# CULTURAL RESOURCES SURVEY REPORT: TORREY MEADOWS DRIVE OVERCROSSING AT STATE ROUTE 56 SAN DIEGO, CALIFORNIA

Submitted to:

City of San Diego Development Services Department 1222 First Avenue San Diego, California 92101-4154

Prepared for:

Helix Environmental Planning 7578 El Cajon Blvd., Suite 200 La Mesa, California 91942

**Prepared by:** 

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Andrew Giletti Field Director Mary Robbins-Wade Director of Cultural Resources Kristina Davison Archaeologist

#### July 2014

# Affinis Job No. 2586

| USGS quadrangle: | Del Mar (7.5' series)                                                    |
|------------------|--------------------------------------------------------------------------|
| Acreage:         | 1.5 acres                                                                |
| Keywords:        | Negative archaeological survey; Torrey Highlands; City of San Diego, San |
|                  | Diego County; Township 14 South, Range 3 West, Section 14                |

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This report form shall be used when a site-specific survey for historical resources was completed and no archaeological resources were identified within the project area (APE). This form may be used, rather than completion of an Archaeological Resource Management Report, when archaeological resources were identified and, based on an evaluation, were determined to be non-significant or are potentially significant but will not be directly impacted by the proposed development project. Completion of the required site-specific survey and this report form must conform to the Historical Resources Guidelines of the Land Development Manual.

# I. PROJECT DESCRIPTION AND LOCATION

(Include the geographic limits of the study area and a description of the proposed development project).

The project location of the Torrey Meadows Drive Bridge is in the Torrey Highlands community of the City of San Diego, in western San Diego County (Figure 1). The project is located east of Interstate 5 and west of Interstate 15. The project is just south of McGonigle Canyon and north of Deer Canyon (Figure 2). The project area is within Section 14 of Township 14 South, Range 3 West, on the USGS 7.5' Del Mar quadrangle (Figure 2).

Torrey Meadows Drive is a two-lane collector street that runs in a southwest to northeast direction. Currently, it is divided by State Route 56 (SR-56), creating a cul-de-sac on each side of the highway. The proposed overcrossing would connect the two portions of Torrey Meadows Drive, thereby providing a second access and a better connection to the larger region, including the communities of Rancho Peñasquitos and Santaluz (see Figures 2 and 3). The project is expected to include the construction of a two-lane bridge and related roadway approaches. The overcrossing would have a width of 54 feet (16.4 m) and a length of 337 feet (102.7 m). Construction of the bridge may require removal or replacement of existing underground utilities along the northern portion of Torrey Meadows Drive and within SR-56 (sewer, water, and storm drain). Grading associated with the bridge and roadway approaches is expected to be limited to 1.5 acres within the roadway right-of-way.

The current cultural resources study consisted of background research, a field survey to determine whether any archaeological resources were present, and contacting the Native American Heritage Commission and local Native American community.

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# II. SETTING

Natural Environment (Past and Present)

The project area is in the coastal plains of western San Diego County. The climate is characterized as semi-arid cool (Griner and Pryde 1976). Annual temperatures range from an average January low of about 44° F to an average July high of 75° F, and annual rainfall averages around 10 inches (Griner and Pryde 1976). The project is underlain by the Lindavista formation (Kennedy 1975), and soils in the area are terrace escarpment, loamy alluvial land-Huerhuero complex and Redding cobbly loam. Vegetation supported by these soils is generally annual grasses and forbs, chamise, flattop buckwheat, sumac, scrub oak, and similar species (Bowman 1973). These vegetation communities would have provided a number of plant species known to have been used by Native people for food, medicine, tools, shelter, ceremonial and other uses (Christenson 1990; Cuero 1970; Hedges and Beresford 1986; Luomala 1978). Many of the animal species found in these communities would have been used by native populations as well.

## Ethnography/History

Several summaries discuss the prehistory of San Diego County and provide a background for understanding the archaeology of the general area surrounding the project. Moratto's (1984) review of the archaeology of California contains important discussions of Southern California, including the San Diego area, as does a relatively recent book by Neusius and Gross (2007). Bull (1983, 1987), Carrico (1987), Gallegos (1987), and Warren (1985, 1987, 1998) provide summaries of archaeological work and interpretations, and another paper (Arnold et al. 2004) discusses advances since 1984. A culture history of the San Diego area is included as Attachment D.

The project area is within lands that have traditionally been inhabited by the Kumeyaay people, also known as Diegueño or Ipai/Tipai (Luomala 1978). The area is rich in cultural resources, in relative proximity to Carmel Valley, Del Mar Mesa, Los Peñasquitos Canyon, and Black Mountain. These areas were occupied for several thousand years. Native Americans continued to inhabit the Carmel Valley area into the nineteenth century, at which time Mexican and Euro-American settlers began farming and ranching in the area.

# III. AREA OF POTENTIAL EFFECT (APE)

(Describe the nature and extent of anticipated direct, indirect and cumulative impacts).

The Area of Potential Effect (APE) is shown in Figure 3. Grading associated with the proposed overcrossing and roadway approaches is expected to be limited to 1.5 acres within the roadway right-of-way.

#### City of San Diego ARCHAEOLOGICAL RESOURCE REPORT FORM

# IV. STUDY METHODS

(Include a description of the specific methods used in the identification and evaluation of archaeological resources for this study).

Affinis conducted a records search at the South Coastal Information Center (SCIC) at San Diego State University in March 2014, to supplement in-house records from other previous projects in the vicinity, including a recent trails study for the Carmel Mountain/Del Mar Mesa Preserves Natural Resource Management Plan. The records search map is included as Confidential Attachment A. The Native American Heritage Commission (NAHC) was contacted for a Sacred Lands File Check and a list of Native American contacts (Confidential Attachment B). Letters regarding the project were sent to contacts listed by the NAHC and are included in Confidential Attachment B.

The project APE was surveyed for cultural resources on April 7, 2014 by Andrew Giletti of Affinis and Clinton Linton of Red Tail Monitoring and Research (Native American monitor). The APE was walked in parallel transects spaced approximately 10 m apart. While much of the project area has been altered due to the construction of homes and their associated infrastructure, as well as SR-56, there were some areas devoid of vegetation and hardscape. These areas were closely examined. While the fill slopes adjacent to SR-56 were examined to some degree, they are landscaped and consist of fills placed during the construction of the roadway.

# V. RESULTS OF STUDY Background Research

Affinis conducted a records search at SCIC in March 2014, to supplement in-house records from other projects in the vicinity. The project APE has been surveyed for cultural resources in the past in association with studies for SR 56 and surrounding development. Fifty-four archaeological resources have been recorded within a 1-mile radius of the project area, none within or adjacent to the project APE. Of the recorded resources, 43 are archaeological sites and 11 are isolated artifacts. Nearly half of the archaeological sites (26; 48 percent) are lithic scatters. Five of the lithic scatters are reported as being not relocated during later surveys, and most likely destroyed by grading or agricultural activities. Four historic sites are recorded within the search radius; two of these are historic homesteads that also contain prehistoric components. Eight of the recorded resources contain a combination of ground stone, flaked stone lithic artifacts, and shell. An additional site is recorded as a lithic scatter with ceramics, which was apparently not relocated during a later survey. One shell midden site is recorded within the search radius, but a site record update reports that it was either destroyed by agricultural activity or mismapped, as it was not found.

#### City of San Diego <u>ARCHAEOLOGICAL RESOURCE REPORT FORM</u>

Historic maps and aerial photographs were reviewed for the current project. No structures are present within the project on USGS topographic maps from 1930 (15' La Jolla quadrangle), 1943 (7.5' Del Mar quadrangle), and 1967 (7.5' Del Mar quadrangle) nor on aerial photographs from 1953 and 1964 (historicaerials.com).

Affinis contacted the Native American Heritage Commission (NAHC) for a Sacred Lands File Search of the project area in March 2014. The search "failed to indicate the presence of Native American traditional cultural places" in the project site. However, the NAHC also states that "the absence of archaeological resources does not preclude their existence at the subsurface level" (Confidential Attachment B). Letters have been sent to parties of interest as indicated in the NAHC response. The only response received has been from the Viejas Band of Kumeyaay Indians. Their response indicated that the area has cultural significance or ties to Viejas. They recommended that a Native American Cultural Monitor be on-site for initial ground disturbing activities and to inform the Tribe of any inadvertent discoveries, such as cultural artifacts, cremation sites, or human remains (see Confidential Attachment B). Any additional comments received will be forwarded to City of San Diego staff.

# **Field Reconnaissance**

The archaeological survey was conducted on April 7, 2014. Portions of the project site currently support hardscape and revegetated slopes, but open ground is visible in various areas of the project site. Ground visibility was fair to poor in areas that were not paved or covered with landscape. No cultural resources were found during the field survey.

# Evaluation

No cultural resources have been identified within or adjacent to the project APE, and no impacts to cultural resources are anticipated. However, the property is in an area that is rich in cultural resources and of importance to the Native American (Kumeyaay) people. In addition, the APE is underlain by alluvial soils. Based on this, there is a potential for subsurface cultural resources.

# VI. RECOMMENDATIONS

(Include recommendations for mitigation of significant indirect and cumulative impacts and monitoring, as appropriate).

Although no impacts to cultural resources are anticipated, there is a potential for subsurface cultural resources given the alluvial setting and the location in an area rich in cultural resources. Based on this, archaeological and Native American monitoring is recommended for ground-disturbing activities in the APE. The City's standard Mitigation

#### City of San Diego ARCHAEOLOGICAL RESOURCE REPORT FORM

Monitoring Reporting Program (MMRP) for archaeological resources is included as Appendix E.

# VII. SOURCES CONSULTED

| SOURCES CONSULTED                                                                                                                                                      | DATE                                                  |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------|
| <ul> <li>National Register of Historic Places</li> <li>California Register of Historical Resources</li> <li>City of San Diego Historical Resources Register</li> </ul> | Month and Year:<br>Month and Year:<br>Month and Year: | Mar. 2014<br>Mar. 2014<br>Mar. 2014 |
| Archaeological/Historical Site Records:<br>■South Coastal Information Center<br>■San Diego Museum of Man                                                               | Month and Year:<br>Month and Year:                    | Mar. 2014                           |
| Other Sources Consulted:<br>Native American Heritage Commission                                                                                                        | Month and Year:                                       | Mar. 2014                           |

# VIII. CERTIFICATION

| Preparer: Andrew Giletti    | Title: Field Director                 |
|-----------------------------|---------------------------------------|
| Signature: United Attach    | _Date: <u>July 14, 2014</u>           |
| Preparer: Mary Robbins-Wade | Title: Director of Cultural Resources |
| Signature: Mary 2016 Book   | _Date: <u>July 14, 2014</u>           |
| Preparer: Kristina Davison  | Title: Archaeologist                  |
| Signature: Austine K Davin  | _Date: <u>July 14, 2014</u>           |

# IX. ATTACHMENTS

- A National Archaeological Data Base Information
- B Bibliography
- C Maps/Figures
  - City of San Diego 800' scale
  - U.S.G.S. Quadrangle
  - Project Maps (Delineate area of actual survey of Project Map, or largest scale map available).

# City of San Diego ARCHAEOLOGICAL RESOURCE REPORT FORM

- Site Plan
- D
- Culture History Mitigation Monitoring Reporting Program E

ATTACHMENT A

NATIONAL ARCHAEOLOGICAL DATA BASE INFORMATION

# NATIONAL ARCHAEOLOGICAL DATA BASE INFORMATION

| Authors:                                | Andrew Giletti, Mary Robbins-Wade, and Kristina Davison                                                                                                                  |  |  |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| Consulting Firm:                        | Affinis, 810 Jamacha Road, Suite 206, El Cajon, California 92019                                                                                                         |  |  |
| Report Date:                            | April 2014                                                                                                                                                               |  |  |
| Report Title:                           | Cultural Resources Survey Report: Torrey Meadows Drive                                                                                                                   |  |  |
|                                         | Overcrossing at State Route 56, San Diego, California.                                                                                                                   |  |  |
| Submitted to:                           | City of San Diego Development Services Department, 1222 First                                                                                                            |  |  |
|                                         | Avenue, San Diego, California 92101-4154                                                                                                                                 |  |  |
| Prepared for:                           | HELIX Environmental Planning, 7578 El Cajon Boulevard,                                                                                                                   |  |  |
|                                         | Suite 200, La Mesa, California 91942                                                                                                                                     |  |  |
| Contract number:                        | Affinis Job No. 2586                                                                                                                                                     |  |  |
| USGS quadrangles: Del Mar (7.5' series) |                                                                                                                                                                          |  |  |
| Acreage:                                | 1.5 acres                                                                                                                                                                |  |  |
| Keywords:                               | Negative archaeological survey; Negative archaeological survey;<br>Torrey Highlands; City of San Diego, San Diego County; Township 14<br>South, Range 3 West, Section 14 |  |  |

# ATTACHMENT B

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# ATTACHMENT C

# **MAPS/FIGURES**







ATTACHMENT D

**CULTURE HISTORY** 

# GENERAL CULTURE HISTORY

Several summaries discuss the prehistory of San Diego County and provide a background for understanding the archaeology of the general area surrounding the project. Moratto's (1984) review of the archaeology of California contains important discussions of Southern California, including the San Diego area, as does a relatively new book by Neusius and Gross (2007). Bull (1983, 1987), Carrico (1987), Gallegos (1987), and Warren (1985, 1987) provide summaries of previous archaeological work and interpretations, and another paper (Arnold et al. 2004) discusses advances since 1984. The following is a brief discussion of the culture history of the San Diego region.

Carter (1957, 1978, 1980), Minshall (1976) and others (e.g., Childers 1974; Davis 1968, 1973) have long argued for the presence of Pleistocene humans in California, including the San Diego area. The sites identified as "early man" are all controversial. Carter and Minshall are best known for their discoveries at Texas Street and Buchanan Canyon. The material from these sites is generally considered nonartifactual, and the investigative methodology is often questioned (Moratto 1984).

The earliest accepted archaeological manifestation of native Americans in the San Diego area is the San Dieguito complex, dating to approximately 10,000 years ago (Warren 1967). The San Dieguito complex was originally defined by Rogers (1939), and Warren published a clear synthesis of the complex in 1967. The material culture of the San Dieguito complex consists primarily of scrapers, scraper planes, choppers, large blades, and large projectile points. Rogers considered crescentic stones to be characteristic of the San Dieguito complex as well. Tools and debitage made of fine-grained green metavolcanic material, locally known as felsite, were found at many sites which Rogers identified as San Dieguito. Often these artifacts were heavily patinated. Felsite tools, especially patinated felsite, came to be seen as an indicator of the San Dieguito complex. Many archaeologists felt that the San Dieguito culture lacked milling technology and saw this as an important difference between the San Dieguito and La Jolla complexes. Sleeping circles, trail shrines, and rock alignments have also been associated with early San Dieguito sites. The San Dieguito complex is chronologically equivalent to other Paleoindian complexes across North America, and sites are sometimes called "Paleoindian" rather than "San Dieguito". San Dieguito material underlies La Jolla complex strata at the C. W. Harris site in San Dieguito Valley (Warren, ed. 1966).

The traditional view of San Diego prehistory has the San Dieguito complex followed by the La Jolla complex at least 7000 years ago, possibly as long as 9000 years ago (Rogers 1966). The La Jolla complex is part of the Encinitas tradition and equates with Wallace's (1955) Millingstone Horizon. The Encinitas tradition is generally "recognized by millingstone assemblages in shell middens, often near sloughs and lagoons" (Moratto 1984:147). "Crude" cobble tools, especially choppers and scrapers, characterize the La Jolla complex (Moriarty 1966). Basin metates, manos, discoidals, a small number of Pinto series and Elko series points, and flexed burials are also characteristic.

Warren et al. (1961) proposed that the La Jolla complex developed with the arrival of a desert people on the coast who quickly adapted to their new environment. Moriarty (1966) and Kaldenberg (1976) have suggested an in situ development of the La Jolla people from the San Dieguito. Moriarty has since proposed a Pleistocene migration of an ancestral stage of the La Jolla people to the San Diego coast. He suggested this Pre-La Jolla complex is represented at Texas Street, Buchanan Canyon, and the Brown site (Moriarty 1987).

Since the 1980s, archaeologists in the region have begun to question the traditional definition of San Dieguito people simply as makers of finely crafted felsite projectile points, domed scrapers, and discoidal cores, who lacked milling technology. The traditional defining criteria for La Jolla sites (manos, metates, "crude" cobble tools, and reliance on lagoonal resources) have also been questioned (Bull 1987; Cárdenas and Robbins-Wade 1985; Robbins-Wade 1986). There is speculation that differences between artifact assemblages of "San Dieguito" and "La Jolla" sites reflect functional differences rather than temporal or cultural variability (Bull 1987; Gallegos 1987). Gallegos (1987) has proposed that the San Dieguito, La Jolla, and Pauma complexes are manifestations of the same culture, with differing site types "explained by site location, resources exploited, influence, innovation and adaptation to a rich coastal region over a long period of time" (Gallegos 1987:30). The classic "La Jolla" assemblage is one adapted to life on the coast and appears to continue through time (Robbins-Wade 1986; Winterrowd and Cárdenas 1987). Inland sites adapted to hunting contain a different tool kit, regardless of temporal period (Cárdenas and Van Wormer 1984).

Several archaeologists in San Diego, however, do not subscribe to the Early Prehistoric/Late Prehistoric chronology (see Cook 1985; Gross and Hildebrand 1998; Gross and Robbins-Wade 1989; Shackley 1988; Warren 1998). They feel that an apparent overlap among assemblages identified as "La Jolla," "Pauma," or "San Dieguito" does not preclude the existence of an Early Milling period culture in the San Diego region, whatever name is used to identify it, separate from an earlier culture. One problem these archaeologists perceive is that many site reports in the San Diego region present conclusions based on interpretations of stratigraphic profiles from sites at which stratigraphy cannot validly be used to address chronology or changes through time. Archaeology emphasizes stratigraphy as a tool, but many of the sites known in the San Diego region are not in depositional situations. In contexts where natural sources of sediment or anthropogenic sources of debris to bury archaeological materials are lacking, other factors must be responsible for the subsurface occurrence of cultural materials. The subsurface deposits at numerous sites are the result of such agencies as rodent burrowing and insect activity. Various studies have emphasized the importance of bioturbative factors in producing the stratigraphic profiles observed at archaeological sites (see Gross 1992). Different classes of artifacts move through the soil in different ways (Bocek 1986; Erlandson 1984; Johnson 1989), creating vertical patterning (Johnson 1989) that is not culturally relevant. Many sites that have been used to help define the culture sequence of the San Diego region are the result of just such nondepositional stratigraphy.

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 (named for the San Luis Rey Mission). The Cuyamaca complex represents the Yuman forebears of the Kumeyaay (Diegueño, named for the San Diego Mission). Agua Hedionda is traditionally considered to be the point of separation between Luiseño and Northern Diegueño territories.

Elements of the San Luis Rey complex include small, pressure-flaked projectile points (Cottonwood and Desert Side-notched series); milling implements, including mortars and pestles; *Olivella* shell beads; ceramic vessels; and pictographs (True et al. 1974). Of these elements, mortars and pestles, ceramics, and pictographs are not associated with earlier sites. True noted a greater number of quartz projectile points at San Luis Rey sites than at Cuyamaca complex sites, which he interpreted as a cultural preference for quartz (True 1966). He considered ceramics to be a late development among the Luiseño, probably learned from the Diegueño. The general mortuary pattern at San Luis Rey sites is ungathered cremations.

The Cuyamaca complex, reported by True (1970), is similar to the San Luis Rey complex, differing in the following points:

- 1. Defined cemeteries away from living areas;
- 2. Use of grave markers;
- 3. Cremations placed in urns;
- 4. Use of specially made mortuary offerings;
- 5. Cultural preference for side-notched points;
- 6. Substantial numbers of scrapers, scraper planes, etc., in contrast to small numbers of these implements in San Luis Rey sites;
- 7. Emphasis placed on use of ceramics; wide range of forms and several specialized items;
- 8. Steatite industry;
- 9. Substantially higher frequency of milling stone elements compared with San Luis Rey;
- 10. Clay-lined hearths (True 1970:53-54).

Both the San Luis Rey and Cuyamaca complexes were defined on the basis of village sites in the foothills and mountains. Coastal manifestations of both Luiseño and Kumeyaay differ from their inland counterparts. Fewer projectile points are found on the coast, and there tends to be a greater number of scrapers and scraper planes at coastal sites (Robbins-Wade 1986, 1988). Cobble-based tools, originally defined as "La Jolla", are characteristic of coastal sites of the Late Prehistoric period, as well (Cárdenas and Robbins-Wade 1985:117; Winterrowd and Cárdenas 1987:56).

The project area is within lands that have traditionally been inhabited by the Kumeyaay people, also known as Diegueño or Ipai/Tipai (Luomala 1978). The area is rich in cultural resources, in relative proximity to Carmel Valley, Del Mar Mesa, Los Peñasquitos Canyon, and Black Mountain. These areas were occupied for several thousand years. Native Americans continued to inhabit the Carmel Valley area into the nineteenth century, at which time Mexican and Euro-American settlers began farming and ranching in the area. Fifty-four archaeological resources have been recorded within a one-mile radius of the project area, none within or adjacent to the project APE itself. Of the recorded resources, 43 are archaeological sites and 11 are isolated artifacts.

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ATTACHMENT E

MITIGATION MONITORING AND REPORT PROGRAM -

ARCHAEOLOGICAL AND NATIVE AMERICAN MONITORING

# PUBLIC PROJECTS HISTORICAL RESOURCES (ARCHAEOLOGY)

## I. Prior to Permit Issuance or Bid Opening/Bid Award

- A. Entitlements Plan Check
  - 1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.
- B. Letters of Qualification have been submitted to ADD
  - 1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
  - 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
  - 3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

# II. Prior to Start of Construction

- A. Verification of Records Search
  - 1. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
  - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
  - 3. The PI may submit a detailed letter to MMC requesting a reduction to the <sup>1</sup>/<sub>4</sub> mile radius.
- B. PI Shall Attend Precon Meetings
  - 1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
    - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

- 2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects) The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.
- 3. Identify Areas to be Monitored
  - a. Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.
  - b. The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).
  - c. MMC shall notify the PI that the AME has been approved.
- 4. When Monitoring Will Occur
  - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
  - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.
- 5. Approval of AME and Construction Schedule After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

# III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

- 1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.
- 2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.
- 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern

disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered <u>that</u> may reduce or increase the potential for resources to be present.

- 4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- B. Discovery Notification Process
  - 1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
  - 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
  - 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.
  - 4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.
- C. Determination of Significance
  - 1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
    - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
    - b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume. Note: If a unique archaeological site is also an historical resource as defined in CEQA Section 15064.5, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.
      - (1). Note: For pipeline trenching and other linear projects in the public Rightof-Way, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."
    - c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.
      - (1). Note: For Pipeline Trenching and other linear projects in the public Rightof-Way, if the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource;

and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.

- (2). Note, for Pipeline Trenching and other linear projects in the public Rightof-Way, if significance can not be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.
- D. Discovery Process for Significant Resources Pipeline Trenching and other Linear Projects in the Public Right-of-Way

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities or for other linear project types within the Public Right-of-Way including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:

- 1. Procedures for documentation, curation and reporting
  - a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.
  - b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
  - c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.
  - d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

# IV. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and no soil shall be exported off-site until a determination can be made regarding the provenance of the human remains; and the following procedures as set forth in CEQA Section 15064.5(e), the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

- A. Notification
  - 1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.
  - 2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
- B. Isolate discovery site
  - 1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the

provenience of the remains.

- 2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.
- 3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.
- C. If Human Remains **ARE** determined to be Native American
  - 1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
  - 2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information.
  - 3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
  - 4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
  - 5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
    - a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission, OR;
    - b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN
    - c. To protect these sites, the landowner shall do one or more of the following:
      - (1) Record the site with the NAHC;
      - (2) Record an open space or conservation easement; or
      - (3) Record a document with the County.
    - d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c., above.
- D. If Human Remains are **NOT** Native American
  - 1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
  - 2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
  - 3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS,

the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

# V. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
  - a. No Discoveries

In the event that no discoveries were encountered during night and/or weekend work, the PI shall record the information on the CSVR and submit to MMC via fax by 8AM of the next business day.

b. Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains. Discovery of human remains shall always be treated as a significant discovery.

- c. Potentially Significant Discoveries If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.
- d. The PI shall immediately contact the RE and MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night and/or weekend work becomes necessary during the course of construction
  - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
  - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

# VI. Post Construction

- A. Submittal of Draft Monitoring Report
  - The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring. It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe as a result of delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.
    - a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
    - b. Recording Sites with State of California Department of Parks and Recreation The PI shall be responsible for recording (on the appropriate State of California

Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

- 2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
- 3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
- 4. MMC shall provide written verification to the PI of the approved report.
- 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Artifacts
  - 1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
  - 2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
- C. Curation of artifacts: Accession Agreement and Acceptance Verification
  - 1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
  - 2. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV Discovery of Human Remains, Subsection C.
  - 3. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
  - 4. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
  - 5. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
  - 1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
  - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

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