

4.3 CULTURAL RESOURCES

The information provided in the following section is based on two separate archaeological resources reports prepared by Affinis. These reports are entitled, “Archaeological Resources Survey, *Batiquitos Bluffs*,” and “*Archaeological Resources Evaluation: CA-SDI-6868*” and are included in the Technical Appendices to this EIR under Section E1 and E2, respectively.

4.3.1 EXISTING CONDITIONS

Site Area History

The Late Prehistoric period is represented by the San Luis Rey complex in northern San Diego County and the Cuyamaca complex in the southern portion of the county. The San Luis Rey complex is the archaeological manifestation of the Shoshonean predecessors of the ethnohistoric Luiseño. The Cuyamaca complex represents the Yuman forbearers of the Kumeyaay. The project area is within the sphere of influence of both the Luiseño and Kumeyaay people. The name Luiseño derives from Mission San Luis Rey de Francia and has been used to refer to the Indians associated with that mission, while the Kumeyaay people are also known as Ipai, Tipai, or Diegeño. Agua Hedionda Creek is often described as the division between the territories of the Luiseño and the Kumeyaay people. Agua Hedionda Creek is about 4 miles north of the project area, so the property is within the ethnographic territory of the Kumeyaay.

Review of Previous Archeological Investigations

Records searches were conducted at the South Coastal Information Center at San Diego State University and at the San Diego Museum of Man. The records searches covered the project area and a surrounding radius of one-mile. Over 30 archaeological sites have been recorded within a one-mile radius of the *Batiquitos Bluffs* project area. Four of these sites are map locations only, with no information available regarding site description. Shell was noted at all but four of the sites for which information is available, sometimes in large quantities, sometimes just a few scattered fragments. The sites without shell include three sparse surface scatters of artifacts and one milling station with six mortars and a cupule in a sandstone outcropping.

One site was previously recorded within the *Batiquitos Bluffs* project area. CA-SDI-6868 was described in 1979 as evidence of shell and artifacts interspersed with modern habitation features. Lithics, fire-affected rock, and some Native American ceramics were noted, and the site was described as highly disturbed.

The current project area was included in a larger project area that was surveyed for cultural resources in 1989. The only resource found within the *Batiquitos Bluffs* project area during this survey was the previously recorded CA-SDI-6868: “Remains of this site, in the form of a thin scatter of shell, including *Chione* and *Argopecten* sp., were noted on the flat area identified as a former orchard.”

On-site Archaeological Survey

The project area was surveyed for cultural resources by Affinis archaeologists on April 7, 2005. During the survey, cultural material was found throughout the area mapped as CA-SDI-6868, which is comprised of both pre-historic and historic components. Although ground visibility was severely hampered by the dense vegetation, numerous shell scatters were noted across the site. Artifacts noted included debitage (quartz, quartzite, and metavolcanic) and Native American ceramics (Tizon Brown Ware). Due to the thick vegetation cover at the time of both the 2005 survey and the previous work

(Davis and Hector 1989), as well as disturbance from past agricultural uses, the precise extent of the site was not initially established.

Due to the limited ground visibility observed in the 2005 survey, a testing program was initiated for Site CA-SDR-6868 in April and May 2006. The results of this survey indicate that Site CA-SDI-6868 encompasses an area of approximately 56,700 square meters (14 acres). The vast majority of cultural material encountered at CA-SDI-6868 was marine shell. Other cultural material collected included animal bone, a bone awl fragment, Native American ceramics, debitage, mano fragments, historic ceramics, glass, ceramic tile, and a modern brick. A total of 68 artifacts were recovered during the testing program, including the prehistoric and historic material. The results of the testing program indicate that the research potential of the Native American component of CA-SDI-6868 appears to be quite limited, and that component of the site is not considered archaeologically significant. There is, however, a potential for buried cultural resources on the site.

In the northern portion of the project area, there is a driveway off La Costa Avenue leading to several large palms, pepper trees, and eucalyptus, as well as several foundations and the remnants of a small structure built into the side of the hill. This site has been given temporary designation BB Site 1. A number of apiaries are present on one of the slab foundations (#1), so no measurements were taken there. Another foundation (#2), just north of the first, measures about 18 ft north-south and 65 to 70 ft east-west. Lag bolts, rebar, 2 x 4s, and other lumber could be seen in this foundation, which is located under the eucalyptus trees. A small structure measuring 15 ft east-west by 10 ft north-south was found built into the side of the hill. A brief check of San Diego Historical Survey Society archives suggest that the structures found on the project site were associated with a late 19th and early 20th century pioneer farmstead. Based on testing conducted by the project archaeologist, the existing structural remains do not retain significant integrity to qualify for listing on the National Register of Historic Places or California Register of Historical Resources. However, there is a potential for subsurface archaeological deposits in the form of refuse filled pits, wells, or privies on the property that may contain artifacts associated with previous residents of the farmstead.

4.3.2 BASIS FOR DETERMINING SIGNIFICANCE

A proposed project would have a significant impact on cultural resources if any one or more of the following conditions would occur as a result of the project:

1. *The alteration or destruction of an historic site.*
2. *A substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5.*
3. *The alteration or destruction of an archaeological site.*
4. *A substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5.*
5. *Disturbance of any human remains, including those interred outside of formal cemeteries.*
6. *Restriction of existing religious or sacred uses within the potential impact area.*

7. *Direct or indirect destruction of a unique paleontological resource or site or unique geologic feature.*

4.3.3 IMPACT ANALYSIS

Issue 1: *Would the proposed project alter or destroy an historic site?*

Issue 2: *Would the proposed project cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?*

A. DISCUSSION OF PROJECT IMPACTS (ISSUES 1 AND 2)

An historic site survey of the proposed project site was conducted by the project archaeologist, Affinis. The investigation identified one historic site, BB Site 1 (Temporary site number), which consists of remnants of an historic farmstead. BB Site 1 is located within the proposed development footprint.

Site BB1 is located in the northern portion of the project area and consists of a driveway from La Costa Avenue leading to several large palms, pepper trees, and eucalyptus, as well as several foundations and the remnants of a small structure built into the side of the hill. The review of historical maps showed structures in the project area on the 1898 U.S. Coast and Geodetic Survey map and the 1901 USGS 15' San Luis Rey quadrangle. The structure and driveway are still shown on the 1942 15' topographic map and the 1948 USGS 7.5' Encinitas quadrangle. Aerial photographs taken in 1928, on file at the County of San Diego Cartographic Services and the San Diego Historic Society, show a complex of buildings and structures in this area. Residents of the property are listed in the school census and federal census from the early years of the 20th century.

The existing structural remains do not retain significant integrity to qualify for listing on the National Register of Historic Places or California Register of Historical Resources. Therefore, the identified resources associated with BB Site 1 would not be regarded as significant pursuant to the California Code of Regulations, Section 15064.5.

However, the history of BB Site 1 as a pioneer farmstead on the La Costa Glen Community (circa 1895 – 1945) is important. There is the potential for subsurface archaeological deposits in the form of refuse filled pits, wells, or privies on the property that might contain artifacts associated with previous residents of the farmstead. These deposits may contain materials that could answer important archaeological research questions concerning rural farm life in Southern California during the late 19th and early 20th centuries and may, therefore, be potentially eligible under Criterion D for the California and National Registers.

Therefore, because implementation of the proposed project has the potential to result in direct impacts to subsurface archaeological deposits, implementation of the proposed project could result in significant impacts to an historic site, including resources as defined in the California Code of Regulations, Section 15064.5 (**Significant Direct Impact 4.3-A**).

B. SIGNIFICANCE OF IMPACTS (ISSUES 1 AND 2)

Significant Direct Impact 4.3-A: The Lead Agency finds that implementation of the proposed project has the potential to result in direct impacts to subsurface historic resources, including resources defined by the California Code of Regulations, Section 15064.5.

C. MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM (ISSUES 1 AND 2)

- 4.3-A.1 The project applicant shall provide a full-time archaeological monitoring program during removal of all existing landscape and hardscape, including the initial stages of site grading or excavation per the following requirements:
- a. Prior to the issuance of grading and/or building permits, the applicant shall provide a letter of verification to the Planning and Building Department stating that a qualified archaeologist and/or archaeological monitor, as defined in the city's guidelines, have been retained to implement the monitoring program. The requirements for archaeological monitoring shall be noted on the grading plans under the heading "Environmental Requirements." All persons involved in the archaeological monitoring of this project shall be approved by the Planning and Building Department prior to the first pre-construction meeting. The applicant shall notify the Planning and Building Department of the start and end of construction.
 - b. The qualified archaeologist shall attend any pre-construction meeting to make comments and/or suggestions concerning the archaeological monitoring program with the construction manager.
 - c. The qualified archaeologist or archaeological monitor shall be present on-site full-time during grading activity.
 - d. When requested by the archaeologist, the project coordinator shall divert, direct or temporarily halt ground-disturbing activities in the area of discovery to allow evaluation of potentially significant historical resources. The archaeologist shall immediately notify Planning and Building Department staff of such finding at the time of discovery. The significance of the discovered resource(s) shall be determined by the archaeologist, in consultation with the Planning and Building Department and Native American community. The Planning and Building Director must concur with the evaluation procedures before grading activities in the area of discovery are allowed to resume. Any human bones of Native American origin shall be turned over to the appropriate Native American group for reburial.
 - e. If any human remains are discovered, the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendent, as identified by the Native American Heritage Commission, shall be contacted in order to determine the proper treatment and disposition of the remains.
 - f. All historical materials collected shall be cleaned, cataloged and permanently curated with an appropriate institution. All artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species, and specialty studies shall be completed as appropriate. Additionally, any sites and/or features encountered during the monitoring program shall be recorded on the applicable Department of Parks and Recreation forms (DPR 523A/B, et al.) and submitted to the South Coastal Information Center at San Diego State University and the San Diego Museum of Man with the final monitoring results report.

- g. Prior to the release of the grading bond, a monitoring results report and/or evaluation report, if appropriate, which describes the results, analysis, and conclusions of the entire historical monitoring program (with appropriate graphics and photo documentation) shall be submitted to and approved by the Planning and Building Director. For significant historical resources, a Research, Design and Data Recovery Program shall be included as part of the evaluation report. A mitigation report for significant historical resources, if required, shall be submitted and approved by the Planning and Building Department Director prior to the release of the grading bond.

D. SIGNIFICANCE AFTER MITIGATION (ISSUE 1)

Significant Direct Impact 4.3-A: Implementation of an archaeological mitigation and monitoring program, as required by Mitigation Measure 4.3-A.1, would ensure that any historic resources identified on the site during project grading activities would be appropriately documented and evaluated. With implementation of the required mitigation, impacts to on-site historical resources would be reduced to a level below significance.

Issue 3: *Would the proposed project alter or destroy an archaeological site?*

Issue 4: *Would the proposed project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?*

A. DISCUSSION OF PROJECT IMPACTS (ISSUES 3 AND 4)

The project archaeologist conducted a survey of the proposed project site in April 2005. Much of the lower portion of the project area previously has been mapped as archaeological site CA-SDI-6868. This site was originally described as, “evidence of shell and artifacts interspersed with modern habitation features,” and the site was noted as badly disturbed. During the April 2005 survey, cultural material was found throughout the area mapped as CA-SDI-6868. Although ground visibility was severely hampered by the dense vegetation, numerous shell scatters were noted across the site. Artifacts noted included debitage (quartz, quartzite, and metavolcanic) and Native American ceramics (Tizon Brown Ware).

Due to the limited ground visibility observed in the 2005 survey, a testing program was initiated for Site CA-SDI-6868 in April and May 2006. The results of this survey indicate that Site CA-SDI-6868 encompasses an area of approximately 56,700 square meters (14 acres). The vast majority of cultural material encountered at CA-SDI-6868 was marine shell. Other cultural material collected included animal bone, a bone awl fragment, Native American ceramics, debitage, mano fragments, historic ceramics, glass, ceramic tile, and a modern brick. A total of 68 artifacts were recovered during the testing program, including the prehistoric and historic material. The results of the testing program indicate that the research potential of the Native American component of CA-SDI-6868 appears to be quite limited, and that component of the site is not considered archaeologically significant. There is, however, a potential for buried cultural resources on the site. Implementation of the proposed project therefore has the potential to significantly impact buried cultural resources, and this is regarded as a potentially significant impact (**Significant Direct Impact 4.3-B**).

B. SIGNIFICANCE OF IMPACTS (ISSUES 3 AND 4)

Significant Direct Impact 4.3-B: The Lead Agency finds that implementation of the proposed project has the potential to result in direct impacts to subsurface archaeological resources, including resources defined by the California Code of Regulations, Section 15064.5.

C. MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM (ISSUES 3 AND 4)

4.3-B.1 Mitigation Measure 4.3-A.1 shall apply.

D. SIGNIFICANCE AFTER MITIGATION (ISSUES 3 AND 4)

Significant Direct Impact 4.3-B: Implementation of an archaeological mitigation and monitoring program, as required by Mitigation Measure 4.3-A.1, would ensure that any archaeological resources identified on the site during project grading activities would be appropriately documented and evaluated. With implementation of the required mitigation, impacts to on-site historical resources would be reduced to a level below significance.

Issue 5: *Would the proposed project disturb any human remains, including those interred outside of formal cemeteries?*

A. DISCUSSION OF PROJECT IMPACTS (ISSUE 5)

Field and record surveys conducted by the project archaeologist did not identify the presence of human remains on the proposed project site, including those interred outside of formal cemeteries. Nonetheless, the potential exists that human remains may be uncovered during grading and excavation activities, and this is regarded as a potentially significant impact (**Significant Direct Impact 4.3-C**).

B. SIGNIFICANCE OF IMPACTS (ISSUE 5)

Significant Direct Impact 4.3-C: The Lead Agency finds that implementation of the proposed project has the potential to impact human remains that may be uncovered during grading and excavation activities, and this is regarded as a significant impact.

C. MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM (ISSUE 5)

4.3-C.1 Mitigation Measure 4.3-A.1 shall apply.

D. SIGNIFICANCE AFTER MITIGATION (ISSUE 5)

Significant Direct Impact 4.3-C: Implementation of an archaeological mitigation and monitoring program, as required by Mitigation Measure 4.3-A.1, would ensure that any human remains uncovered on the site during project grading and excavation activities would be appropriately treated. With implementation of the required mitigation, potential impacts to buried human remains would be reduced to a level below significance.

Issue 6: *Would the proposed project restrict existing religious or sacred uses within the potential impact area?*

A. DISCUSSION OF PROJECT IMPACTS (ISSUE 6)

According to a filed study and records search performed by the project archaeologist, the site does not contain any existing religious or sacred uses.

B. SIGNIFICANCE OF IMPACTS (ISSUE 6)

The Lead Agency finds that there are no significant impacts.

C. MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM (ISSUE 6)

Impacts would not occur; therefore, mitigation is not required.

D. SIGNIFICANCE AFTER MITIGATION (ISSUE 6)

Impacts would not be significant; therefore, mitigation is not required.

Issue 7: Would the proposed project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

A. DISCUSSION OF PROJECT IMPACTS (ISSUE 7)

According to the project-specific geotechnical investigation, the project site contains the following geologic units: artificial fill, Slopewash (Qsw), Alluvium (Qal), Torrey Sandstone (Tt), and Delmar Formation (Td). Alluvium (Qal) and Torrey Sandstone (Tt) are considered to possess a low sensitivity rating with respect to paleontological resources, while the Delmar Formation (Td) is considered to have a high sensitivity with respect to paleontological resources. Of the geologic formations present on-site, only Slopewash, Alluvium, and Torrey Sandstone would be impacted by project grading, indicating a low probability of encountering paleontological resources. Therefore, a significant impact to paleontological resources would not occur.

B. SIGNIFICANCE OF IMPACTS (ISSUE 7)

As noted above, on-site soils that would be impacted by project grading possess a low probability for containing paleontological resources; therefore, the Lead Agency finds that implementation of the proposed project would not result in impacts to paleontological resources.

C. MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM (ISSUE 7)

Impacts would not be significant; therefore, mitigation is not required.