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Subject: Archaeological Resources Inventory Report for the Capalina Apartments Project, City of San Marcos, California (GPA22-0003, R22-0003, SDP22-0007)

Dear Mr. Rilling:

This letter documents the archaeological resources inventory conducted by Dudek for the Capalina Apartments Project (GPA22-0003, R22-0003, SDP22-0007) (Project), located in the City of San Marcos, California (Figure 1). The proposed Project consists of the development of 119 apartment units on Capalina Road in the City of San Marcos, California. The City of San Marcos (City) is the lead agency responsible for compliance with the California Environmental Quality Act (CEQA). In accordance with CEQA, Dudek performed a cultural resources inventory for the entire Project area. The Project area consists of an approximately 2.54-acre area that is currently vacant and undeveloped (Figure 2).

Dudek conducted a records search for the proposed project including a surrounding 1-mile radius at the South Coastal Information Center (SCIC). The records search did not identify any cultural resources within the Project area; however, 32 cultural resources were identified within the 1-mile radius. A Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search was requested, and results were negative.

An intensive pedestrian survey of the Project area did not identify any cultural resources. While no cultural resources were identified within the Project area, approximately 75% of the surface was obscured by vegetation. The review of aerial photographs reveals that the Project area has been disturbed by clearing activities. However, the Project area has not been developed, and because alluvial soils are present throughout the Project area from depths ranging from 1 to 5 feet deep, there is potential for subsurface resources. It is recommended that a qualified archaeologist and Luiseño Native American monitor be present during initial ground disturbing activities to assess the extent of previous disturbances and the potential for buried archaeological resources. Monitoring can be reduced or terminated should no discoveries be made or if documentation is provided which demonstrates that ground-disturbing activities will be occurring in sediments with no potential for cultural resources.

1 Project Description and Location

The proposed Project is the development of a vacant 2.54-acre site located on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of

South Rancho Santa Fe, and north of State Route 78. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

The proposed Project consists of the development of 119 apartment units, 4,000 square feet of commercial use, 147 on-site parking spaces, and associated residential amenities such as common open space area and a recreation/fitness center. The Project area consists of an approximately 2.54-acre area that is currently vacant and undeveloped (Figure 2).

2 Regulatory Framework

2.1 The California Register of Historic Resources (Public Resources Code section 5020 et seq.)

Under CEQA, the term "historical resource" includes but is not limited to "any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California" (California Public Resources Code section 5020.1(j)). In 1992, the California legislature established CRHR "to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (California Public Resources Code section 5024.1(a)). A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following National Register of Historic Places (NRHP) criteria:

- Associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Associated with the lives of persons important in our past.
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- Has yielded, or may be likely to yield, information important in prehistory or history.

(California Public Resources Code section 5024.1(c).) Resources less than 50 years old are not considered for listing in the CRHR, but may be considered if it can be demonstrated that sufficient time has passed to understand the historical importance of the resource (see 14 CCR, section 4852(d)(2)).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing on the NRHP are automatically listed on the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys. The State Historic Preservation Officer maintains the CRHR.

2.2 Native American Historic Cultural Sites (California Public Resources Code section 5097 et seq.)

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

2.3 California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act (California Repatriation Act), enacted in 2001, required all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

2.4 California Environmental Quality Act

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological and historic resources:

1. California Public Resources Code section 21083.2(g): Defines "unique archaeological resource."
2. California Public Resources Code section 21084.1 and CEQA Guidelines section 15064.5(a): Define historical resources. In addition, CEQA Guidelines section 15064.5(b) defines the phrase "substantial adverse change in the significance of an historical resource;" it also defines the circumstances when a project would materially impair the significance of a historical resource.
3. California Public Resources Code section 5097.98 and CEQA Guidelines section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
4. California Public Resources Code sections 21083.2(b)-(c) and CEQA Guidelines section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

Under CEQA, a project may have a significant effect on the environment if it may cause "a substantial adverse change in the significance of an historical resource" (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements

of California Public Resources Code section 5024.1(q)), it is a "historical resource" and is presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public Resources Code section 21084.1; CEQA Guidelines section 15064.5(a)).

A "substantial adverse change in the significance of an historical resource" reflecting a significant effect under CEQA means "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" (CEQA Guidelines section 15064.5(b)(1); California Public Resources Code section 5020.1(q)). In turn, the significance of a historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

See Section 2.7, below for a discussion of the CEQA guidelines for determining significance and mitigating impacts to unique archaeological resources.

2.5 California Health and Safety Code section 7050.5 and Public Resources Code Section 5097.98

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, these procedures are detailed in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (California Health and Safety Code Section 7050.5[b]). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (California Health and Safety Code Section 7050.5[c]). In accordance with California Public Resources Code Section 5097.98(a), the NAHC will notify the Most Likely Descendant (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. Within 48 hours of being granted access to the site, the MLD may recommend means of treatment or disposition, with appropriate dignity, of the human remains and associated grave goods.

2.6 Assembly Bill 52

California Assembly Bill 52, which took effect July 1, 2015, establishes a consultation process between California Native American Tribes and lead agencies in order to address tribal concerns regarding project impacts and mitigation to "tribal cultural resources" (TCR). Public Resources Code section 21074(a) defines TCRs and states that a project that has the potential to cause a substantial adverse change to a TCR is a project that may have an adverse effect on the environment. A TCR is defined as a site, feature, place, cultural landscape, sacred place, and object with cultural value to a California Native American tribe that is either:

1. listed or eligible for listing in the CRHR or a local register of historical resources, or
2. determined by a lead agency to be a TCR.

2.7 Guidelines for Determining Significance

According to CEQA (§15064.5b), a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. CEQA defines a substantial adverse change:

> Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

The significance of an historical resource is materially impaired when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR; or
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.

Section 15064.5(c) of CEQA applies to effects on archaeological sites and contains the following additional provisions regarding archaeological sites:

- When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subsection (a).

- If a lead agency determines that the archaeological site is a historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.

- If an archaeological site does not meet the criteria defined in subsection (a), but does meet the definition of a unique archaeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.

- If an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or Environmental Impact Report (EIR), if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

Section 15064.5(d) and (e) contain additional provisions regarding human remains. Regarding Native American human remains, paragraph (d) provides:

> When an initial study identifies the existence of, or the probable likelihood of, Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code SS5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:
>
> 1. The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5); and
>
> 2. The requirement of CEQA and the Coastal Act.

Under CEQA, an EIR is required to evaluate any impacts on unique archaeological resources (California Public Resources Code section 21083.2.) A “unique archaeological resource” is defined as:

> [A]n archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:
>
> 1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
>
> 2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
>
> 3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

(California Public Resources Code section 21083.2(g)). An impact to a non-unique archaeological resource is not considered a significant environmental impact and such non-unique resources need not be further addressed in the EIR (Public Resources Code section 21083.2(a); CEQA Guidelines section 15064.5(c)(4)).

As stated above, CEQA contains rules for mitigation of "unique archaeological resources." For example, "[i]f it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Examples of that treatment, in no order of preference, may include, but are not limited to, any of the following:

1. Planning construction to avoid archaeological sites.
2. Deeding archaeological sites into permanent conservation easements.
3. Capping or covering archaeological sites with a layer of soil before building on the sites.
4. Planning parks, greenspace, or other open space to incorporate archaeological sites." (Pub. Resources Code section 21083.2(b)(1)-(4).)

Public Resources Code section 21083.2(d) states that "[e]xcavation as mitigation shall be restricted to those parts of the unique archaeological resource that would be damaged or destroyed by the project. Excavation as mitigation shall not be required for a unique archaeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, if this determination is documented in the environmental impact report."

The rules for mitigating impacts to archaeological resources to qualify as "historic resources" are slightly different. According to CEQA Guidelines section 15126.4(b), "[p]ublic agencies should, whenever feasible, seek to avoid damaging effects on any historic resource of an archaeological nature. The following factors shall be considered and discussed in an EIR for a project involving such an archaeological site:

A. Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

B. Preservation in place may be accomplished by, but is not limited to, the following:

    1. Planning construction to avoid archaeological sites;
    2. Incorporation of sites within parks, greenspace, or other open space;
    3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site[; and]
    4. Deeding the site into a permanent conservation easement.

Thus, although section 21083.2 of the Public Resources Code, in addressing "unique archaeological sites," provides for specific mitigation options "in no order of preference," CEQA Guidelines section 15126.4(b), in addressing "historical resources of an archaeological nature," provides that "[p]reservation in place is the preferred manner of mitigating impacts to archaeological sites."

Under CEQA, "[w]hen data recovery through excavation is the only feasible mitigation," the lead agency may cause to be prepared and adopt a "data recovery plan," prior to any excavation being undertaken. The data recovery plan must make "provision for adequately recovering the scientifically consequential information from and about the historic resource." (CEQA Guidelines section 15126.4(b)(3)(C).) The data recovery plan also "must be deposited with the California Historical Resources Regional Information Center." (*Ibid*.) Further, "[i]f an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation." (*Ibid*.)

However, "[d]ata recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historic resource, provided that determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center." (CEQA Guidelines section 15126.4(b)(3)(D).)

2.8 Native American Heritage Values

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

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

1. A location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world
2. A rural community whose organization, buildings and structures, or patterns of land use reflect the cultural traditions valued by its long-term residents
3. An urban neighborhood that is the traditional home of a particular cultural group, and that reflects its beliefs and practices
4. A location where Native American religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice
5. A location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity

2.9 City of San Marcos General Plan

The Conservation and Open Space Element of the City's General Plan (adopted in 2012 and updated in 2013) describes the cultural and historic resources regulatory framework, and policies and plans to protect such resources (City of San Marcos 2013). The planning goals and policies are described below.

The City of San Marcos Goal COS-11, in the Goals and Policies section, consists of three policies to assist in the implementation of identifying and evaluating cultural and historic resources.

> Policy COS-11.1: Identify and protect historic and cultural resources including individual properties, districts, and sites (e.g., archaeological sites) in compliance with CEQA.
>
> Policy COS-11.2: Prohibit the demolition or removal of a historic structure without evaluation or the condition of the structure, the cost of rehabilitation, and the feasibility of alternatives to preservation in place including by not limited to relocation, or reconstruction offsite, and/or photo-preservation.
>
> Policy COS-11.3: Identify opportunities for adaptive reuse of historic sites and buildings to preserve and maintain their viability.

The City's goal is to "continue to identify and evaluate cultural, historical, archaeological, paleontological, and architectural resources for protection from demolition and inappropriate actions" in compliance with CEQA guidelines (City of San Marcos 2013).

2.10 City of San Marcos Archaeological and Historical Resources Consultant Guidelines

The City of San Marcos published guidelines for archaeological and historical resources consultants in January 2023. The guidelines are generally meant to aide third party consultants who prepare archaeological or architectural history inventories, surveys, evaluations, and other technical documents. These guidelines include information pertaining to the minimum qualifications, records searches, tribal outreach, pedestrian surveys, reporting, research design, findings, discussion and evaluations, management conclusions, references, and appendices of inventories, surveys, evaluations, and other technical documents (City San Marcos 2023).

3 Project Background

3.1 Existing Conditions

The approximately 2.54-acre Project area is currently vacant and undeveloped. The Project area is generally flat with a small east facing slope along the western boundary. The elevation onsite ranges from 581 to 602 feet above mean seal level. The Project area is surrounded on all sides by existing commercial development and roads.

3.2 Prehistoric Context

Evidence for continuous human occupation in the San Diego County region spans the last 12,000 years. Various attempts to parse out variability in archaeological assemblages over this broad time frame have led to the development of several cultural chronologies; some of these are based on geologic time, most are based on temporal trends in archaeological assemblages, and others are interpretive reconstructions. Each of these reconstructions describes essentially similar trends in assemblage composition in more or less detail. This research employs a common set of generalized terms used to describe chronological trends in assemblage composition from an archaeological perspective: Paleoindian (pre-5500 BC), Archaic (8000 BC.–AD 500), Late Prehistoric (AD 500–1750), and Ethnohistoric (post-AD 1750). Native American aboriginal lifeways did not cease at European contact. "Protohistoric" refers to the chronological trend of continued Native American aboriginal lifeways at the cusp of the recorded historic period in the Americas. The tribal cultural context spans all of the archaeologically based chronologies further described below.

3.2.1 Paleoindian Period (pre-5500 BC)

Evidence for Paleoindian occupation in coastal Southern California is tenuous, especially considering the fact that the oldest dated archaeological assemblages look nothing like the Paleoindian artifacts from the Great Basin. One of the earliest dated archaeological assemblages in coastal Southern California (excluding the Channel Islands) derives from P-37-004669 (CA-SDI-4669), in La Jolla. A human burial from P-37-004669 was radiocarbon dated to 9,590–9,920 years before present (approximately 95% probability) (Hector 2007). The burial is part of a larger site complex that contained more than 29 human burials associated with an assemblage that fits the Archaic profile (i.e., large amounts of groundstone, battered cobbles, and expedient flake tools). In contrast, typical Paleoindian assemblages include large stemmed projectile points, high proportions of formal lithic tools, bifacial lithic reduction strategies, and relatively small proportions of groundstone tools. Prime examples of this pattern are sites that were studied by Emma Lou Davis (1978) on China Lake Naval Air Weapons Station near Ridgecrest, California. These sites contained fluted and unfluted stemmed points and large numbers of formal flake tools (e.g., shaped scrapers, blades). Other typical Paleoindian sites include the Komodo site (MNO-679)—a multicomponent fluted point site, and MNO-680—a single component Great Basin stemmed point site (Basgall et al. 2002). At MNO-679 and MNO-680, groundstone tools were rare while finely made projectile points were common.

Turning back to coastal Southern California, the fact that some of the earliest dated assemblages are dominated by processing tools runs counter to traditional notions of mobile hunter–gatherers traversing the landscape for highly valued prey. Evidence for the latter—that is, typical Paleoindian assemblages—may have been located along the coastal margin at one time, prior to glacial desiccation and a rapid rise in sea level during the early Holocene (pre-7500 BP) that submerged as much as 1.8 km of the San Diego coastline. If this were true, however, it would also be expected that such sites would be located on older landforms near the current coastline. Some sites, such as P-37-000210 (CA-SDI-210) along Agua Hedionda Lagoon, contained stemmed points similar in form to Silver Lake and Lake Mojave projectile points (pre-8000 BP) that are commonly found at sites in California's high desert (Basgall and Hall 1990). P-37-000210 yielded one corrected radiocarbon date of 8520–9520 BP (Warren et al. 2004). However, sites of this nature are extremely rare and cannot be separated from large numbers of milling tools that intermingle with old projectile point forms.

Warren et al. (2004) claimed that a biface manufacturing tradition present at the Harris site complex P-37-000149 (CA-SDI-149) is representative of typical Paleoindian occupation in the San Diego County region that possibly dates between 10,365 and 8200 BC (Warren et al. 2004, p. 26). Termed San Dieguito (Rogers 1945), assemblages at the Harris site are qualitatively distinct from most others in the San Diego County region because the site has large numbers of finely made bifaces (including projectile points), formal flake tools, a biface reduction trajectory, and relatively small amounts of processing tools (Warren 1964, 1968). Despite the unique assemblage composition, the definition of San Dieguito as a separate cultural tradition is hotly debated. Gallegos (1987) suggested that the San Dieguito pattern is simply an inland manifestation of a broader economic pattern. Gallegos' interpretation of San Dieguito has been widely accepted in recent years, in part because of the difficulty in distinguishing San Dieguito components from other assemblage constituents. In other words, it is easier to ignore San Dieguito as a distinct socioeconomic pattern than it is to draw it out of mixed assemblages.

The large number of finished bifaces (i.e., projectile points and non-projectile blades), along with large numbers of formal flake tools at the Harris site complex, is very different than nearly all other assemblages throughout the San Diego County region, regardless of age. Warren et al. (2004) made this point, tabulating basic assemblage constituents for key early Holocene sites. Producing finely made bifaces and formal flake tools implies that relatively large amounts of time were spent for tool manufacture. Such a strategy contrasts with the expedient flake-based tools and cobble-core reduction strategy that typifies non-San Dieguito Archaic sites. It can be inferred from the uniquely high degree of San Dieguito assemblage formality that the Harris site complex represents a distinct economic strategy from non-San Dieguito assemblages.

If San Dieguito truly represents a distinct socioeconomic strategy from the non-San Dieguito Archaic processing regime, its rarity implies that it was not only short-lived, but that it was not as economically successful as the Archaic strategy. Such a conclusion would fit with other trends in southern California deserts, wherein hunting-related tools are replaced by processing tools during the early Holocene (Basgall and Hall 1993).

3.2.2 Archaic Period (8,000 BC – AD 500)

The more than 2500-year overlap between the presumed age of Paleoindian occupations and the Archaic period highlights the difficulty in defining a cultural chronology in the San Diego County region. If San Dieguito is the only recognized Paleoindian component in the San Diego County region, then the dominance of hunting tools implies that it derives from Great Basin adaptive strategies and is not necessarily a local adaptation. Warren et al. (2004) admitted as much, citing strong desert connections with San Dieguito. Thus, the Archaic pattern is the earliest local socioeconomic adaptation in the San Diego County region (Hale 2001, 2009).

The Archaic pattern is relatively easy to define with assemblages that consist primarily of processing tools: millingstones, handstones, battered cobbles, heavy crude scrapers, incipient flake-based tools, and cobble-core reduction. These assemblages occur in all environments across the San Diego County region, with little variability in tool composition. Low assemblage variability over time and space among Archaic sites has been equated with cultural conservatism (Byrd and Reddy 2002; Warren 1968; Warren et al. 2004). Despite enormous amounts of archaeological work at Archaic sites, little change in assemblage composition occurs until the bow and arrow is adopted at around AD 500, as well as ceramics at approximately the same time (Griset 1996; Hale 2009). Even then, assemblage formality remains low. After the bow is adopted, small arrow points appear in large quantities and already low amounts of formal flake tools are replaced by increasing amounts of expedient flake tools. Similarly, shaped millingstones and handstones decrease in proportion relative to expedient, unshaped groundstone tools

(Hale 2009). Thus, the terminus of the Archaic period is equally as hard to define as its beginning because basic assemblage constituents and patterns of manufacturing investment remain stable, complimented only by the addition of the bow and ceramics.

3.2.3 Late Prehistoric Period (AD 500 - 1769)

The period of time following the Archaic and prior to Ethnohistoric times (AD 1750) is commonly referred to as the Late Prehistoric (M. Rogers 1945; Wallace 1955; Warren et al. 2004). However, several other subdivisions continue to be used to describe various shifts in assemblage composition, including the addition of ceramics and cremation practices. In northern San Diego County, the post-AD 1450 period is called the San Luis Rey Complex (True 1978). Rogers (1929) also subdivided the last 1,000 years into the Yuman II and III cultures, based on the distribution of ceramics. Despite these regional complexes, each is defined by the addition of arrow points and ceramics, and the widespread use of bedrock mortars. Vagaries in the appearance of the bow and arrow and ceramics make the temporal resolution of the San Luis Rey complex difficult. For this reason, the term Late Prehistoric is well-suited to describe the last 1,500 years of prehistory in the San Diego region.

Temporal trends in socioeconomic adaptations during the Late Prehistoric period are poorly understood. This is partly due to the fact that the fundamental Late Prehistoric assemblage is very similar to the Archaic pattern, but includes arrow points and large quantities of fine debitage from producing arrow points, ceramics, and cremations. The appearance of mortars and pestles is difficult to place in time because most mortars are on bedrock surfaces; bowl mortars are actually rare in the San Diego County region. Some argue that the Ethnohistoric intensive acorn economy extends as far back as AD 500 (Bean and Shipek 1978). However, there is no substantial evidence that reliance on acorns, and the accompanying use of mortars and pestles, occurred prior to AD 1400. True (1980) argued that acorn processing and ceramic use in the northern San Diego region did not occur until the San Luis Rey pattern emerged after approximately AD 1450.

3.2.4 Ethnohistoric (post-AD 1769)

Early descriptions of the lifeways of Southern California ethnohistoric groups were provided by explorers, missionaries, administrators, and other travelers, who gave particular attention to the coastal populations (Boscana 1846; Fages 1937; Geiger and Meighan 1976; Harrington 1934; Laylander 2000). Subsequent ethnographers in the early twentieth century were able to give much more objective, detailed, and penetrating accounts. Most of the ethnographers attempted to distinguish between observations of the customs of surviving Native Americans and orally transmitted or inferred information concerning the lifeways of native groups prior to European intrusion into the region. The second of these subjects provides a terminal baseline for discussing the cultures of the region's prehistory. Despite the relatively rich ethnographic record, attempts to distinguish between the archaeological residues that were produced by the linguistically unrelated but culturally similar Luiseño and Ipai/Kumeyaay have been largely unsuccessful (Pigniolo 2004; True 1966).

The first systematic ethnographic work in California was done in 1871 and 1872 by Stephen Powers (Heizer 1978); in 1877, Powers collected and printed his ethnographic observations in Tribes of California (Powers 1877). Prior to the work of Powers, there were limited records and accounts that might be broadly considered as ethnohistorical data, such as Boscana (1846). At the beginning of the twentieth century, Alfred L. Kroeber and others began four decades of systematic documentation of tribal ethnographies. Kroeber's (1925) monumental work on the Indians of California continues to be an authoritative source of information. It is important to note that even though there

were many informants for these early ethnographies who were able to provide information from personal experiences about native life before the Europeans, a significantly large proportion of these informants were born after 1850 (Heizer and Nissen 1973); therefore, the documentation of pre-contact, aboriginal culture was being increasingly supplied by individuals born in California after considerable contact with Europeans. As Robert F. Heizer (1978) stated, this is an important issue to note when examining these ethnographies, since considerable culture change had undoubtedly occurred by 1850 among the Native American survivors of California. Nonetheless, the enormous value of the ethnographies done under Kroeber's guidance is obvious. The major sources for this review include Lowell John Bean and Florence C. Shipek (1978), Kroeber (1925), Philip S. Sparkman (1908), and Raymond White (1963).

San Marcos is situated within the ethnohistoric territory of the Native American Luiseño cultural group, according to Kroeber's study (1925; see also Rivers 1993). The Luiseño language belongs to the Cupan group of the Takic language branch of the Uto-Aztecan language family. Luiseño is a term given to Native Americans under the administration of Mission San Luis Rey, and later applied specifically to the Payomkawichum ethnic nation who were present in the region where the mission was founded. Meaning the "western people," the name Payomkawichum can also be applied to the closely related coastal Luiseño who lived north of the mission.

Luiseño territory was situated in the north half of San Diego County and the western edge of Riverside County. Their lands encompassed the southern Santa Margarita Mountains and the Palomar Mountains, and their foothills to the Pacific Ocean. The territory extended eastward into the San Jacinto Valley and the western foothills of the San Jacinto Mountains. Their neighbors to the were the Juaneño (Acjachemen) who spoke a Luiseño dialect, the Cahuilla and Cupeño to the east who spoke other Takic Cupan languages, and the Ipai (Kumeyaay) to the south who spoke a California-Delta Yuman language.

The Luiseño resided in permanent villages and associated seasonal camps. Village population ranged from 50–400 with social structure based on lineages and clans. A single lineage was generally represented in smaller villages, while multiple lineages and a dominant clan presided in larger villages. Each clan/village owned a resource territory and was politically independent, yet maintained ties to others through economic, religious, and social networks in the immediate region. There were contact period villages in the vicinity of this segment, near the towns of Vista, San Marcos, and Escondido, but researchers have been unable to place rancheria names from the mission registers with these locations.

Luiseño geographical names are very numerous; small tracts with distinguishing features may be named, or there may be a name for a small portion of a tract, or names for a large tract of country (Sparkman 1908). Some geographical names may be descriptive and some names are of old village sites noted to be located near modern localities and settlements; for example Palimai is associated with the slough at mouth of Agua Hedionda Creek (Sparkman 1908). The Project area is located south Agua Hedionda Creek and north of San Marcos Creek. Kroeber has noted place names; north of Agua Hedionda Creek is Palamai, south and of San Marcos Creek is Hakuti, and east of San Marcos Creek is Shikape (Kroeber 1925).

Like other Indigenous California groups, the primary food staple was the acorn (Bean and Shipek 1978), supplemented by other plant resources, fish, shellfish, waterfowl, and marine and terrestrial mammals. Villages were situated near reliable sources of water, needed for the daily leaching of milled acorn flour. Other plant foods included pine nuts and grass seeds, manzanita, sunflower, sage, chia, lemonade berry, wild rose, holly-leaf cherry,

prickly pear, and lamb's quarter. Large and small prey included deer, antelope, rabbit, jackrabbit, wood rat, mice, and ground squirrel, as well as quail, ducks, and other birds. Fish, such as trout, were caught in rivers and creeks.

The first direct European contact with the Luiseño occurred in July 1769 with the Spanish expedition led by Gaspar de Portolá. During the next six years, eight missions and forts were founded north and south of Luiseño territory. In 1776, Mission San Juan Capistrano was founded less than 10 miles north, and the populations of five northern Luiseño villages had been halved within 15 years. In 1798, Mission San Luis Rey was established within Luiseño territory, and the proselytizing among the Payomkawichum began in earnest.

Several Luiseño leaders signed the statewide 1852 treaty, locally known as the Treaty of Temecula (an interior Luiseño village), but the U.S. Congress never ratified it. By 1875, however, reservations for the Luiseño were established in the Palomar Mountains and nearby valleys, including Pala, Pauma, Rincon, Pechanga, and La Jolla.

4 Results

4.1 Records Search

4.1.1 Previous Cultural Resources Reports

Dudek requested a California Historical Resources Information Systems (CHRIS) records search of the Project area and a 1-mile radius at the South Coastal Information Center (SCIC) on September 16, 2022 and received the results on September 27, 2022. The records search results identified that 59 previous cultural resources studies have been conducted within 1-mile of the Project area. Of the 59 previous studies, five studies intersect the Project area and are listed in Table 1 below. These studies consist of an archaeological report, a cultural resources inventory report, a cultural resources assessment report, a draft Environmental Impact Report (DEIR), and a records search and literature review. Overall, the entire Project area has been previously studied and resulted in negative results in the Project area. The studies that do not intersect the area are included in Confidential Appendix A.

Table 1. Reports Intersecting Project Area

Report Number	Authors	Date	Title
SD-01031	Gallegos, Dennis	1983	Archaeological Report for Business/Industrial, Richmar, Lake San Marcos and Barham/Discovery Community Plan, San Marcos, California
SD-02043	Micheal Brandman Associates, Inc.	1989	Draft Environmental Impact Report San Marcos Flood Control Channel San Marcos Creek/Las Posas Reach SCH #88061505
SD-02916	Peak & Associates, Inc.	1990	Cultural Resources Assessment of AT&T's Proposed San Bernardino To San Diego Fiber Optic Cable, San Bernardino, Riverside And San Diego Counties, California
SD-14140	Robbins-Wade, Mary	2003	Archaeological Records Search And Literature Review, Vallecitos Water District Master Plan Update San Diego County, California

SD-17165	Comeau, Brad	2013	Cultural Resources Survey Letter Report For The Pipeline 4 Portion Of The Construction Monitoring For The Pipeline 3 Desalination Relining And Pipeline 4 Vert Modifications Project

4.1.2 Previously Recorded Cultural Resources

The SCIC records search did not identify any cultural resources within the Project area. The records search did identify 32 cultural resources within the 1-mile search radius of the Project area (Table 2). Of the total 32 resources identified in the 1-mile buffer, 17 are prehistoric resources, 14 are historic resources, and one is a multicomponent site. No historic addresses are located within the Project area, however, 11 are located within the 1-mile search radius. The results of the records search and all DPR forms are attached as part of Confidential Appendix A.

Table 2. Previously Recorded Cultural Resources in the 1-Mile Record Search Radius

Primary Number	Trinomial	Age	Description	In/ Out of Project Area
P-37-005581	CA-SDI-005581	Prehistoric	Habitat site; bedrock milling features, lithic scatter	Out
P-37-005582	CA-SDI-005582	Prehistoric	Lithic scatter	Out
P-37-005583	CA-SDI-005583	Prehistoric	Lithic scatter	Out
P-37-005584	CA-SDI-005584	Prehistoric	Lithic scatter and bedrock milling feature	Out
P-37-005633	CA-SDI-005633	Prehistoric	Habitation site; bedrock milling features, lithic, shell, and ceramic scatter, burials	Out
P-37-005641	CA-SDI-005641	Multicomponent	Habitation site; midden soil, hearths, crematory (bone fragments and ash), lithic scatter, bedrock milling features, shell, historic artifacts	Out
P-37-005642	CA-SDI-005642	Prehistoric	Lithic scatter	Out
P-37-005643	CA-SDI-005643	Prehistoric	Isolate; core, core fragment	Out
P-37-005647	CA-SDI-005647	Prehistoric	Bedrock milling features, lithic scatter	Out
P-37-005648	CA-SDI-005648	Prehistoric	Lithic scatter	Out
P-37-005649	CA-SDI-005649	Prehistoric	Bedrock milling feature, lithic scatter, shell scatter	Out
P-37-008813	CA-SDI-008813	Prehistoric	Lithic scatter, bedrock milling feature	Out
P-37-008814	CA-SDI-008814	Historic	Burned residence, round nails, aluminum roof nails, historical debris	Out
P-37-008815	CA-SDI-008815	Prehistoric	Lithic scatter	Out

P-37-008816	CA-SDI-008816	Prehistoric	Lithic scatter, shell piece	Out
P-37-011661	CA-SDI-011661	Prehistoric	Lithic scatter	Out
P-37-011663	CA-SDI-011663	Prehistoric	Lithic scatter	Out
P-37-014950	-	Prehistoric	Isolate: scraper	Out
P-37-018189	-	Historic	Industrial Building	Out
P-37-018190	-	Historic	Industrial Building	Out
P-37-018191	-	Historic	1-3 story commercial building	Out
P-37-018192	-	Historic	1-3 story commercial building (formerly a single-family property)	Out
P-37-018193	-	Historic	Single family property	Out
P-37-018194	-	Historic	Single family property	Out
P-37-018195	-	Historic	Single family property	Out
P-37-018196	-	Historic	Single family property	Out
P-37-018197	-	Historic	Single family property	Out
P-37-025309	CA-SDI-016787	Prehistoric	Lithic workshop/hunting station	Out
P-37-033557	-	Historic	Highway	Out
P-37-036868	-	Historic	Earthen dam	Out
P-37-038298	-	Historic	Single family property	Out
P-37-039088	CA-SDI-022954	Historic	Privies/dumps/trash scatters	Out

4.2 Archival Research

In addition to the SCIC records search, Dudek conducted an on-line review of historic aerial photographs of the Project area and general vicinity, to help determine the possible development and land use of the Project area in the past. Historic aerial photographs of the Project area were available for 1938, 1947, 1953, 1964, 1967, 1978, 1980-1991, 1993-2000, 2002, 2003, 2005, 2009, 2010, 2012, 2014, 2016, 2018, and 2022 (NETR 2022). The historical aerials from 1938 to 1953 revealed that the Project area was undeveloped, however, Capalina Road to the south and West Mission Road to the north are observed. On the 1964 and 1967 aerials, the Project area remains undeveloped, however, residential development can be observed to the south and northeast of the Project area. On the 1978 aerial, commercial development is observed immediately west and east of the Project area, and within the surrounding vicinity. In the 1980 aerial, the vegetation within the Project area appears to be cleared, and a building pad is observed within the eastern section of the Project area. In the 1984 aerial, some light grading can be observed on the eastern and northern borders of the Project area. In the 1985 to 1987 aerials, the eastern section of the Project area is used as a dirt parking lot for vehicles. In the 1993 aerial, the southeastern section of the Project area has undergone some grading activities. There are no drastic changes observed in the Project area on the 1994 to 2002 aerials. In the 2003 aerial, a small rectangular sandy area is observed within the northern section of the Project area. By 2009, the rectangular box is no longer observed within the Project area. The Project area remains undeveloped to the present.

Historic topographic maps of the Project area were reviewed (earliest map available is 1893). The historic topographic maps from 1970 to 2018 shows the Second San Diego Aqueduct trending north to south to the west of the Project area. No historic age structures are revealed to be within the Project area.

4.3 Geotechnical Study

Advanced Geotechnical Solutions, Inc. (AGS) completed a geotechnical study for the proposed Project area (completed May 13, 2022). The report, *Due Diligence Geotechnical Study, Proposed Capalina Apartments, APN 466120002, Capalina Road east of North Rancho Santa Fe, San Marcos, California*, documents the subsurface geological conditions at the proposed Project area (AGS 2022). The report details the results of drilling 13 test pits to depths of up to 13.5 feet below the ground surface. The soils present at the Project area consist of undocumented artificial fill and topsoil/alluvium overlaying sedimentary rock. Artificial fill soils mantle the northern portions of the Project area. Deeper deposits of fill were also observed near the slope along the western section of the Project area that may be related to offsite grading activities or the preserves installation of the offsite water lines. Topsoil/Alluvium was encountered to depths ranging from approximately 1 to 5 feet and overlie the Santiago Formation. Middle Eocene age Santiago Formation (sedimentary bedrock) was observed to underlie the fill and topsoil material and ranged from approximately 2 feet to 8 feet below the existing surface (AGS 2022).

4.4 NAHC and Tribal Correspondence

Dudek requested a NAHC search of the SLF on September 16, 2022, for the Project area. The SLF consists of a database of known Native American resources. These resources may not be included in the SCIC database. The NAHC replied on November 9, 2022, with negative results (Appendix B). The NAHC additionally provided a list of Native American tribes and individuals/organizations with traditional geographic associations that might have knowledge of cultural resources in this area.

Outreach letters were mailed November 14, 2022, to all Native American representatives included on the NAHC contact list (Appendix B). These letters attempted to solicit additional information relating to Native American resources that may be impacted by the Project. Native American representatives were requested to define a general area where known resources intersect the Project area. Two responses have been received to date. The Rincon Band of Luiseño Indians responded on December 12, 2022, stating that the Project area is located within their Traditional Use Area and Specific Area of Historic interest, potential exists that the Project may impact TCRs or Traditional Cultural Properties (TCPs), and recommends archaeological and tribal monitoring for any ground disturbing activities. The Pechanga Band of Indians responded on December 23, 2022, stating that the Project is located near a TCP and three Ancestral Placename Villages, 18 previously recorded sites are within 1-mile of the Project, Agua Hedionda Creek is located near the Project boundary, which is concerning as they buried their Ancestors near long-term waters, and native soils likely remain intact beneath the plow-zone, therefore, there is a high potential to encounter sensitive subsurface resources during ground-disturbing activities associated with the Project. They are recommending monitoring by a San Diego County qualified archaeologist and a professional Pechanga Tribal Monitor during earthmoving activities. These letters have been forwarded to the City. The NAHC correspondence is included in the Appendix B.

In compliance with Assembly Bill 52, the City, as lead agency, is responsible for conducting government to government consultation with pertinent tribal entities.

4.5 Intensive Pedestrian Survey

Dudek archaeologist Makayla Murillo conducted an intensive level pedestrian survey of the proposed Project area on October 12, 2022. Saving Sacred Sites Native American monitor Jessica Alexander participated in the pedestrian survey. All survey work was conducted employing standard archaeological procedures and techniques consistent with the Secretary of the Interior Standards. Five-meter interval survey transects were conducted in an east-west direction for the Project area. Within the transects, the ground surface was examined for prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions, features indicative of the current or former presence of structures or buildings (e.g., standing exterior walls, post holes, foundations), and historic artifacts (e.g., metal, glass, ceramics, building materials). Ground disturbances such as burrows, cut banks, and drainages were also visually inspected for exposed subsurface materials.

The Project area is relatively flat and undeveloped with a small east facing slope along the western boundary (Figure 3). Some disturbances were observed, such as stockpiled imported rock on the northwesternmost portion of the Project area (Figure 4). Ground visibility was fair (25-50%) in areas where the ground surface was obscured by vegetation. Approximately 75% of the Project area was obscured by dead grass and a few dispersed palm trees. Modern debris (e.g., refuse, plastic fragments, irrigation pipes, glass fragments) is strewn throughout the Project area. The pedestrian survey did not identify any cultural resources within the Project area.

5 Summary and Management Considerations

5.1 Archaeological Recommendations

Dudek's cultural resources inventory of the Project indicates that there is low-moderate sensitivity for identifying intact subsurface archaeological deposits during Project implementation. The SCIC records search and the pedestrian survey did not identify any cultural resources within the Project area; however, 32 cultural resources were identified within the 1-mile radius. The review of aerial photographs also reveals the Project area has been disturbed by clearing activities. An intensive pedestrian survey of the Project area did not identify any cultural resources; however, the Project area has not been developed, and because alluvial soils are present throughout the Project area from depths ranging from 1 to 5 feet deep, there is potential for subsurface resources. It is recommended that a qualified archaeologist and Luiseño Native American monitor be present during initial ground disturbing activities to assess the extent of previous disturbances and the potential for buried archaeological resources. Monitoring can be reduced or terminated should no discoveries be made or if documentation is provided which demonstrates that ground-disturbing activities will be occurring in sediments with no potential for cultural resources.

Unanticipated Discovery of Archaeological Resources

In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist meeting the Secretary of the Interior's Professional Qualification Standards can evaluate the significance of the find. Construction activities may continue in other areas, but should be redirected a safe distance

from the find. If the new discovery is evaluated and found to be significant under CEQA and avoidance is not feasible, additional work such as data recovery may be warranted. A data recovery plan shall be developed by the qualified archaeologist in consultation with the City and Native American representatives, if applicable. Ground disturbance can continue only after the resources has been properly mitigated and with approval by the City.

Unanticipated Discovery of Human Remains

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code Section 5097.98, the NAHC must immediately notify the person or persons it believes to be the MLD from the deceased Native American. The MLD shall complete inspection within 48 hours of being granted access to the site and make recommendations for the treatment and disposition, in consultation with the property owner, of the human remains.

Should you have any questions relating to this report and its findings, please do not hesitate to contact me at 619.949.3082 or kmontifolca@dudek.com.

Respectfully Submitted,

Keshia Montifolca, M.A., RPA
Archaeologist

Att.: *Figure 1, Project Location*
Figure 2, Project Area Map
Figure 3, Project area overview with the east facing slope on the western boundary
Figure 4, Overview of disturbed stockpile of rock on northwestern portion
National Archaeological Database Information Sheet
Confidential Appendix A, SCIC Records Search Results
Appendix B, Tribal Correspondence
cc: *Angela Pham, Micah Hale, Dudek*

6 References

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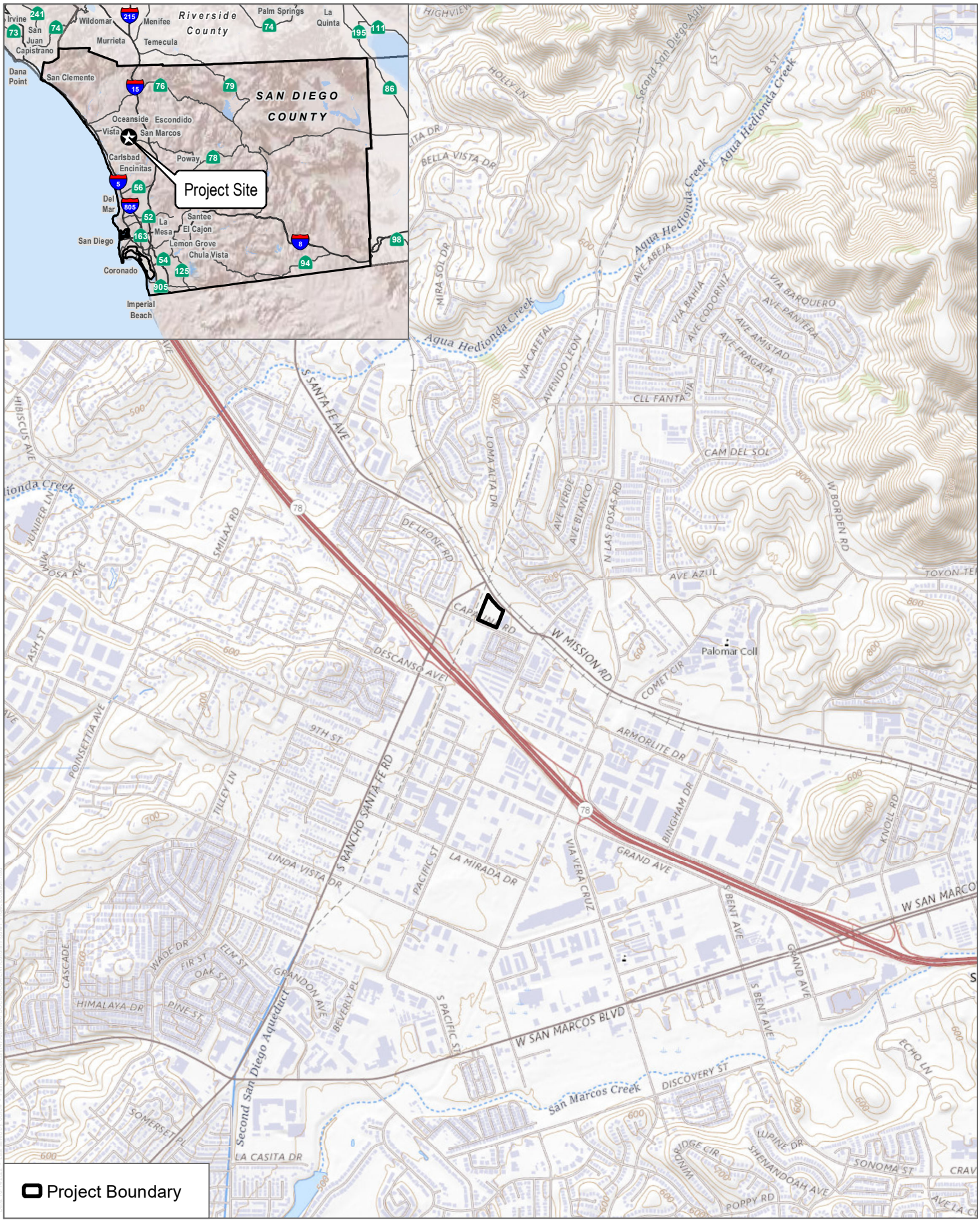

SOURCE: USGS 7.5-Minute Series San Marcos Quadrangle
Township 12S; Range 3W, Section 9

DUDEK

0 1,000 2,000 Feet

FIGURE 1

Project Location

Capalina Apartments Project

SOURCE: San Diego Public Imagery 2019, Open Street Map 2019

DUDEK

0 40 80 Feet

FIGURE 2

Project Area

Capalina Apartments Project

Figure 3. Project area overview with the east facing slope on the western boundary, view facing northwest.

Figure 4. Overview of disturbed stockpile of rock on northwestern portion, view facing northwest.

National Archaeological Database (NADB) Information

Authors:	Keshia Montifolca M.A., RPA
Firm:	Dudek
Project Proponent:	Capalina SMA, LLC
Report Date:	June 2023
Report Title:	Archaeological Resources Inventory Report for the Capalina Apartments Project (GPA22-0003, R22-0003, SDP22-0007)
Type of Study:	Cultural Resources Inventory
Resources:	None
USGS Quads:	San Marcos, California, Township 12 South, Range 3 West, Section 9
Acreage:	2.54
Permit Numbers:	N/A
Keywords:	Pedestrian Survey, Inventory, City of San Marcos, Capalina Apartments

Confidential Appendix A

SCIC Records Search Results

Appendix B

NAHC Correspondence and Tribal Outreach

From: Keshia Montifolca
Sent: Friday, September 16, 2022 8:23 AM
To: nahc@nahc.ca.gov
Cc: Angela Pham
Subject: Sacred Lands Search - Capalina Apartments Project (14776)
Attachments: Sacred Lands File Contact Form - Capalina Apts.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hi,

Please see attached for a Sacred Lands File Search request for the Capalina Apartments Project
(14776). Let me know if you have any questions or need additional information.

Thank you!

Keshia Montifolca, M.A., RPA
Archaeologist

605 Third Street, Encinitas, CA 92024
O: 619.949.3082 C: 619.372.6255
www.dudek.com

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Please consider the environment before printing this email. ?

Sacred Lands File & Native American Contacts List Request

NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95501
(916) 373-3710
(916) 373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

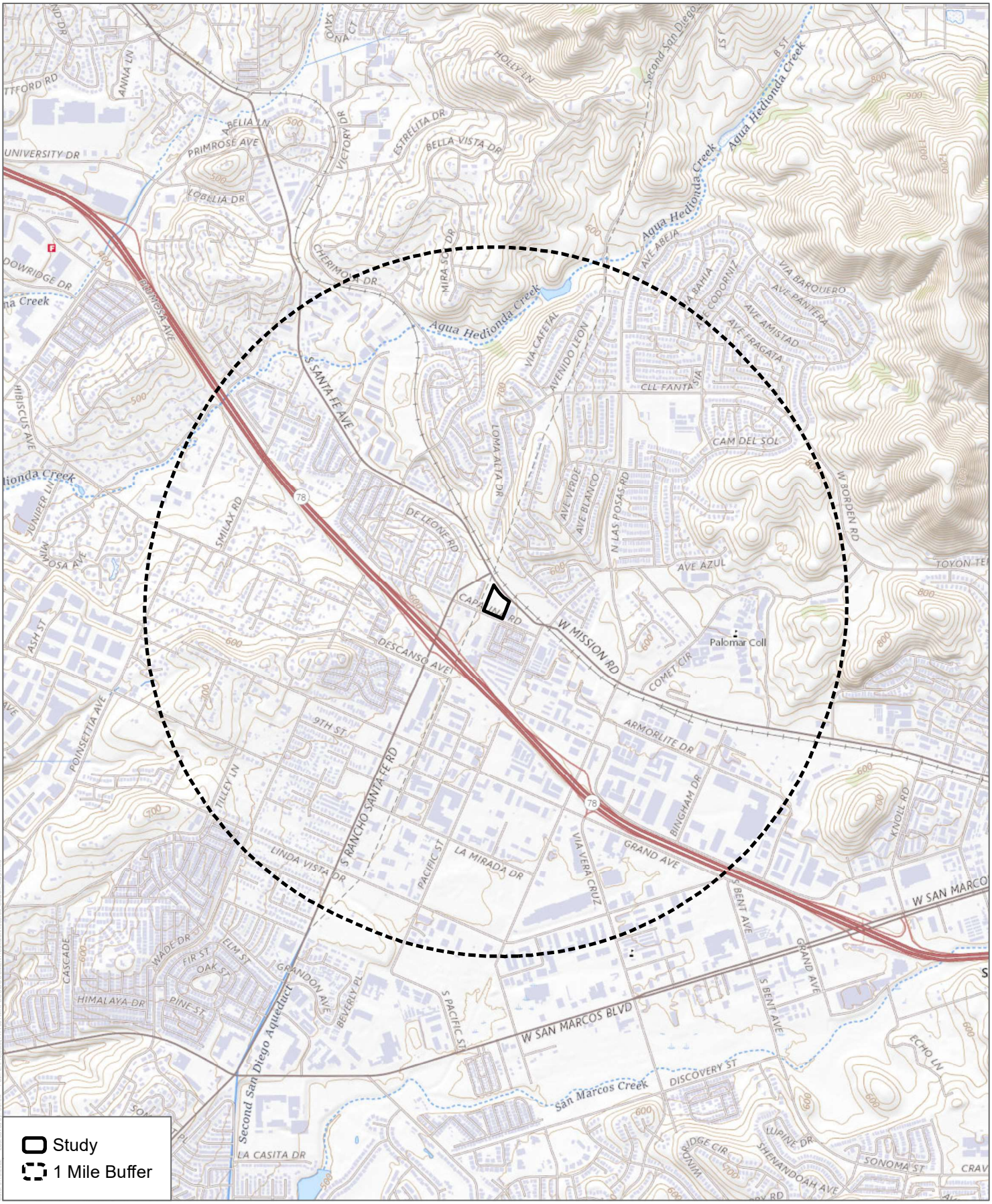
Project: Capalina Apartments Project (PN 14776)
County: San Diego

USGS Quadrangle
Name: San Marcos
Township: 12S Range: 3W Section(s): 9

Company/Firm/Agency:
Dudek
Contact Person: Keshia Montifolca
Street Address: 605 Third Street
City: Encinitas, CA Zip: 92024
Phone: (619) 949-3082 Extension:
Fax:
Email: kmontifolca@dudek.com

Project Description:
The proposed project would involve the development of 120 apartment units, 4,000 square feet of commercial use, 149 on-site parking spaces, and associated residential amenities such as common open space area and a recreation/fitness center.

☑ Project Location Map is attached



SOURCE: USGS 7.5-Minute Series San Marcos Quadrangle
Township 12S; Range 3W; Section 9

DUDEK

0 1,000 2,000 Feet
0 285 570 Meters
1:24,000

Records Search

Capalina Apartments Project

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
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Miwok

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Ohlone-Costanoan

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
[Vacant]

COMMISSIONER
[**Vacant**]

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

November 9, 2022

Keshia Montifolca
Dudek

Via Email to: kmontifolca@dudek.com

Re: Capalina Apartments (PN 14776) Project, San Diego County

Dear Ms. Montifolca:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
San Diego County
11/9/2022

Barona Group of the Capitan Grande
Raymond Welch, Chairperson
1095 Barona Road — Diegueno
Lakeside, CA, 92040
Phone: (619) 443 - 6612
Fax: (619) 443-0681
counciloffice@barona-nsn.gov

Campo Band of Diegueno Mission Indians
Ralph Goff, Chairperson
36190 Church Road, Suite 1 — Diegueno
Campo, CA, 91906
Phone: (619) 478 - 9046
Fax: (619) 478-5818
rgoff@campo-nsn.gov

Ewiiaapaayp Band of Kumeyaay Indians
Robert Pinto, Chairperson
4054 Willows Road — Diegueno
Alpine, CA, 91901
Phone: (619) 368 - 4382
Fax: (619) 445-9126
ceo@ebki-nsn.gov

Ewiiaapaayp Band of Kumeyaay Indians
Michael Garcia, Vice Chairperson
4054 Willows Road — Diegueno
Alpine, CA, 91901
Phone: (619) 933 - 2200
Fax: (619) 445-9126
michaelg@leaningrock.net

Iipay Nation of Santa Ysabel
Virgil Perez, Chairperson
P.O. Box 130 — Diegueno
Santa Ysabel, CA, 92070
Phone: (760) 765 - 0845
Fax: (760) 765-0320

Iipay Nation of Santa Ysabel
Clint Linton, Director of Cultural Resources
P.O. Box 507 — Diegueno
Santa Ysabel, CA, 92070
Phone: (760) 803 - 5694
clint@redtailenvironmental.com

Inaja-Cosmit Band of Indians
Rebecca Osuna, Chairperson
2005 S. Escondido Blvd. — Diegueno
Escondido, CA, 92025
Phone: (760) 737 - 7628
Fax: (760) 747-8568

Jamul Indian Village
Erica Pinto, Chairperson
P.O. Box 612 — Diegueno
Jamul, CA, 91935
Phone: (619) 669 - 4785
Fax: (619) 669-4817
epinto@jiv-nsn.gov

Jamul Indian Village
Lisa Cumper, Tribal Historic Preservation Officer
P.O. Box 612 — Diegueno
Jamul, CA, 91935
Phone: (619) 669 - 4855
lcumper@jiv-nsn.gov

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas,
P.O. Box 775 — Kwaaymii
Pine Valley, CA, 91962 — Diegueno
Phone: (619) 709 - 4207

La Jolla Band of Luiseno Indians
Norma Contreras, Chairperson
22000 Highway 76 — Luiseno
Pauma Valley, CA, 92061
Phone: (760) 742 - 3771

La Posta Band of Diegueno Mission Indians
Gwendolyn Parada, Chairperson
8 Crestwood Road — Diegueno
Boulevard, CA, 91905
Phone: (619) 478 - 2113
Fax: (619) 478-2125
LP13boots@aol.com

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Capalina Apartments (PN 14776) Project, San Diego County.

La Posta Band of Diegueno Mission Indians
Javaughn Miller, Tribal Administrator
8 Crestwood Road — Diegueno
Boulevard, CA, 91905
Phone: (619) 478 - 2113
Fax: (619) 478-2125
jmiller@LPtribe.net

Manzanita Band of Kumeyaay Nation
Angela Elliott Santos, Chairperson
P.O. Box 1302 — Diegueno
Boulevard, CA, 91905
Phone: (619) 766 - 4930
Fax: (619) 766-4957

Mesa Grande Band of Diegueno Mission Indians
Michael Linton, Chairperson
P.O Box 270 — Diegueno
Santa Ysabel, CA, 92070
Phone: (760) 782 - 3818
Fax: (760) 782-9092
mesagrandeband@msn.com

Pala Band of Mission Indians
Shasta Gaughen, Tribal Historic Preservation Officer
PMB 50, 35008 Pala Temecula Rd. — Cupeno, Luiseno
Pala, CA, 92059
Phone: (760) 891 - 3515
Fax: (760) 742-3189
sgaughen@palatribe.com

Pauma Band of Luiseno Indians
Temet Aguilar, Chairperson
P.O. Box 369 — Luiseno
Pauma Valley, CA, 92061
Phone: (760) 742 - 1289
Fax: (760) 742-3422
bennaecalac@aol.com

Pechanga Band of Indians
Paul Macarro, Cultural Resources Coordinator
P.O. Box 1477 — Luiseno
Temecula, CA, 92593
Phone: (951) 770 - 6306
Fax: (951) 506-9491
pmacarro@pechanga-nsn.gov

Pechanga Band of Indians
Mark Macarro, Chairperson
P.O. Box 1477 — Luiseno
Temecula, CA, 92593
Phone: (951) 770 - 6000
Fax: (951) 695-1778
epreston@pechanga-nsn.gov

Rincon Band of Luiseno Indians
Bo Mazzetti, Chairperson
One Government Center Lane — Luiseno
Valley Center, CA, 92082
Phone: (760) 749 - 1051
Fax: (760) 749-5144
bomazzetti@aol.com

Rincon Band of Luiseno Indians
Cheryl Madrigal, Tribal Historic Preservation Officer
One Government Center Lane — Luiseno
Valley Center, CA, 92082
Phone: (760) 297 - 2635
crd@rincon-nsn.gov

San Luis Rey Band of Mission Indians
1889 Sunset Drive — Luiseno
Vista, CA, 92081
Phone: (760) 724 - 8505
Fax: (760) 724-2172
cjmojado@slrmissionindians.org

San Luis Rey Band of Mission Indians
San Luis Rey, Tribal Council
1889 Sunset Drive — Luiseno
Vista, CA, 92081
Phone: (760) 724 - 8505
Fax: (760) 724-2172
cjmojado@slrmissionindians.org

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This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Capalina Apartments (PN 14776) Project, San Diego County.

San Pasqual Band of Diegueno Mission Indians
Allen Lawson, Chairperson
P.O. Box 365 — Diegueno
Valley Center, CA, 92082
Phone: (760) 749 - 3200
Fax: (760) 749-3876
allenl@sanpasqualtribe.org

San Pasqual Band of Diegueno Mission Indians
John Flores, Environmental Coordinator
P. O. Box 365 — Diegueno
Valley Center, CA, 92082
Phone: (760) 749 - 3200
Fax: (760) 749-3876
johnf@sanpasqualtribe.org

Soboba Band of Luiseno Indians
Joseph Ontiveros, Cultural Resource Department
P.O. BOX 487 — Cahuilla, Luiseno
San Jacinto, CA, 92581
Phone: (951) 663 - 5279
Fax: (951) 654-4198
jontiveros@soboba-nsn.gov

Soboba Band of Luiseno Indians
Isaiah Vivanco, Chairperson
P. O. Box 487 — Cahuilla, Luiseno
San Jacinto, CA, 92581
Phone: (951) 654 - 5544
Fax: (951) 654-4198
ivivanco@soboba-nsn.gov

Sycuan Band of the Kumeyaay Nation
Cody Martinez, Chairperson
1 Kwaaypaay Court — Kumeyaay
El Cajon, CA, 92019
Phone: (619) 445 - 2613
Fax: (619) 445-1927
ssilva@sycuan-nsn.gov

Sycuan Band of the Kumeyaay Nation
Kristie Orosco, Kumeyaay Resource Specialist
1 Kwaaypaay Court — Kumeyaay
El Cajon, CA, 92019
Phone: (619) 445 - 6917

Viejas Band of Kumeyaay Indians
Ernest Pingleton, Tribal Historic Officer, Resource Management
1 Viejas Grade Road — Diegueno
Alpine, CA, 91901
Phone: (619) 659 - 2314
epingleton@viejas-nsn.gov

Viejas Band of Kumeyaay Indians
John Christman, Chairperson
1 Viejas Grade Road — Diegueno
Alpine, CA, 91901
Phone: (619) 445 - 3810
Fax: (619) 445-5337

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

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DUDEK
MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Mr. Raymond Welch, Chairperson
Barona Group of the Capitan Grande
1095 Barona Road
Lakeside, CA 92040

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Welch,

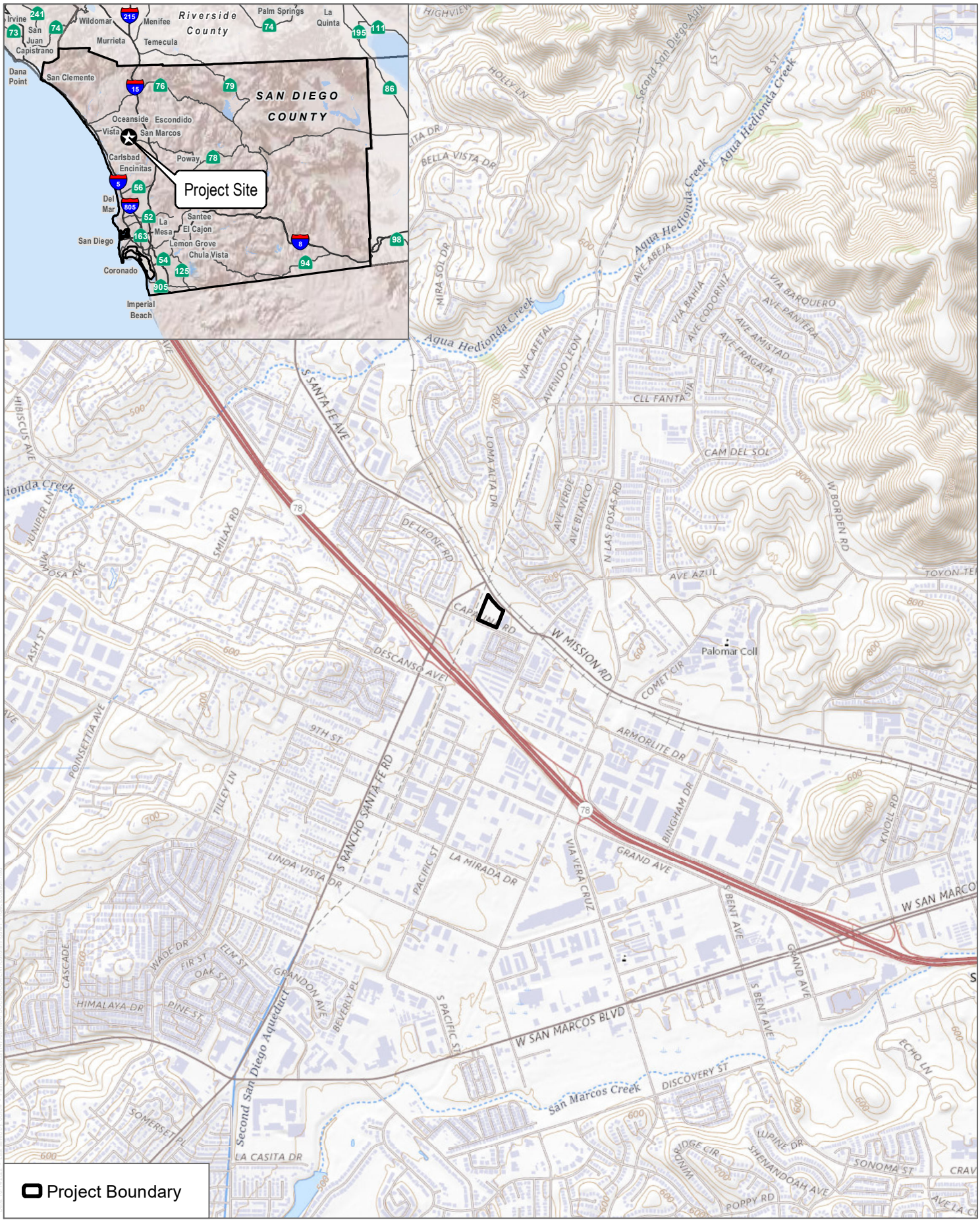
The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

The Native American Heritage Commission conducted a Sacred Lands file search. The results were negative. I am writing as part of the cultural inventory process in order find out if you, or your tribal community, have any knowledge of cultural resources or places that may be impacted by the proposed project. This letter does not constitute formal government to government consultation pursuant to Assembly Bill 52.

If you have any information or concerns pertaining to such information, please contact me.

Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com



SOURCE: USGS 7.5-Minute Series San Marcos Quadrangle
Township 12S; Range 3W, Section 9

DUDEK

0 1,000 2,000 Feet

FIGURE 1

Project Location

Capalina Apartments Project

DUDEK
MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Mr. Ralph Goff, Chairperson
Campo Band of Diegueno Mission Indians
36190 Church Road, Suite 1
Campo, CA 91906

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Goff,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

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MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Mr. Robert Pinto, Chairperson
Ewiaapaayp Tribe
4054 Willow Rd.
Alpine, CA 91901

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Pinto,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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If you have any information or concerns pertaining to such information, please contact me.

Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

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MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Mr. Michael Garcia, Vice Chairperson
Ewiiaapaayp Tribe
4054 Willows Road
Alpine, CA 91901

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Garcia,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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If you have any information or concerns pertaining to such information, please contact me.

Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

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ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Mr. Virgil Perez, Chairperson
Iipay Nation of Santa Ysabel
P.O. Box 130
Santa Ysabel, CA 92070

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Perez,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

The Native American Heritage Commission conducted a Sacred Lands file search. The results were negative. I am writing as part of the cultural inventory process in order find out if you, or your tribal community, have any knowledge of cultural resources or places that may be impacted by the proposed project. This letter does not constitute formal government to government consultation pursuant to Assembly Bill 52.

If you have any information or concerns pertaining to such information, please contact me.

Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

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MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Ms. Rebecca Osuna, Chairperson
Inaja-Cosmit Band of Indians
2005 S. Escondido Blvd.
Escondido, CA 92025

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Osuna,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

The Native American Heritage Commission conducted a Sacred Lands file search. The results were negative. I am writing as part of the cultural inventory process in order find out if you, or your tribal community, have any knowledge of cultural resources or places that may be impacted by the proposed project. This letter does not constitute formal government to government consultation pursuant to Assembly Bill 52.

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Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

DUDEK
MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Mr. Clint Linton, Director of Cultural Resources
Ipay Nation of Santa Ysabel
P.O. Box 507
Santa Ysabel, CA 92070

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Linton,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

DUDEK
MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Ms. Lisa Cumper, THPO
Jamul Indian Village
P.O. Box 612
Jamul, CA 91935

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Cumper,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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If you have any information or concerns pertaining to such information, please contact me.

Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

DUDEK
MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Ms. Erica Pinto, Chairperson
Jamul Indian Village
P.O. Box 612
Jamul, CA 91935

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Pinto,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

DUDEK
MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Ms. Carmen Lucas,
Kwaaymii Laguna Band of Mission Indians
P.O. Box 775
Pine Valley, CA 91962

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Lucas,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

The Native American Heritage Commission conducted a Sacred Lands file search. The results were negative. I am writing as part of the cultural inventory process in order find out if you, or your tribal community, have any knowledge of cultural resources or places that may be impacted by the proposed project. This letter does not constitute formal government to government consultation pursuant to Assembly Bill 52.

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Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

DUDEK
MAIN OFFICE
605 THIRD STREET
ENCINITAS, CALIFORNIA 92024
T 800.450.1818 F 760.632.0164

November 14, 2022 14776

Ms. Norma Contreras, Chairperson
La Jolla Band of Mission Indians
22000 Highway 76
Pauma Valley, CA 92061

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Contreras,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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If you have any information or concerns pertaining to such information, please contact me.

Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

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November 14, 2022 14776

Ms. Gwendolyn Parada, Chairperson
La Posta Band of Diegueno Mission Indians
8 Crestwood Rd.
Boulevard, CA 91905

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Parada,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Ms. Javaughn Miller, Tribal Administrator
La Posta Band of Diegueno Mission Indians
8 Crestwood Rd.
Boulevard, CA 91905

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Miller,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Ms. Angela Elliott Santos, Chairperson
Manzanita Band of Kumeyaay Nation
P.O. Box 1302
Boulevard, CA 91905

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Santos,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. Michael Linton, Chairperson
Mesa Grande Band of Dieguneo Mission Indians
P.O. Box 270
Santa Ysabel, CA 92070

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Linton,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Ms. Shasta Gaughen, Tribal Historic Preservation Officer
Pala Band of Mission Indians
35008 Pala Temecula Rd.
Pala, CA 92059

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Gaughen,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. Temet Aguilar, Chairperson
Pauma & Yuima Reservation
P.O. Box 369
Pauma Valley, CA 92061

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Aguilar,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. Paul Macarro, Cultural Resources Manager
Pechanga Band of Mission Indians
P.O. Box 1477
Temecula, CA 92593

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Macarro,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. Mark Macarro, Chairperson
Pechanga Band of Mission Indians
P.O. Box 1477
Temecula, CA 92593

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

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November 14, 2022 14776

Mr. Bo Mazzetti, Chairperson
Rincon Band of Luiseño Indians
1 Government Center Lane
Valley Center, CA 92082

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Mazzetti,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Ms. Cheryl Madrigal, Tribal Historic Preservation Officer
Rincon Band of Mission Indians
One Governement Center Lane
Valley Center, CA 92082

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Madrigal,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Cultural Department ,
San Luis Rey Band of Mission Indians
1889 Sunset Dr.
Vista, CA 92081

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Cultural Department,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Tribal Council,
San Luis Rey Band of Mission Indians
1889 Sunset Dr.
Vista, CA 92081

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Tribal Council,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. John Flores, Environmental Coordinator
San Pasqual Band of Diegueno Mission Indians
P.O. Box 365
Valley Center, CA 92082

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Flores,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. Allen E. Lawson, Chairperson
San Pasqual Band of Diegueno Mission Indians
P.O. Box 365
Valley Center, CA 92082

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Lawson,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. Joseph Ontiveros, Cultural Resource Department
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA 92581

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Ontiveros,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. Isaiah Vivanco, Chairperson
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA 92581

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Vivanco,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Ms. Kristie Orosco, Resource Specialist
Sycuan Band of the Kumeyaay Nation
1 Kwaaypaay Court
El Cajon, CA 92019

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Ms. Orosco,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. Cody Martinez, Chairperson
Sycuan Band of the Kumeyaay Nation
1 Kwaaypaay Court
El Cajon, CA 92019

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Martinez,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. John Christman, Chairperson
Viejas Band of Kumeyaay Indians
1 Viejas Grade Rd.
Alpine, CA 91901

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Christman,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

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November 14, 2022 14776

Mr. Ernest Pingleton, Tribal Historic Officer
Viejas Band of Kumeyaay Indians
1 Viejas Grade Rd.
Alpine, CA 91901

Subject: Information Request for the Capalina Apartments Project in City of San Marcos, California

Dear Mr. Pingleton,

The proposed Capalina Apartments Project (Project) consists of the development of 120 apartment units on Capalina Road in the City of San Marcos, California. The Project area is located just north of Capalina Road, south of West Mission Road, east of South Rancho Sante Fe, and north of State Route 78 and consists of an approximately 2.54-acre area that is currently vacant and undeveloped. The Project area falls within Section 9 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1).

The Native American Heritage Commission conducted a Sacred Lands file search. The results were negative. I am writing as part of the cultural inventory process in order find out if you, or your tribal community, have any knowledge of cultural resources or places that may be impacted by the proposed project. This letter does not constitute formal government to government consultation pursuant to Assembly Bill 52.

If you have any information or concerns pertaining to such information, please contact me.

Respectfully,

Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
Phone: (619) 949-3082
Email: kmontifolca@dudek.com

Keshia Montifolca

From: Cheryl Madrigal <CMadrigal@rincon-nsn.gov>
Sent: Monday, December 12, 2022 12:54 PM
To: Keshia Montifolca
Cc: Deneen Pelton
Subject: Your Information Request for the Capalina Apartments Project in City of San Marcos

Keshia,

This email is written on behalf of the Rincon Band of Luiseño Indians ("Rincon Band" or "Tribe"), a federally recognized Indian tribe and sovereign government in response to your request for information pertaining to cultural and tribal cultural resources on the above referenced project. The identified location is within the Traditional Use Area of the Luiseño people and is also within the Tribe's specific area of Historic interest. As such, the Rincon Band is traditionally and culturally affiliated to the project area.

After review of the provided documents and our internal information, the Rincon Band believes potential exists that the project will impact Tribal Cultural Resources (TCRs) or Traditional Cultural Properties (TCPs). The proposed project is in a culturally-sensitive area. We recommend archaeological and tribal monitoring for any ground disturbing activities, unless through consultation between the agency and the Tribe it can be determined that there is no potential to impact tribal cultural resources. Please forward a final copy of the cultural resources study upon completion to the Rincon Band.

If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 749 1092 ext. 323 or via electronic mail at cmadrigal@rincon-nsn.gov. Thank you for the opportunity to protect our cultural assets.

Sincerely,

Cheryl

Cheryl Madrigal
Cultural Resources Manager
Tribal Historic Preservation Officer
Cultural Resources Department
Rincon Band of Luiseño Indians
1 West Tribal Road | Valley Center, CA 92082
Office: (760) 749 1092 ext. 323|Cell: 760-648-3000
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PECHANGA CULTURAL RESOURCES

Pechanga Band of Indians

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Juan Rodriguez

Direcctor:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Tuba Ebru Ozdil

December 23, 2022

VIA E-Mail and USPS
Keshia Montifolca, M.A., RPA
Archaeologist
DUDEK
605 Third Street,
Encinitas, CA. 92024

RE: Request for Information for the Capalina Apartments Project, City of San Marcos, County of San Diego, CA

Dear Ms. Montifolca,

The Pechanga Band of Indians ("the Tribe") appreciates your request for information regarding the above referenced Project. After reviewing the provided maps and our internal documents, we have determined that the Project-area is not within our Reservation land's, although it is located in Our Ancestral Territory. At this time, we are interested in participating in this Project based upon our 'Ayélkwish/Traditional Knowledge of the area and this Project's proximity to our Traditional Cultural Property located 3.28 miles to the northeast. This Project-parcel is within 1.59 miles from three Ancestral Placename Villages. There are 18 previously recorded Cultural-archaeological sites from 588 yards to 1.0 mile of this Project. Agua Hedionda Creek is located .78 of-a-mile from this Project's boundary, which is very concerning because of our Culture's-practice of burying departed Ancestors near long-term waters. Historic aerial records from 1938-the present day the Tribe asserts that the property's native soils likely remain intact below the plow-zone. Considering this information provided above, the Project's adjacency to our Ancestral Places, the proximity to known Ancestral human remains, and in light of extensive previously recorded sites in this Project's vicinity the Tribe therefore, is interested in participating in this Project. The Pechanga Tribe believes that the possibility of recovering sensitive subsurface resources during ground-disturbing activities for this Project is extremely high.

The Tribe is dedicated to providing comprehensive cultural information to you and your firm for inclusion in the archaeological study as well as to the Lead Agency for CEQA review. At this time, the Tribe requests the following so we may continue the consultation process and to provide adequate and appropriate recommendations for the Project:

1) Notification once the Project begins the entitlement process, if it has not already;
2) Copies of all applicable archaeological reports, site records, proposed grading plans and environmental documents (EA/IS/MND/EIR, etc);

3) Government-to-government consultation with the Lead Agency; and

4) The Tribe believes that monitoring by a San Diego County qualified archaeologist and a professional Pechanga Tribal Monitor may be required during earthmoving activities. Therefore, the Tribe reserves its right to make additional comments and recommendations once the environmental documents have been received and fully reviewed. Further, in the event that subsurface cultural resources are identified, the Tribe requests consultation with the Project proponent and Lead Agency regarding the treatment and disposition of all artifacts.

As a Sovereign governmental entity, the Tribe is entitled to appropriate and adequate government-to-government consultation regarding the proposed Project. We would like you and your client to know that the Tribe does not consider initial inquiry letters from project consultants to constitute appropriate government-to-government consultation, but rather tools to obtain further information about the Project area. Therefore, the Tribe reserves its rights to participate in the formal environmental review process, including government-to-government consultation with the Lead Agency, and requests to be included in all correspondence regarding this Project.

Please note that we are interested in participating in surveys within 'Atáaxum/Luiseño Ancestral Territory. Prior to conducting any surveys, please contact the Cultural Department to schedule specifics. If you have any additional questions or comments, please contact me at pmacarro@pechanga-nsn.gov or 951-770-6306.

Sincerely,

Paul E. Macarro
Cultural Coordinator
Pechanga Reservation