measures CUL-3 through CUL-8, CUL-10, and CUL-11 shall be implemented.
  - If the resource is recommended ineligible by the qualified archaeologist, and the City of Santee concurs with the recommendation, no further testing shall be required. A determination of eligibility shall be made by the qualified archaeologist in consultation with the City of Santee and Native American groups who have consulted on the proposed project. Upon completion of the determination of eligibility, Mitigation Measures CUL-5 through CUL-11 shall be implemented.

### 4.4.5.3 Threshold 3: Human Remains

*Would implementation of the proposed project disturb any human remains, including those interred outside of formal cemeteries?*

**Impact:** Development of the proposed project would have the potential to result in the disturbance of human remains in recorded and unrecorded sites. **Mitigation:** Discovery of Human Remains (CUL-10).

**Significance Before Mitigation:** Potentially significant. **Significance After Mitigation:** Less than significant.

### Impact Analysis

As discussed previously, human remains are known to occur on the project site. Both the Phase I survey (Confidential Appendix E1) and Phase II testing (Confidential Appendix E2) revealed human remains within the proposed APE at sites CA-SDI-8243 and CA-SDI-8345. The coroner during the Atkins survey (Confidential Appendix E1) identified 4 bone fragments as likely human and 76 as possibly human bone. Rincon's Phase I survey and Phase II testing (Confidential Appendix E2) revealed human remains at site CA-SDI-8243 consisting of 11 bone fragments identified as human or possibly human. These human remains would be repatriated to the most likely descendant upon completion of the proposed project.

Projects that result in substantial grading or excavations in native soils have the potential to impact archaeological resources that may contain human remains. The proposed project would occur in currently undeveloped land resulting in grading and excavation into native terrain where human remains are known to occur. Therefore, the potential exists for previously undiscovered human remains to be discovered during project grading and excavation. If human remains are inadvertently discovered, the impact would be considered significant unless the appropriate procedures were implemented.

California law recognizes the need to protect Native American human burials, skeletal remains, and items associated with Native American burials from vandalism and inadvertent destruction. The procedures for the treatment of Native American human remains are contained in California Health and Safety Code, Sections 7050.5 and 7052, and California Public Resources Code, Section 5097. Due to the identification of human remains on the project site and extensive disturbance set to take place in the on-site native terrain, impacts to human remains would be potentially significant.

### Mitigation Measures

Mitigation Measure CUL-10 would be implemented to reduce impacts to the disturbance of human remains in recorded and unrecorded sites to a less than significant level:

**CUL-10: Discovery of Human Remains.** If human remains are found, State of California Health and Safety Code, Section 7050.5, states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to California Public

Resources Code, Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant. The most likely descendant shall complete the inspection of the site within 48 hours of being granted access and shall provide recommendations for the treatment of the remains.

#### 4.4.5.4 Threshold 4: Tribal Cultural Resources

***Would implementation of the proposed project cause a substantial adverse change in the significance of a tribal cultural resource defined in Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:***

- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historic resources as defined in Section 5020.1(k), or***
- ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native tribe.***

**Impact:** Development of the proposed project could have the potential to cause an adverse change in the significance of a TCR.

**Mitigation:** Site Capping Program (CUL-1), Phase III Data Recovery Excavation Program (CUL-2), Worker Environmental Awareness Program (CUL-3), Cultural Resources Mitigation and Monitoring Program (CUL-4), Cultural Resources Construction Monitoring (CUL-5), Native American Construction Monitoring (CUL-6), Previously Unidentified Archaeological Resources (CUL-7), Curation of Archaeological Resources (CUL-8), Cultural and Tribal Cultural Impacts Associated with Biological Restoration (CUL-9), Discovery of Human Remains (CUL-10), and Treatment and Disposition of Tribal Cultural Resources (CUL-11).

**Significance Before Mitigation:** Potentially significant.    **Significance After Mitigation:** Less than significant.

### Impact Analysis

Based on Appendix G of the CEQA Guidelines, implementation of the proposed project may have a significant impact if it would cause a substantial adverse change in the significance of a TCR, defined in California Public Resources Code, Section 21074, as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe; and that is listed or eligible for listing in the CRHR or in a local register of historic resources as defined in California Public Resources Code, Section 5020.1(k); or a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of California Public Resources Code, Section 5024.1. In applying the criteria set forth in subdivision (c) of California Public Resources Code, Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The significance of a cultural resource is impaired when a project demolishes or materially alters those physical characteristics that convey significance. Impacts to TCRs, archaeological resources, or human remains most often occur as the result of excavation for the construction of buildings, installation of utilities, landscaping, or street construction. These resources may also be subjected to indirect impacts as the result of project-related activities that increase erosion, compression, or accessibility. Under CEQA, an effect on nonphysical values (such as tribal values, or other spiritual or religious values) is not considered an environmental effect; however, when a project would result in a physical effect, these values may be considered in determining whether the physical effect is significant.

As stated in Section 4.4.1.3, a record search of the Sacred Lands File was completed by the NAHC on March 23, 2016. The NAHC provided contact information for 15 tribal groups and individuals who should be contacted regarding the Sacred Lands File results and letters were then sent to each of the listed groups and individuals on April 8, 2016. Viejas responded requesting participation in the Phase I pedestrian survey.

The City prepared and sent SB 18 notification letters to the 24 tribes listed with the NAHC on October 18, 2018. The City received one response from Viejas requesting a Kumeyaay cultural monitor be on site for ground-disturbing activities. No consultation meetings were requested by Viejas or any other tribe contacted under SB 18. Consultation under SB 18 has been closed for the proposed project.

The City prepared and sent AB 52 notification letters to the three tribal contacts that formally requested notification of projects in the City on September 7, 2018. The City received one response to the AB 52 consultation letters from Art Bunce, Tribal Attorney for Barona. In a letter dated September 14, 2018, Mr. Bunce requested consultation for the proposed project on behalf of Barona. Mr. Bunce stated that Barona's primary goal is to preserve the integrity of significant TCRs, in particular ancestral remains, and would likely seek avoidance of portions of sites CA-SDI-8243 and CA-SDI-8345 that would be impacted by the proposed project. Mr. Bunce and other members of Barona met several times both on and off-site to discuss the proposed project's potential impacts to the resources on the project site as well as review the mitigation measures for the proposed project. The results of the consultation are summarized in Section 4.4.1.3. As of the preparation of this EIR, the AB 52 consultation has not been concluded. The Phase I and II reports (Confidential Appendices E1 and E2) prepared for the proposed project identified two prehistoric archaeological resources (CA-SDI-8243 and CA-SDI-8345) that were eligible for listing on the CRHR. During consultation efforts with Barona, the Tribal Council expressed interest in the potential impacts to these resources, which the tribe considers to have cultural value. As such, CA-SDI-8243 and CA-SDI-8345 are considered to be TCRs for the purposes of this project.

The construction of the proposed project involves substantial ground disturbance with the potential to alter, remove, or destroy resources associated with sites CA-SDI-8243 and CA-SDI-8345. Damage to a known TCR as a result of project development would result in a significant impact. In addition, previously unidentified TCRs may be encountered during construction that the lead agency could determine to be eligible for listing on the CRHR. Damage to known or unknown TCRs during construction would be potentially significant.

### **Mitigation Measures**

Implementation of Mitigation Measure CUL-11 would reduce impacts to TCRs to a less than significant level by providing for proper treatment and disposition of TCRs. In addition, Mitigation Measures CUL-1 through CUL-10 (described previously) would reduce any potential significant impacts to CA-SDI-8243, CA-SDI-8345, and unknown TCRs to a less than significant level. Mitigation Measure CUL-11 is as follows:

**CUL-11: Treatment and Disposition of Tribal Cultural Resources.** The applicant shall relinquish ownership of all non-burial related tribal cultural resources collected during the grading monitoring program and to the extent performed by the applicant, from any previous archaeological studies or excavations on the project site to the most likely descendant tribe for proper treatment and disposition per the Cultural Resources Mitigation and Monitoring Program (Mitigation Measure CUL-4). Any burial related tribal cultural resources (as determined by the most likely descendant) shall be repatriated to the most likely descendant as determined by the Native American Heritage Commission pursuant to California Public Resources Code, Section 5097.98. If none of the consulting tribes accept the return of the cultural resources, then the cultural resources shall be subject to the curation requirements stipulated in Mitigation Measure CUL-8) In the event that curation of tribal cultural resources is required by a superseding regulatory agency, curation shall be conducted by an approved facility and the curation shall be guided by the State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections.

In the event on-site reburial of culturally affiliated material is preferred by the Native American groups consulting on the proposed project, the applicant, in consultation with the most likely descendant, shall designate a location on the project site where reburial will take place. The reburial shall take place in a location where future construction shall not impact the buried material, such as an area designated as open space for the proposed project; therefore, a cap shall not be required. The on-site reburial location shall be selected prior to the start of construction. The reburial of material shall take place following the completion of ground disturbance for the proposed project and shall be observed by the most likely descendant or a Native American monitor representing the most likely descendant and a qualified archaeologist who meets the Secretary of Interior's

Professional Qualifications Standards for archaeology. The location of the reburial shall be documented using a California Department of Parks and Recreation Series 523 form completed by the qualified archaeologist who observed the reburial. The qualified archaeologist shall submit the location to the City of Santee and the location and forms to the South Coastal Information Center.

#### 4.4.6 Cumulative Impacts and Mitigation Measures

*Would implementation of the proposed project have a cumulatively considerable contribution to a cumulative cultural or tribal cultural resources impact considering past, present, and probable future projects?*

Cumulative Impact	Significance	Proposed Project Contribution
<b>Threshold 1:</b> Historic Resources	Less than significant	Not cumulatively considerable
<b>Threshold 2:</b> Archaeological Resources	Potentially significant	Not cumulatively considerable
<b>Threshold 3:</b> Human Remains	Potentially significant	Not cumulatively considerable
<b>Threshold 4:</b> Tribal Cultural Resources	Potentially significant	Not cumulatively considerable

##### 4.4.6.1 Cumulative Threshold 1: Historic Resources

The geographic context for the analysis of cumulative impacts to historic resources is defined as the City limits because historic resources were inventoried and evaluated at a cumulative, City-wide level under the Santee General Plan (City of Santee 2003). The Conservation Element of the Santee General Plan identifies specific policies aimed at preserving significant historic and prehistoric sites within the City. The Santee General Plan (City of Santee 2003) identifies one historic resource listed on the NRHP and one local historic landmark, which does not qualify for the NRHP. The cultural resources studies for the proposed project (Confidential Appendices E1 and E2) evaluated one potential historic resource within the APE. The studies found that this site is not recommended eligible for the NRHP or CRHR. Similar to the proposed project, past, present and reasonably foreseeable future development projects would be required to comply with the goals and policies in the Santee General Plan related to historic resources. Future development projects, including those listed in Table 4-2, Cumulative Projects, in Chapter 4, Environmental Impact Analysis, would be required to demonstrate that the proposed project includes adequate mitigation measures to mitigate potentially significant impacts to historic resources in accordance with CEQA. Therefore, a cumulative impact related to historic resources would not occur.

##### 4.4.6.2 Cumulative Threshold 2: Archaeological Resources

The geographic context for the analysis of cumulative impacts to archaeological resources is considered to be the County. Evidence of human occupation on the project site is represented by numerous archaeological sites throughout the City and overall region. These sites contain artifacts and features of value in reconstructing cultural patterns of prehistoric life and overall history of

the region. Due to the scarcity of archaeological resources and the potential for construction activities associated with future development projects to impact these resources, a significant cumulative impact to archaeological resources exists.

The cultural resource studies for the proposed project (Confidential Appendices E1 through E4) concluded that several archaeological sites are located within the proposed project's APE and determined that the proposed project would impact two significant archaeological sites. Avoidance or preservation in place through site capping would reduce impacts to these sites to a less than significant level (Mitigation Measure CUL-1). In areas of the sites where preservation in place is infeasible, Mitigation Measure CUL-2, a Phase III Data Recovery Program, would be implemented to reduce impacts to below a level of significance. The proposed project would include grading and excavation which could result in impacts to unknown archaeological resources. As discussed in Section 4.4.5.2, depending on the sensitivity of these resources, impacts may be potentially significant. To address the potential for unanticipated archaeological resources discoveries during subsurface excavation activities, Mitigation Measures CUL-3 through CUL-9 would be implemented to train construction workers on potential cultural material discovery, employ a cultural resources mitigation and monitoring program, require that an archaeological and Native American monitor be present during all ground-disturbing activities to minimize impacts to buried archaeological resources, and employ proper curation and biological restoration procedures for archaeological resources. Therefore, by applying mitigation, the proposed project's contribution to the significant cumulative archaeological resources impact would not be cumulatively considerable.

#### **4.4.6.3 Cumulative Threshold 3: Human Remains**

The geographic context for the analysis of cumulative impacts to human remains is considered to be the County. The presence of numerous archaeological sites indicates that prehistoric human occupation occurred throughout the region. Additionally, historic-era occupation of the area increases the possibility that humans were interred outside of a formal cemetery. Cumulative development projects in the San Diego region would have the potential to encounter unknown, interred human remains during construction activities, which would result in a significant cumulative impact.

Human remains were identified on the project site in two areas as a result of a Phase I survey (Confidential Appendix E1) and Phase II testing (Confidential Appendix E2). Additionally, unidentified human remains, whether as part of a prehistoric cemetery, an archaeological site, or an isolated occurrence, could be present below the ground surface. If human remains are discovered during construction activities, Mitigation Measure CUL-10 would be implemented, which details proper protocol and treatments under the California Public Resources Code and California Health and Safety Code to minimize the disturbance of human remains and to appropriately treat any remains that are discovered. Implementation of this measure would reduce the impacts of inadvertent discoveries of human remains to a less than significant level. Therefore,

the proposed project's contribution to a significant cumulative impact associated with disturbance of human remains would not be cumulatively considerable.

#### **4.4.6.4 Cumulative Threshold 4: Tribal Cultural Resources**

The geographic context for the analysis of cumulative impacts to TCRs is considered to be the County. Cumulative projects located in the County have the potential to result in a cumulative impact associated with the loss of TCRs through development activities that could cause a substantial adverse change in the significance of a TCR. These sites may contain artifacts and resources associated with tribal cultural values and religious beliefs. Any cumulative projects that involve ground-disturbing activities have the potential to result in significant impacts on TCRs. In the event TCRs are discovered, each individual project would be required to comply with the applicable regulatory requirements and the consultation requirements of SB 18 and AB 52, as applicable, to determine and mitigate any potential impacts to TCRs. Therefore, the cumulative destruction of significant TCRs from planned construction and development projects in the San Diego region would not result in a significant cumulative impact.

The proposed project has the potential to encounter sensitive TCRs. Mitigation Measure CUL-11 would reduce impacts to TCRs to less than significant by providing proper treatment and disposition of TCRs. In addition, Mitigation Measures CUL-1 through CUL-10 would reduce any potential significant impacts to known sites and unknown TCRs by training construction workers on potential cultural material discovery, employing a cultural resources mitigation and monitoring program, and requiring an archaeological and Native American monitor of Kumeyaay descent be present during all ground-disturbing activities to minimize impacts to buried TCRs. Therefore, the proposed project's contribution would not be cumulatively considerable.

#### **4.4.7 References**

- Byrd, Brian, and L. Mark Raab. 2007. "Prehistory of the Southern Bight: Models for a New Millennium." In *California Prehistory*, edited by Terry L. Jones and Kathryn Klar, pp. 215–228. Lanham, Maryland: Altamira Press.
- Cardenas, Sean. 1983. Archaeological Testing and Assessment of W-625, W-2762, and W-2764. Report on file at the SCIC, San Diego State University, San Diego, California.
- City of Santee. 2003. Santee General Plan. Adopted August 27.
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- RECON. 1998. Cultural Resource Survey and Significance Assessment of Six Prehistoric Archaeological Sites within Fanita Ranch Project Area, City of Santee, California. Report on file at the South Coastal Information Center, San Diego State University, San Diego, California.

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