



THE CITY OF SAN DIEGO

Historical Resources Board

DATE ISSUED: November 12, 2010 REPORT NO. HRB-10-054

ATTENTION: Historical Resources Board
Agenda of November 19, 2010

SUBJECT: **ITEM 5 – Mut kula xuy/Mut lah hoy ya Site #7**

APPLICANT: D K L J 2 Trust represented by Brian F. Smith and Associates

LOCATION: Address Restricted, La Jolla Community, Council District 1

DESCRIPTION: Consider the designation of the property above as a historical resource.

STAFF RECOMMENDATION

Designate the Mut kula xuy/Mut lah hoy ya Site#7 as a historical resource under HRB Criterion A. The designation applies to the site only and excludes the 1955 one-story with basement residence and all other above-ground structures currently located on the premises. This recommendation is based on the following finding:

1. The resource is a special element of the City's archaeological and cultural development associated with the Mut kula xuy/Mut lah hoy ya site known to be of cultural significance to the Kumeyaay tribes of San Diego.



BACKGROUND

This item is being brought before the Historical Resources Board in conjunction with a proposed building modification or demolition of a structure of 45 years or more, consistent with San Diego Municipal Code Section 143.0212. The site is located in an area with known archaeological and cultural significance, within the urbanized community of La Jolla. The existing on-site residence was constructed in 1955 in the Custom Modern Ranch style of architecture, built by Dewhurst & Associates for original owners, Hazel and Raymond Wilson. No architect was identified. Over the years, the building has undergone substantial modifications, particularly along the front (southeast) elevation. The property owner's historical consultant, Scott Moomjian, prepared a Historical Resources Technical Report which concludes the residential building and other above-ground structures are not historically or architecturally significant and do not meet any designation criteria. Historical Resources staff reviewed the technical report and concurred with the determination. The building is not under consideration for designation.

The historic name of the resource, the Mut kula xuy/Mut lah hoy ya Site#7, has been identified consistent with the Board's adopted naming policy and reflects the Kumeyaay name for the area.

ANALYSIS

A cultural resources study was prepared by Brian F. Smith & Associates which concludes the property lies within an area of La Jolla with known significant cultural sensitivity associated with the Mut kula xuy/Mut lah hoy ya site and that the resource is significant under HRB Criterion A (See Summary of Technical Report – Attachment 1). Staff concurs that the property is a significant historical resource under HRB Criterion A. This determination is consistent with the *Guidelines for the Application of Historical Resources Board Designation Criteria*, as follows:

CRITERION A - Exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping or architectural development.

This property is located within the mapped boundaries of a regionally significant archaeological site known as the Spindrift Site, (CA-SDI-39/17,372, SDMM-W-1). This site encompasses a large habitation area known to its Kumeyaay inhabitants as *Mut kula xuy/Mut lah hoy ya* (place of many caves). The area is composed of several large midden areas, temporary camps, pottery and lithic scatters, various shell scatters, and burials found throughout multiple, consecutive layers representative of different cultural phases found in the San Diego region. The 20-acre knoll, historically known as the Richards Tract and the La Jolla Vista Tract, was originally investigated and recorded by Malcolm Rogers during the late 1920s, and by James Moriarty in the 1960s, and has been associated with occupations by groups from the La Jolla Complex and the Late Prehistoric Kumeyaay.

The HRB's first designation of a portion of the Mut kula xuy/Mut lah hoy ya site was in 1999 (HRB #390). Other portions of the site (HRB #638, #813, #818, 885, and 891) were designated between 2003 and 2008. Previously, the HRB considered whether to develop a policy of pre-

designating the entire Spindrift site so that property owners would be informed before they embark on projects with the potential to adversely impact the significant site. Administrative issues associated with this approach resulted in a continuation of parcels being considered on a case-by-case basis as projects are processed through the Development Services Department.

The field program for testing within the project site consisted of mapping and recordation of geotechnical testing locations, the monitoring of removal of concrete for preparation of archaeological and geotechnical investigations, and the excavation of seven test units within the portions of the site at the predetermined geotechnical boring locations. These investigations were conducted using standard methodologies, although all soils from the test units were wet-screened to maximize artifact recovery. The archaeological testing program was carried out between April 13 and May 13, 2010. Given the sensitive nature of the site, Kumeyaay Native American monitors from Red Tail Monitoring & Research, Inc. were present during all excavations.

Each of the seven test units identified the presence of midden soil. The upper levels of the midden deposit correspond to a disturbed cultural layer that represents portions of the deposit previously disturbed by grading of the lot, while the lower levels were characterized as intact occupation layers. Recovered materials included a wide range of habitation debris such as, projectile points, Tizon Brown Ware ceramics, ground stone, tarring stones, shell beads, stone beads, shell fish hooks, lithic tools, bone tools, shell tools, fire-affected rock, and a large invertebrate and vertebrate faunal assemblage. In addition, a small quantity (243.8 grams) of fragmented human remains, or possible human remains, was recovered from the excavated test units. These fragments were not identified as associated with intact burials, but were likely deposited onto the site by previous mass grading by the City for the street or as a result of subdivision grading as early as the 1920s. A detailed description of all recovered material is provided in Attachment 1.

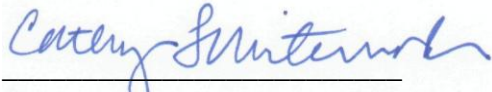
In summary, the project area overlies a portion of a regionally significant prehistoric archaeological site, SDI-39. This previously recorded site has documented research potential, human remains, and has been determined to be significant by the City. The recent archaeological program conducted at the project site, indicates the cultural deposit contains both disturbed levels associated with previous grading of the lot and intact deposits that have been capped by the disturbed levels and the existing residence. In addition, a small quantity of fragmented human remains (or possible human remains) was recovered. These fragments were not identified as associated with intact burials and were likely spread during the original grading of the subdivision and the public streets in the 1920s. However, due to the significant nature of Site SDI-39, cultural deposits throughout this La Jolla neighborhood, coupled with the discovery of human remains within and adjacent to the property, the site has been determined to be eligible for designation as a Historical Resource under HRB Criterion A.

OTHER CONSIDERATIONS

Because the historical resource does not include any above-ground buildings or structures, this property, should it be designated, would not at this time qualify for the Mills Act Program.

CONCLUSION

Based on the information submitted, it is recommended that the Mut kula xuy/Mut lah hoy ya Site#7 be designated under HRB Criterion A. Designation brings with it the responsibility of maintaining the site in accordance with the Secretary of the Interior's Standards.



Cathy Winterrowd
Principal Planner/HRB Liaison

CW/cw

Attachment(s):

1. Summary of Historical Resources Technical Report (confidential locational materials deleted from the publicly accessible report)
2. Draft Resolution

**DESIGNATION SUMMARY REPORT FOR
ARCHAEOLOGICAL SITE CA-SDI-39 (SDM-W-1)
LA JOLLA, CALIFORNIA**

**Prepared by Brian F. Smith and Associates, Inc.
November 9, 2010**

INTRODUCTION

Brian F. Smith and Associates (BFSA) conducted an archaeological evaluation of a portion of the Spindrift Site (CA-SDI-39; SDM-W-1) for a proposed single lot residential construction project in La Jolla, California. The property lies within a portion of a noteworthy archaeological site, recorded as spanning a period of over 6,000 years from the Early Archaic La Jolla Complex through the Late Prehistoric Kumeyaay Culture. The site has been determined to be significant according to CEQA and City of San Diego criteria due to repeated demonstrable research potential, identified human remains, and the cultural significance of the site to contemporary local Native American communities.

The archaeological assessment by BFSA was conducted in conjunction with archaeological requirements of a Bulletin 560 Geotechnical Investigation Permit to facilitate the excavation of soils tests below the archaeological deposit that caps the 0.31-acre lot. BFSA was retained to provide the necessary archaeological consulting services to facilitate the geotechnical investigations of the lot in anticipation of future construction improvements to the property. The Project is situated in the northern portion of the City of San Diego, California on the La Jolla, California USGS 7.5-minute topographic quadrangle, Township 15 South, Range 4 West, of the San Bernardino Base and Meridian.

The archaeological survey and testing program followed a test plan developed to evaluate the significance of the cultural resource deposits within the property in accordance with City of San Diego Land Development Code and California Environmental Quality Act (CEQA) guidelines. In order to assess the presence or absence of intact elements of the site, subsurface test excavations were conducted by BFSA at all boring locations for the geotechnical assessment of the proposed development. The archaeological testing was conducted between April 13 and May 13, 2010. The cultural resource study evaluated the status of archaeological resources within the property and potential impacts to those resources by the proposed redevelopment. The study was consistent with the archaeological work plan submitted by BFSA to, and approved by, the City as part of the Geological Testing Permit application.

PREVIOUS RESEARCH AT CA-SDI-39/SDM-W-1

The Project site is located within the mapped boundaries of a recorded archaeological site known as the "Spindrift Site," (CA-SDI-39/17,372, SDMM-W-1). The Spindrift Site encompassed a large habitation area known to its Kumeyaay inhabitants as Mut kula xuy/Mut lah hoy ya (place of many caves). The Spindrift Site is composed of several large middens, temporary camps, pottery

and lithic scatters, various shell scatters, and burials. The Spindrift Site is composed of multiple, consecutive layers representative of different cultural phases found in the San Diego region. The 20-acre knoll, historically known as the Richards Tract and the La Jolla Vista Tract, was originally investigated and recorded by Malcolm Rogers during the late 1920s, and by James Moriarty in the 1960s, and has been associated with occupations by groups from the La Jolla Complex and the Late Prehistoric Complex, Yuman Kumeyaay. The project area has undergone extensive development due to intensive grading for private homes, city streets and utilities over the past 70 years. As a result, specific boundaries for the Spindrift Site cannot be easily defined, but are expanded as new information is obtained as each subsequent project is reviewed and evaluated.

The Spindrift Site has been determined to be significant according to CEQA and City criteria, and the City has identified a large area from Spindrift Drive to La Jolla Shores as the Spindrift Archaeological Study Area. An important element of the significance of the Spindrift Site is the numerous human burials discovered and the abundance of human bone encountered in graded lots and streets within this neighborhood. The Project lies within this highly sensitive archaeological area. Site SDI-39 has been identified as an important, significant site since it was first recorded by Welty in 1912, when he noted that the site stretched for as long as 1,000 feet along the shore and up to 1,200 feet inland. He noted depths from one to eight feet, a dense black midden, shell, charcoal, and fragments of human remains.

Archaeological work by Malcolm Rogers in 1931 gave SDI-39 its name, the "Spindrift Site," after the street name. In a joint effort, the San Diego/Smithsonian Project in 1931 sought to uncover the origins of human occupation of the west coast. As a result of this project, Rogers excavated a series of sites throughout La Jolla (Rogers 1929). Although these studies were conducted at a time when La Jolla was undergoing development for homes, much of Rogers work was prior to the massive impacts to cultural resources that occurred in San Diego after World War II. Rogers' site record of SDI-39 indicated the site covered 20 acres, noting a range of occupation materials, from cobble hearths to whale bone hypothesized for use as housing materials. Over the next several years, Rogers excavated an estimated 40 cubic feet of soil across three areas of Spindrift Drive. His excavations uncovered human remains and large amounts of prehistoric materials. During this time, Rogers' work identified intact strata from the earliest to the latest periods of occupation at SDI-39. As a result of his studies, Rogers divided the cultural deposit into three distinct layers of occupation, with the earliest (Stratum 1) composed of invertebrate faunal remains, milling equipment, lithic tools, fire-cracked rock, and charcoal. Although the next Stratum (2) contained a lower frequency of cultural materials, the majority of inhumations were identified from this deposit. The last Stratum (3) was considered the most dense and contained ceramics, cremations, and large amounts of other late prehistoric cultural materials. Rogers' trenching studies, according to Pigniolo and Brodie (2009), were located directly north of the project area. A portion of his profile studies may have actually crossed the western slope of the current Project area.

The next notable work at SDI-39 was conducted by Dr. James Moriarty III in 1961 on what was known as the Oliver Gill Lot. Moriarty's work resulted in the collection of a large range of milling equipment (manos, metates, mortars, pestles, and stone bowls), projectile points, and ceramics. His salvage work at the site identified (at the time) the earliest known evidence of ceramics along the coast (1,270 ± BP). His detailed stratigraphic analysis allowed for the identification of transitions between La Jollan and Yuman populations.

Since Moriarty's work in 1961, several limited test excavations have taken place across portions of SDI-39. Examples of these limited excavations include Berryman and Roth (1993), Wade (1998), Gross and Robbins-Wade (1999), Case et al. (2003), and Rosenberg and Smith (2006). Although each of these excavations has added data to the greater understanding of SDI-39, the necessary scale of their investigations and previous impacts to the site has limited their scopes. However, each of these excavations identified buried portions of SDI-39, disturbed or otherwise, during their investigations. Based on these investigations, the deposit can extend from one to 1.5 meters in depth, and contains a variety of marine shell, lithic materials, faunal bone, ceramics, milling tools, and potentially human remains. The early documentation, large quantity, and wide range of materials identified for SDI-39 clearly indicates that the site served a habitation function. To date, radiocarbon analysis from the site has been limited, only identifying the Late Prehistoric Period component (Gross and Wade 1999; Berryman and Roth 1993). Despite this, previous studies clearly indicate the presence of a large archaic component that has yet to be ratified through conventional C-14 methods.

RESULTS OF THE CURRENT STUDY

A review of the records search provided by the South Coastal Information Center (SCIC) at San Diego State University (SDSU) indicated that the property is located in proximity to a number of prehistoric sites representing a wide range of prehistoric cultural and temporal affiliations. Specifically, the project area overlies a portion of an especially rich prehistoric archaeological site, the Spindrift Site (Pigniolo and Brodie 2009). This previously recorded site (SDI-39/W-1) has demonstrated research potential, produced human remains in the vicinity of the current project, and has been determined to be significant in accordance with CEQA and City criteria. Recent discoveries of human remains in nearby streets have heightened the City's concern for archaeological resources on the subject property and in the surrounding neighborhood. A number of previous archaeological investigations have occurred in portions of this site since the mid-1920s, recently increasing in numbers as new City and CEQA requirements are implemented.

The archaeological testing program was carried out between April 13 and May 13, 2010. Given the sensitive nature of the site, Kumeyaay Native American monitors from Red Tail Monitoring & Research, Inc. were present during all excavations. Seven test units were placed at the locations of each of the proposed geotechnical boring locations. Each of the seven test units identified the presence of midden soil. The upper levels of the midden deposit correspond to a disturbed cultural horizon that represents portions of the deposit previously disturbed by grading of the lot, while the lower levels were characterized as intact occupation horizons. Recovered materials included a wide range of habitation debris including projectile points, Tizon Brown Ware ceramics, ground stone, tarring stones, shell beads, stone beads, shell fish hooks, lithic tools, bone tools, shell tools, fire-affected rock, and a large invertebrate and vertebrate faunal assemblage. In addition, a small quantity (243.8 grams) of fragmented human remains or possible human remains (in most cases) were recovered from the excavated test units. These fragments were not identified as associated with intact burials, but were likely deposited onto the site by previous mass grading by the City for the street or as a result of subdivision grading. Taphonomic analyses suggest that they may have been dispersed throughout the property during the original grading of the lot in the 1920s, as has been observed at other portions of SDI-39/W-1 (Rosenberg and Smith 2007; Pigniolo and Brodie

2009), as well as diffused through the midden by natural processes including active rodent disturbance over several hundred years.

The field program for testing of Site SDI-39 within the Project Site consisted of mapping and recordation of geotechnical testing locations, the monitoring of removal of concrete for preparation of archaeological and geotechnical investigations, and the excavation of seven test units within the portions of the site within the APE of the predetermined geotechnical boring locations. The field investigations at Site SDI-39 were conducted using the standard methodologies, although all soils from the test units were wet-screened to maximize artifact recovery. All test units were placed to correspond with predetermined locations needed for geological testing. The geological data was required by the project design team to engineer the new residential structure. Results of the archaeological field investigations are discussed below.

Test Unit 1

Test Unit 1 (TU 1) was placed within the center of the eastern portion of the project area. The test unit was excavated in standard decimeter levels to 180 centimeters. The recovery from TU 1 consisted of six angular hammers, six bifaces, two cores, 895 debitage, six flake tools, three steep-edged unifacial tools (SEUTs), one stone bowl, 21 mano/mano fragments, three metate/metate fragments, 18 ground stone fragments, 11 tarring stones, 245 pieces of fire-affected rock (FAR), 35 shell beads, one shell fishhook, one shell tool, one modified shell, one modified bone, 55 prehistoric ceramic fragments, 11 glass trade beads, six otoliths, one gourd fragment, 642.1 grams of bone and 15,305.3 grams of shell. The intensity of recovered items corresponds to the 70-160-centimeter levels where the intact midden soil was encountered. The concentration observed between the 0-60-centimeter levels represents mixed midden/fill soil that corresponds to grading prior to the construction of the existing house.

Test Unit 2

Test Unit 2 (TU 2) was also placed within the central eastern portion of the project area. The test unit was excavated to 140 centimeters. The recovery from TU 2 consisted of four angular hammers, two bifaces, two cores, 684 debitage, six flake tools, four SEUTs, one piece of tested raw material (TRM), one abrader, 11 mano/mano fragments, one metate/metate fragments, 17 ground stone fragments, 255 pieces of FAR, one stone bead, ten shell beads, two shell fishhooks, one modified bone, 60 prehistoric ceramic fragments, two otoliths, 317.8 grams of bone and 6,629.3 grams of shell. The intensity of recovered cultural materials corresponds to the stratigraphic observations for TU 2. For TU 2, the densest portion of the deposit is concentrated between the 40-110-centimeter levels. The concentration observed between the 0-40-centimeter levels may represent mixing from grading activity that occurred prior to the construction of the house.

Test Unit 3

Test Unit 3 (TU 3) was placed within the southeastern most portion of the project area. The test unit was excavated in standard decimeter levels to 70 centimeters. The recovery from TU 3 consisted of one angular hammer, 174 debitage, one mano/mano fragment, three ground stone fragments, 57 pieces of FAR, six shell beads, one modified bone, 14 prehistoric ceramic fragments, 53.6 grams of bone and 1,463.4 grams of shell. The

majority of the deposit is concentrated between the 10-50-centimeter levels. However, for TU 3, the distinct midden in other units was never encountered.

Test Unit 4

Test Unit 4 (TU 4) was placed within the northeastern portion of the project area. The test unit was excavated to 190 centimeters. The recovery from TU 4 consisted of six angular hammers, three flakes from angular hammers, seven bifaces, two cores, 1,558 debitage, nine flake tools, four SEUTs, one anvil, one pestle fragment, one stone bowl fragment, 17 mano/mano fragments, four metate/metate fragments, 15 ground stone fragments, 801 pieces of FAR, one stone bead, 18 shell beads, two shell fishhooks, one bone awl, one bone tool (unknown), two pieces of modified bone, one piece of modified shell, 169 prehistoric ceramic fragments, two glass trade beads, 29 otoliths, 1,081.1 grams of bone and 13,227.3 grams of shell. The intensity of recovered cultural materials corresponds to the stratigraphic observations for TU 4. For TU 4, the densest portion of the deposit is concentrated between the 100-170-centimeter levels. The concentration observed between 0 and 100-centimeter levels may represent mixing from grading activity that occurred prior to the construction of the house in addition to the addition of base material for the placement of cement.

Test Unit 5

Test Unit 5 (TU 5) was placed within the northeastern portion of the project area. The test unit was excavated in standard decimeter levels to 150 centimeters. The recovery from TU 5 consisted of three angular hammers, four bifaces, two cores, 825 debitage, two flake tools, two SEUTs, one stone bowl, seven mano/mano fragments, four metate/metate fragments, seven ground stone fragments, 651 pieces of FAR, 14 shell beads, one bone awl, one modified shell, 78 prehistoric ceramic fragments, four otoliths, 431.7 grams of bone and 10,792.4 grams of shell. For TU 5, the densest portion of the deposit is concentrated between the 50-140-centimeter levels. The concentration observed in the upper 50 centimeter levels may represent mixing from grading activity that occurred prior to the construction of the house in addition to the addition of base material for the placement of cement.

Test Unit 6

Test Unit 6 (TU 6) was placed on the northwestern edge of the project area. The test unit was excavated in standard decimeter levels to 100 centimeters. The recovery from the modified sorting program for TU 6 consisted of two angular hammer flakes, one biface, one blade core fragment, 212 debitage, three flake tools, three mano/mano fragments, four ground stone fragments, 59 pieces of FAR, one chestnut cowry bead, 17 shell beads, one bone fishing gorge, one shell fishhook, three modified bone fragments, two modified shell fragments, 46 prehistoric ceramic fragments, three otoliths, 258.8 grams of bone and 3,333.6 grams of shell. For TU 6, the densest portion of the deposit is concentrated between the 30-90-centimeter levels. The concentration observed between the 0-30-centimeter levels may represent mixing from grading activity that occurred prior to the construction of the house.

Test Unit 7

Test Unit 7 (TU 7) was placed in the central portion of the project area against the structure. The test unit was excavated in standard decimeter levels to 200 centimeters. The recovery from the modified sorting program for TU 7 consisted of two angular hammers, seven bifaces, one bipolar core, 483 debitage, nine flake tools, one anvil, one stone bowl, six mano/mano fragments, two metate/metate fragments, four ground stone fragments, 100 pieces of FAR, one Tivela sp. shell bead blank, 24 shell beads, two bone awls, one bone needle, one bone pressure flaker, three bone tool fragments, one piece of modified bone, two pieces of modified shell, two shell fishhooks, one modified bone, 150 prehistoric ceramic fragments, two glass trade beads, two otoliths, 319.1 grams of bone and 7,215.9 grams of shell. The intensity of recovered cultural materials corresponds to the stratigraphic observations for TU 7. For TU 7, the densest portion of the deposit is concentrated between 120 and 190 centimeter levels. The concentration observed between the 0 and 120 centimeters may represent mixing from the grading activity that occurred prior to the construction of the house.

SUMMARY OF TEST UNIT EXCAVATIONS

The geophysical testing program for the Project Site impacted a portion of a known archaeological site, SDI-39. The archaeological site has demonstrated research potential and has produced a small quantity of fragmented Native American human remains (or possible human remains). The focus of the current investigation was to determine if the portion of SDI-39 located within the project area is intact and retains integrity. As a requirement of the Geotechnical Testing Permit process within the Spindrift area, 100% of the impacts created by the geotechnical testing were mitigated through the current excavation program. The test units excavated within the Area of Potential Effect (APE) identified the presence of both intact and disturbed subsurface deposits associated with SDI-39. All of the seven test units were positive for cultural material, with a maximum depth in same units of 210 centimeters. Across the site the units ranged in depth from 70-210 centimeters. In addition to the artifactual materials recovered from the site, a total of 132 fragments (243.8 grams) of potentially human bone fragments were also recovered from the test units, although only 11.5 grams were confirmed as human remains. While the majority of these specimens were not identifiable as human remains, any large mammal and therefore potentially human bone was treated separately as human bone for repatriation to the Most Likely Descendant (MLD) to ensure that any and all potential human remains were properly treated. In total, the current study recovered the following collection:

- 22 angular hammers
- five flakes from angular hammers
- 27 bifaces
- two bipolar cores
- one blade core fragment
- seven cores
- 4,846 debitage
- 35 flake tools
- 13 SEUTs
- one piece of TRM
- one abrader
- two anvils
- one pestle fragment
- four stone bowl/bowl fragments
- 66 mano/mano fragments
- 14 metate/metate fragments
- 68 ground stone fragments
- 11 tarring stones
- 2,168 pieces of FAR
- two stone beads

- one chestnut cowry bead
- two bead blanks
- 123 shell beads
- six abalone shell fishhooks
- one shell tool
- four bone awls
- one bone needle
- one bone pressure flaker
- one bone fishing gorge
- four bone tool fragments
- nine pieces of modified bone
- seven pieces of modified shell
- 572 prehistoric ceramic fragments
- 15 glass trade beads
- one gourd fragment
- 46 otoliths
- 3,104.2 grams of bone
- 57,967.2 grams of shell

Site SDI-39 is interpreted as representative of a large coastal occupation site. The data from the test unit excavations at Project Site suggests that the portions of the midden identified within the property reveal that subsistence practices focused on a range of activities including hunting, fishing, shellfish acquisition, and floral food resource extraction and processing. The long-term occupation of SDI-39 is evident in the material remains recovered from the site. The wide range and volume of artifacts imply that site activities included deep-water fishing (presumably with the use of boats), manufacture and use of fishing gear, manufacture and use of baskets, manufacture and use of arrow points and arrow shafts, manufacture and use of shell beads, use and potential manufacture of ceramics, manufacture and use of bone tools, potential trade with local and non-local communities, and hunting of marine mammals, birds, and occasionally terrestrial mammals. Based on the amount of materials recovered from the seven test units, it is clear that materials are indicative of a substantial and long-term prehistoric occupation around La Jolla Bay.

DISCUSSION AND SITE SIGNIFICANCE

Testing at the Project Site produced data that was used to evaluate the eligibility of this cultural resource for local designation by the City HRB. The primary objective of the archaeological study was to ascertain the current status of a portion of the previously identified site (SDI-39/W-1) within the property in light of recent identification of human remains in the neighborhood and the City's classification of the Spindrift Site as significant in its entirety. According to the City of San Diego Historical Resources Board guidelines and the City of San Diego Land Development Code, an archaeological site proposed for listing as a historical resource must meet Designation Criterion A:

Exemplifies or reflects special elements of the City's, a community's, or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping, or architectural development.

The elements of SDI-39 within the property boundaries meet the criteria for designation as a significant cultural resource.

SUMMARY AND RECOMMENDATIONS

The project area overlies a portion of a regionally significant prehistoric archaeological site, SDI-39. This previously recorded site has documented research potential, human remains, and has

been determined to be significant by the City. The recent archaeological program conducted by BFSA indicated that the cultural deposit contains both disturbed levels associated with previous grading of the lot and intact deposits that have been capped by the disturbed levels and the existing residence. In addition, a small quantity of fragmented human remains (or possible human remains) were recovered. These fragments were not identified as associated with intact burials and were likely spread during the original grading of the subdivision and the public streets in the 1920s. However, due to the significant nature of the Site SDI-39 cultural deposits throughout this La Jolla neighborhood, coupled with the discovery of human remains within and adjacent to the property, the site is evaluated as eligible to be designated as a Historical Resource in accordance with Criteria A of the Historical Resources Board guidelines, as listed in the City of San Diego General Plan (2006).

REFERENCES CITED

Berryman, Judy and Linda Roth

1993 *Survey, Significance Testing and Proposed Mitigation on a Portion of SDMM-W-1 (SDI-39) and Historic Evaluation of Parcel #346-461-6, San Diego, California.* TMI Environmental Services. Submitted to W & G Hunt. Unpublished Report on file at SCIC at SDSU.

Case, Robert P., Carol Serr, and Laura Barrie

2003 *Limited Phase II Investigation of CA-SDI-39 within the Hazard Property: 1876 Torrey Pines Road (APN-346-454-0900), La Jolla, California.* Mooney and Associates. Submitted to Eric Hazard. Unpublished Report on file at SCIC at SDSU.

Gross, Timothy G. and Mary Robbins-Wade

1999 *Archaeological Resources Inventory 8480 Paseo Del Ocaso, La Jolla, San Diego, California (LDR No. 96-7879).* Affinis. Submitted to King Real Estate. Unpublished Report on file at SCIC at SDSU.

Pigniolo, Andrew R. and Natalie Brodie

2009 *Preliminary Draft Cultural Resource Monitoring and Data Recovery for the Princess Street/Spindrift Drive Underground Utility District: The Spindrift Site (CA-SDI-39/17327, SDM-W-1).* Available at Laguna Mountain Environmental, Inc.

Rogers, Malcom

1929 Field Notes, 1929 San Diego-Smithsonian Expedition. Manuscript on file at San Diego Museum of Man.

Rosenberg, Seth and Brian F. Smith

2007 *An Archaeological Study for 1905 Spindrift Drive.* Submitted to the City of San Diego. Available at Brian F. Smith and Associates and the City of San Diego.

SCIC Site Forms for CA-SDI-39; SDM-W-1

Wade, Sue

1998 *Cultural Resource Survey and test Excavations for a Portion of CA-SDI-39/SDM-W-1, 1949 Hypathia Way, La Jolla, California (City of San Diego LDR No. 96-7773).* The City of San Diego, Development Services Center. Submitted to the City of San Diego, Development Services Center. Unpublished Report on file at SCIC at SDSU.

From: Brian Smith [BSmith@bfsa-ca.com]

Sent: Monday, September 06, 2010 4:29 PM

To: Matthew A. Peterson

Subject: Fwd: [REDACTED]

Matt, here is Clint's response to the email regarding the significance designation for [REDACTED]

BRIAN SMITH

Brian F. Smith and Associates, Inc

14678 Ibex Court

San Diego, CA 92129

Archaeology, Paleontology, History, and Biological Consulting Services

Now providing Air Quality, Noise, and Traffic Engineering Services

Phone: (858) 484-0915

Fax: (858) 679-9896

Email: bsmith@bfsa-ca.com

Begin forwarded message:

From: "(.)" <cjlinton73@aol.com>

Date: September 6, 2010 10:24:32 AM PDT

To: BSmith@bfsa-ca.com

Subject: Re: [REDACTED]

Hi Brian,

Likewise, it has been a pleasure to work with you and yours as well. Yes, per our many meetings and conversations over the past several months, I agree with the designation of [REDACTED] as a Significant Archaeological Site. It is my understanding that this will be the same designation as we determined for [REDACTED]. Being that the 2 properties are contiguous I don't see how one could have one designation and the other a separate designation when we know the site materials are consistent from one property to the next, to include the property on the southwest side of [REDACTED] and so on. To the best of my knowledge the minimum area of the "Significant Archaeological Site" of Spindrift extends from; Princess Street to La Jolla Shores, from Torrey Pines Road to Avenida de la Playa (per Malcom J. Rogers).

If there is any further clarification needed from me please let me know.

Thank you,

Clint

-----Original Message-----

From: Brian Smith <BSmith@bfsa-ca.com>
To: Smooth Cat <cjlinton73@aol.com>
Cc: Matt Peterson <MAP@petersonprice.com>
Sent: Wed, Sep 1, 2010 9:57 pm
Subject: [REDACTED]

Hi Clint:

Thank you for your oversight and participation during the archeological investigations at [REDACTED] over the past several months. It has been a real pleasure working with you and your staff of monitors. We have forwarded your letters to Mr. Peterson, dated July 30, 2010, to the City DSD/Environmental and Historic Resources Board staff. Those letters have been very helpful to the City staff. As a result of our numerous conversations over the past few months, it is my understanding that you do not object to that the portion of CA-SDI-39 within [REDACTED] being designated as a Significant Archaeological Site consistent with the designation of the adjacent property at [REDACTED] and all of the other properties located along [REDACTED]. Can you shoot me a short confirming email?

Thank you,

Brian

BRIAN SMITH

Brian F. Smith and Associates, Inc.
14678 Ibex Court
San Diego, CA 92129

*Archaeology, Paleontology, History, and Biological Consulting Services
Now providing Air Quality, Noise, and Traffic Engineering Services*

Phone: (858) 484-0915
Fax: (858) 679-9896
Email: bsmith@bfsa-ca.com

=

RESOLUTION NUMBER N/A
ADOPTED ON 11/19/2010

WHEREAS, the Historical Resources Board of the City of San Diego held a noticed public hearing on 11/19/2010, to consider the historical designation of the Mut kula xuy/Mut lah hoy ya Site#7 (owned by D K L J 2 Trust, 8181 Douglas Avenue, #1000, Dallas, TX, 75225) located at **Restricted Address**, APN: **000-000-00-00**, in the City of San Diego, County of San Diego, State of California; and

WHEREAS, in arriving at their decision, the Historical Resources Board considered the historical resources report prepared by the applicant, the staff report and recommendation, all other materials submitted prior to and at the public hearing, inspected the subject property and heard public testimony presented at the hearing; and

WHEREAS, the property would be added to the Register of Designated Historical Resources as **Site No. 0**, and

WHEREAS, designated historical resources located within the City of San Diego are regulated by the Municipal Code (Chapter 14, Article 3, Division 2) as such any significant changes to the landscape/ site shall be approved by the City.

NOW, THEREFORE,

BE IT RESOLVED, the Historical Resources Board based its designation of the Mut kula xuy/Mut lah hoy ya Site #7 on the following findings:

(1) The property is historically significant under CRITERION A as a special element of the City's archaeological and cultural development associated with the Mut kula xuy/Mut lah hoy ya site known to be of cultural significance to the Kumeyaay tribes of San Diego. This finding is further supported by the staff report, the historical research report, and written and oral evidence presented at the designation hearing.

BE IT FURTHER RESOLVED, in light of the foregoing, the Historical Resources Board of the City of San Diego hereby approves the historical designation of the above named property. The designation includes the parcel and applies to the archaeological site only as Designated Historical Resource **Site No. 0**. The 1955 one-story with basement residence and all other above-ground structures currently located on the premises are excluded from the designation.

BE IT FURTHER RESOLVED, the Secretary to the Historical Resources Board shall cause this resolution to be recorded in the office of the San Diego County Recorder at no fee, for the benefit of the City of San Diego, and with no documentary tax due.

Vote: N/A

BY: _____
JOHN LEMMO, Chair
Historical Resources Board

APPROVED AS TO FORM AND
LEGALITY: JAN I. GOLDSMITH,
CITY ATTORNEY

BY: _____
NINA FAIN
Deputy City Attorney