APPENDIX N

Cultural Report

Cultural Resources Constraints Analysis for the Mission Bay Park Improvements Program, City of San Diego, San Diego County, California Dudek Project No. 10523

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Cultural Resources Constraints Analysis for the Mission Bay Park Improvements Program

NATIONAL ARCHAEOLOGICAL DATABASE (NADB) INFORMATION

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Firm:	Dudek with contributions by Tierra Environmental Services Inc.
Project Proponent:	City of San Diego-Planning Department
Report Date:	July 2025
Report Title:	Cultural Resources Constraints Analysis for the Mission Bay Park Improvements Program, City of San Diego, San Diego County
Type of Study:	Cultural Resources Constraints Analysis
Resources:	CA-SDI-005017; CA-SDI-11571; P-37-016522
USGS Quads:	La Jolla (1996) Township 16 South; Range 3 and 4
Acreage:	Approximately 4,235
Permit Numbers:	N/A
Keywords:	Mission Bay; intensive pedestrian survey; Kumeyaay; shell midden; lithic scatter; historic address; La Rinconada de Jamo

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MANAGEMENT SUMMARY

The Mission Bay Park Improvements Program (proposed program) is proposed by the City of San Diego (City) to restore wetlands, wildlife habitat, and other environmental assets within the Mission Bay Park Improvement Zone (Improvement Zone) consistent with the Mission Bay Park Master Plan. The City contracted Dudek to initiate the processing of a Program Environmental Impact Report (PEIR) in preparation for the proposed program. As a requirement of the PEIR, a cultural resources constraints analysis was conducted for the proposed program's area of potential effect (APE) by Dudek with contributions from Tierra Environmental Services (Tierra). This report has been prepared in accordance with the City of San Diego Historical Resources Guidelines.

The Improvement Zone APE, which encompasses the 4,235-acre Mission Bay Park, along with additional areas in all directions. The Improvement Zone APE is located within portions of unsectioned Pueblo Lands of Township 16 South, Ranges 3 and 4 West as shown on the La Jolla USGS 7.5' Quadrangle, San Bernardino Base Meridian (Figure 2, Program Vicinity Map). The Improvement Zone APE includes 25 individual projects (or Project Elements) analyzed in this report (Figure 3, Project Site).

This analysis included a records search of data obtained from the South Coastal Information Center (SCIC) at San Diego State University. The search identified 135 cultural resources within 0.25 miles of the Improvement Zone APE, 16 resources of which intersect the Improvement Zone APE. Two resources, CA-SDI-005017 and P-37-016522, intersects a proposed Project Element and another, CA-SDI-11571, is located adjacent to a proposed Project Element. The records search revealed that 192 archaeological studies have been previously conducted within 0.25 miles of the Improvement Zone APE, 66 of which cover portions of the Improvement Zone APE.

Pedestrian survey of the Project Elements was conducted by Dudek and Tierra Environmental archaeologists and Red Tail Environmental Native American monitors on June 13 and 17, 2019, and October 23, 2024, January 8, 2025, and March 26, 2025. The Project Elements have all been extensively developed ranging from pavement covered parking lots, to channeled creeks, to human engineered islands.

This study found that development of most of the Project Elements under the proposed program are unlikely to impact cultural resources, especially in highly developed areas that have undergone extensive topographic modifications, including the construction of landforms (islands) from dredged bay sands in the twentieth century. These areas do not require additional cultural review. However, development of two Project Elements within the proposed program do pose potential impacts to cultural resources. The Rose Creek Bike Path bisects the boundary of CA-SDI-005017; however, this Project Element area has been highly altered and intact cultural deposits are unlikely. During Native

American consultation, the City was informed that there is an increased potential to encounter unanticipated tribal cultural resources during ground-disturbing activities associated with the Seawall Bulkhead Restoration Project Element. Cultural monitoring per mitigation measure MM-CUL-01 is recommended during initial ground-disturbing activities associated with the Rose Creek Bike Path Project Element and the Seawall Bulkhead Restoration Project Element.

1 PROGRAM DESCRIPTION AND LOCATION

The Mission Bay Park Improvements Program (proposed program) is proposed by the City of San Diego (City) to restore wetlands, wildlife habitat, and other environmental assets within the Mission Bay Park Improvement Zone (Improvement Zone); to preserve the beneficial uses of the Improvement Zone including, but not limited to, water quality, boating, swimming, fishing, and picnicking by maintaining navigable waters and eliminating navigational hazards; to restore embankments and other erosion control features; and to improve the conditions of the Improvement Zone for the benefit and enjoyment of residents and visitors, consistent with the Mission Bay Park Master Plan. The City contracted Dudek to initiate the processing of a Program Environmental Impact Report (PEIR) in preparation for the proposed program. As a requirement of the PEIR, a cultural resources constraints analysis was conducted for the proposed program's area of potential effect (APE) by Dudek with contributions from Tierra Environmental Services (Tierra). The APE is defined in this report as the entire Improvement Zone. This report has been prepared in accordance with the City of San Diego Historical Resources Guidelines.

The Improvement Zone APE is in the westernmost portion of central City of San Diego (Figure 1, Mission Bay Park Improvements Program - Location). The program is located at the coastline in the City of San Diego bounded by the communities of Pacific Beach to the north, Ocean Beach to the south, Mission Beach to the west, and Interstate (I) 5 to the east. The Improvement Zone APE, which encompasses the 4,235-acre Mission Bay Park, along with additional areas in all directions. The Improvement Zone APE is located within portions of unsectioned Pueblo Lands of Township 16 South, Ranges 3 and 4 West as shown on the La Jolla USGS 7.5' Quadrangle, San Bernardino Base Meridian (Figure 2, Project Vicinity Map). The Improvement Zone APE includes 25 individual projects (or Project Elements) analyzed in this report (Figure 3, Project Site). Project Elements within the Mission Bay Park Improvement Zone APE are proposed for the following improvements: Bicycle and Pedestrian Improvements (n=3), Restoration of the Shoreline (n=8), Restoration of the Seawall Bulkhead (n=1), Upland Habitat and Preservation Expansion (n=7), and Wetland and Water Quality Improvements (n=6) (Figure 3). Project Element names are listed below in Table 1.

Table 1
Project Elements

Project Element	Project Type
Fiesta Island Causeway Path	Bicycle and Pedestrian Improvements
Ocean Beach Bike Path	Bicycle and Pedestrian Improvements
Rose Creek Bike Path	Bicycle and Pedestrian Improvements
Bahia Point Shoreline Restoration	Restoration of Shoreline

Table 1
Project Elements

Project Element	Project Type
Bonita Cove Restoration	Restoration of Shoreline
Crown Point Restoration	Restoration of Shoreline
Vacation Island NE Restoration	Restoration of Shoreline
Vacation Island NW Restoration	Restoration of Shoreline
Vacation Island SW Restoration	Restoration of Shoreline
Ventura Cove Park Restoration	Restoration of Shoreline
West Sail Bay Restoration	Restoration of Shoreline
Seawall Bulkhead Restoration	Restoration of the Seawall Bulkhead
Fiesta Island Site No. 1 South	Upland Habitat and Preservation Expansion
Fiesta Island Site No. 3 Near Youth Camping	Upland Habitat and Preservation Expansion
Fiesta Island Site No. 4 North	Upland Habitat and Preservation Expansion
Fiesta Island Site No. 5 Least Tern Preserve	Upland Habitat and Preservation Expansion
Sea World Drive/San Diego River Site No. 1a – Cloverleaf Area	Upland Habitat and Preservation Expansion
Sea World Drive/San Diego River Site No. 3c – Triangle Restoration Area	Upland Habitat and Preservation Expansion
Sea World Drive/San Diego River Site No. 4d – South Shores East Area	Upland Habitat and Preservation Expansion
Cudahy Creek Wetlands	Wetland and Water Quality Improvements
North Fiesta Island Wetland	Wetland and Water Quality Improvements
North Fiesta Island Wetland Stockpile Option 1	Wetland and Water Quality Improvements
North Fiesta Island Wetland Stockpile Option 2	Wetland and Water Quality Improvements
North Fiesta Island Wetland Stockpile Option 3	Wetland and Water Quality Improvements
Tecolote Creek and Fiesta Island Causeway	Wetland and Water Quality Improvements

This report documents the results of the proposed program archaeological resources records search, pedestrian survey, and Native American participation. The goal of this constraints analysis is to provide data to the City to aid in the management of archaeological and tribal cultural resources during implementation of the proposed program.

1.1 REGULATORY CONTEXT

The proposed program is subject to state and local regulations regarding cultural resources. The following section provides a summary of the applicable regulations, policies, and guidelines relating to the proper management of cultural resources for the proposed program.

1.1.1 CALIFORNIA REGISTER OF HISTORICAL RESOURCES (CALIFORNIA PUBLIC RESOURCES CODE SECTION 5020 ET SEQ.)

In California, the term "cultural 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 the California Register of Historical Resources (CRHR) "to be used by state and local agencies, private groups, and citizens to identify the state's cultural 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 Cultural Resources Commission determines that it is a significant resource and that it meets any of the following NRHP criteria (California Public Resources Code Section 5024.1[c]):

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

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 cultural resource surveys. The SHPO maintains the CRHR.

1.1.2 NATIVE AMERICAN HISTORIC CULTURAL SITES (CALIFORNIA PUBLIC RESOURCES CODE SECTION 5097 ET SEQ.)

The Native American Historic Resources Protection Act (Public Resources Code Section 5097 et seq.) 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 Native American Heritage Commission (NAHC) to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resources 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.

1.1.3 CALIFORNIA NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

The California Native American Graves Protection and Repatriation Act (CAL-NAGPRA), enacted in 2001, requires 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 CAL-NAGPRA also provides a process for the identification and repatriation of these items to the culturally affiliated tribes.

1.1.4 CALIFORNIA HEALTH AND SAFETY CODE SECTION 7050.5

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. California 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 7050.5b). 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 7050.5c). The NAHC will notify the Most Likely Descendant (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. The inspection must be completed within 24 hours of notification of the MLD by the NAHC. The MLD may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

1.1.5 CALIFORNIA ENVIRONMENTAL QUALITY ACT

As described further below, the following CEQA statutes and CEQA Guidelines are relevant to the analysis of historic, archaeological and tribal cultural 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): Defines cultural resources. In addition, CEQA Guidelines Section 15064.5(b) defines the phrase "substantial adverse change" in the significance of a cultural resource. It also defines the circumstances when a project would materially impair the significance of a cultural resource.
3. California Public Resources Code Section 21074 (a): defines "tribal cultural resources" and Section 21074(b): defines a "cultural landscape."
4. California Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(e): These statutes set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
5. California Public Resources Code Sections 21083.2(b)–(c) and CEQA Guidelines Section 15126.4: These statutes and regulations provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; identifies preservation-in-place as the preferred manner of mitigating impacts to significant archaeological sites.

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 [sic] cultural resource" (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5[b]). A "cultural resource" is any site listed or eligible for listing in the CRHR. The CRHR listing criteria are intended to examine whether the resource in question: (a) is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (b) is associated with the lives of persons important in our past; (c) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (d) has yielded, or may be likely to yield, information important in prehistory or history.

The term "cultural resource" also includes any site described in a local register of historic resources or identified as significant in a cultural resources survey (meeting the requirements of California Public Resources Code Section 5024.1[q]).

CEQA also applies to "unique archaeological resources." California Public Resources Code Section 21083.2(g) defines a "unique archaeological resource" as any 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

CEQA was amended in 2014 through Assembly Bill 52, which created a new category of "tribal culture resources" that must be considered under CEQA, and applies to all projects that file a notice of preparation (NOP) or notice of negative declaration or mitigated negative declaration on or after July 1, 2015. AB 52 requires lead agencies to provide notice to and begin consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of a project if that tribe has requested, in writing, to be kept informed of projects by the lead agency prior to the determination whether a negative declaration, mitigated negative declaration, or environmental impact report will be prepared. If a tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe. The bill also specifies mitigation measures that may be considered to avoid or minimize impacts on tribal cultural resources. Specifically, California Public Resources Code Section 21074 provides the following guidance:

(a) Tribal Cultural Resources are either of the following:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Cultural Resources.

(B) Included in a local register of cultural resources as defined in subdivision (k) of §5020.1.

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of §5024.1. In applying the criteria set forth in subdivision (c)

of §5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

All cultural resources and unique archaeological resources – as defined by statute – are presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code Section 21084.1; 14 CCR 15064.5[a]). The lead agency is not precluded from determining that a resource is a cultural resource even if it does not fall within this presumption (California Public Resources Code Section 21084.1; 14 CCR 15064.5[a]). A site or resource that does not meet the definition of "cultural resource" or "unique archaeological resource" is not considered significant under CEQA and need not be analyzed further (California Public Resources Code Section 21083.2[a]; 14 CCR 15064.5[c][4]).

Under CEQA and significant cultural impact results from a "substantial adverse change in the significance of an [sic] cultural resource [including a unique archaeological resource]" due to the "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a cultural resource would be materially impaired" (14 CCR 15064.5[b][1]; California Public Resources Code Section 5020.1[q]). In turn, according to 14 CCR 15064.5(b)(2), the significance of a cultural resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an cultural 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 cultural resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in an cultural 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 cultural 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.

Pursuant to these sections, the CEQA first evaluates evaluating whether a project site contains any "cultural resources," then assesses whether that project will cause a substantial adverse change in the significance of a cultural resource such that the resource's historical significance is materially impaired.

When a project significantly affects a unique archaeological resource, CEQA imposes special mitigation requirements. Specifically, California Public Resources Code Sections 21083.2(b)(1)–21083.2(b)(4) states:

> [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.

If these "preservation in place" options are not feasible, mitigation may be accomplished through data recovery (California Public Resources Code Section 21083.2[d]; 14 CCR 15126.4[b][3][C]). California 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.

These same requirements are set forth in slightly greater detail in CEQA Guidelines Section 15126.4(b)(3), as follows:

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.

C. When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the cultural resource, shall be prepared and adopted prior to any excavation being undertaken.

Note that, when conducting data recovery, "[i]f an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation" (14 CCR 15126.4[b][3]). However, "[d]ata recovery shall not be required for an cultural 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 Cultural resources Regional Information Center" (14 CCR 15126.4[b][3][D]).

Finally, CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are set forth in California Public Resources Code Section 5097.98.

1.1.6 CITY OF SAN DIEGO SIGNIFICANCE DETERMINATION THRESHOLDS

As lead agency, the City implements its CEQA Significance Determination Thresholds (City of San Diego 2016) to assess whether a proposed program may have a significant effect on the environment. Included in this document are the Initial Study Checklist Questions and Significance Thresholds.

Initial Study Checklist Questions

1. Would the proposed program result in an alteration, including the adverse physical or aesthetic effects and/or the destruction of a prehistoric or historic building (including an architecturally significant building), structure, or object or site?
2. Would the proposed program result in any impact to existing religious or sacred uses within the potential impact area?
3. Would the proposed program result in the disturbance of any human remains, including those interred outside of formal cemeteries?

Significance Thresholds

Federal, state, and local criteria have been established for the determination of historical resource significance. The Historical Resources Regulations of the Land Development Code pertain only to historical resources that meet the definitions contained in Chapter 11, Article 3, Division 1 of the code and may differ from the definition of historical resources in these Guidelines and from a determination of significance under CEQA.

1.1.7 CITY OF SAN DIEGO HISTORICAL RESOURCE REGULATIONS

The City's Historical Resources Regulations (San Diego Municipal Code [SDMC] Chapter 14, Article 3, Division 2) were adopted in January 2000, providing a balance between sound historic preservation principles and the rights of private property owners. The Regulations have been developed to implement applicable local, state, and federal policies and mandates. Included in these are the General Plan, CEQA, and Section 106 of the National Historic Preservation Act of 1966. Historical resources, in the context of the City's regulations, include site improvements, buildings, structures, historic districts, signs, features (including significant trees or other landscaping), places, place names, interior elements and fixtures designated in conjunction with a property, or other objects of historical, archaeological, scientific, educational, cultural, architectural, aesthetic, or traditional significance to the citizens of the city. These include structures, buildings, archaeological sites, objects, districts, or landscapes having physical evidence of human activities. These resources are usually over 45 years old, and they may have been altered or still be in use.

Compliance with the Regulations begins with the determination of the need for a site-specific survey for a project. Pursuant to SDMC Section 143.0212(a), a historic property (built environment) survey can be required for any parcel containing a structure that is over 45 years old and appears to have integrity of setting, design, materials, workmanship, feeling, and association. SDMC Section 143.0212(b) requires that historical resource sensitivity maps be used to identify properties in the

city that have a probability of containing historic or prehistoric archaeological sites. These maps are based on records of the California Historical Resources Information System (CHRIS) maintained by the South Coastal Information Center (SCIC) at San Diego State University, archival research from the San Diego Museum of Man, and site-specific information in the City's files. If records show an archaeological site exists on or immediately adjacent to a subject property, the City would require a survey. In general, archaeological surveys are required when the proposed development is on a previously undeveloped parcel, if a known resource is recorded on the parcel or within a 1-mile radius, or if a qualified consultant or knowledgeable City staff member recommends it. In both cases, the determination for the need to conduct a site-specific survey must be made in 10 days for a construction permit (ministerial) or 30 days for a development permit (discretionary) pursuant to SDMC Section 143.0212(c).

SDMC Section 143.0212(d) states that if a property-specific survey is required, it shall be conducted according to the criteria included in the City's Historical Resources Guidelines. Using the survey results and other available applicable information, the City shall determine whether a historical resource exists, whether it is eligible for designation as a designated historical resource, and precisely where it is located.

The City of San Diego Historical Resources Guidelines

Historical Resources Guidelines (City of San Diego 2001) are incorporated in the San Diego Land Development Manual by reference. The Guidelines establish a development review process to review projects in the City. This process is composed of two aspects: the implementation of the Historical Resources Regulations and the determination of impacts and mitigation under CEQA. The Guidelines provide property owners, the development community, consultants and the general public with explicit guidelines for the management of historical resources located within the jurisdiction of the City of San Diego. These guidelines are designed to implement the City's Historical Resources Regulations contained in the Land Development Code (Chapter 14, Division 3, Article 2) in compliance with applicable local, state, and federal policies and mandates, including, but not limited to, the City's General Plan, the California Environmental Quality Act of 1970, and Section 106 of the National Historic Preservation Act of 1966. The intent of the guidelines is to ensure consistency in the management of the City's historical resources, including identification, evaluation, preservation/mitigation and development.

The City's Historical Resources Guidelines (City of San Diego 2001) observe that:

> Historical resources include all properties (historic, archaeological, landscapes, traditional, etc.) eligible or potentially eligible for the National Register of Historic Places, as well as those that may be significant pursuant to state and local laws and

> registration programs such as the California Register of Historical Resources or the City of San Diego Historical Resources Register. "Historical resource" means site improvements, buildings, structures, historic districts, signs, features (including significant trees or other landscaping), places, place names, interior elements and fixtures designated in conjunction with a property, or other objects of historical, archaeological, scientific, educational, cultural, architectural, aesthetic, or traditional significance to the citizens of the City. They include buildings, structures, objects, archaeological sites, districts or landscapes possessing physical evidence of human activities that are typically over 45 years old, regardless of whether they have been altered or continue to be used. Historical resources also include traditional cultural properties. The following definitions are based, for the most part, on California's Office of Historic Preservation's (OHP) Instructions for Recording Historical Resources and are used to categorize different types of historical resources when they are recorded

The purpose and intent of the Historical Resources Regulation of the Land Development Code (City of San Diego 2018) is outlined as follows:

> To protect, preserve and, where, damaged, restore the cultural resources of San Diego. The regulations apply to all development within the City of San Diego when cultural resources are present within the premises regardless of the requirement to obtain Neighborhood Development Permit or Site Development Permit.

The City's General Plan PEIR (City of San Diego 2008) states the following:

> The Historical Resources Regulations require that designated cultural resources and traditional cultural properties be preserved unless deviation findings can be made by the decision maker as part of a discretionary permit. Minor alterations consistent with the U.S. Secretary of the Interior's Standards are exempt from the requirement to obtain a separate permit but must comply with the regulations and associated cultural resources guidelines. Limited development may encroach into important archaeological sites if adequate mitigation measures are provided as a condition of approval.
>
> Historical Resources Guidelines, located in the Land Development Manual, provide property owners, the development community, consultants and the general public explicit guidance for the management of cultural resources located within the City's jurisdiction. These guidelines are designed to implement the cultural resources regulations and guide the development review process from the need for a survey

and how impacts are assessed to available mitigation strategies and report requirements and include appropriate methodologies for treating cultural resources located in the City.

In general, the City's cultural resources regulations build on federal and state cultural resources laws and guidelines to streamline the process of considering impacts to cultural resources within the City's jurisdiction, while maintaining that some resources not significant under federal or state law may be considered historical under the City's guidelines. To apply the criteria and determine the significance of potential project impacts to a cultural resource, the APE of the project must be defined for both direct impacts and indirect impacts. Indirect impacts can include increased public access to an archaeological site, or visual impairment of a historically significant view shed related to a historic building or structure.

1.2 PROJECT PERSONNEL

Matthew DeCarlo, MA, served as project manager and Principal Investigator, participated in the field surveys, and co-authored the technical report. Micah Hale, PhD, RPA, and Brad Comeau, MS, RPA, co-authored the technical report. Dudek archaeologist Philip Sharp-Garcia led a field survey. Tierra archaeologists Hillary Murphy and Michael Baksh led field surveys and co-authored the technical report, respectively. Banning Taylor, Alisa Contreras, Keadan Graham, and Gail Kenyon of Red Tail Environmental Inc. participated in the survey as Native American monitor. Surveys were conducted on June 13 and 17, 2019, October 23, 2024, January 8, 2025, and March 26, 2025.

1.3 REPORT STRUCTURE

Following this introduction, a cultural and environmental context is provided for characterizing cultural resources. The results of the archival research follow. Next, survey methods are reviewed. A description of the survey follows, then the management considerations. Confidential Appendix A, SCIC Records Search Results, Appendix B, Native American Heritage Commission Search, and Confidential Appendix C, Cultural Resources Proximity to Project Elements, are attached separately.

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2 SETTING

2.1 NATURAL SETTING

Mission Bay is an aquatic park composed of 4,235 acres. Originally a marshland, the City decided to develop Mission Bay "into a tourist and recreational center to help diversify the City's economy" (City of San Diego 2019). Over a period of 20 years between the 1940s and 1960s, Mission Bay was dredged, and park lands were established (City of San Diego 2019). Fiesta Island and Vacation Island are manufactured island parks resulting from this effort. The elevation of the Improvement Zone APE ranges from sea level to roughly 20 feet above mean sea level.

For detailed discussion relating to the environmental context of this area, please consult the biological, geological, and other technical studies prepared for the proposed program.

2.2 CULTURAL SETTING

Evidence for continuous human occupation in the San Diego region spans the last 10,000 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: Paleoindian (pre-5500 BC), Archaic (8000 BC–AD 500), Late Prehistoric (AD 500–1769), and Ethnohistoric (post-AD 1769). It is important to note that 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.

2.2.1 TRIBAL CULTURAL CONTEXT

The Kumeyaay (also known as the Ipay/Tipay) have roots that extend thousands of years in San Diego County and northern Baja California. The pre-contact cultural sequences are locally characterized by the material culture recovered during archaeological investigations as early as the 1920s, and through early accounts of Native American life in San Diego, recorded as a means to salvage scientific knowledge of native lifeways. The best information of Native American lifeways, however, comes from the Kumeyaay themselves, from the stories and songs passed down through

the generations, in their own words. According to ethnographies based on interviews with local tribal elders, there are hundreds of words that describe a given landform, showing a close connection with nature. There are also stories associated with the land. The San Diego area in general, including Old Town, the San Diego River Valley and the City as it existed as late as the 1920s, was known as qapai (meaning uncertain). According to Kumeyaay elder Jane Dumas, some native speakers referred to what is now I-8 as oon-ya, meaning trail or road, describing one of the main routes linking the interior of San Diego with the coast. The Kumeyaay are the identified Most Likely Descendants for all Native American human remains found in the City.

2.2.2 PALEOINDIAN (PRE-5500 BC)

Evidence for Paleoindian occupation in coastal Southern California is tenuous, especially since 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, in La Jolla. A human burial from P-37-004669 was radiocarbon dated to 9,590–9,920 years before present (95.4% 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 ground stone, 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 ground stone 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).

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 before present [BP]) that submerged as much as 1.8 km (1.1 miles) 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 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) is representative of typical Paleoindian occupation in the San Diego 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 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 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 on 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 1990).

2.2.3 ARCHAIC (8000 BC–AD 500)

The more than 1,500-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 region. If San Dieguito is the only recognized Paleoindian component in the San Diego 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 region (Hale 2001, 2009).

The Archaic pattern is relatively easy to define with assemblages that consist primarily of processing tools: milling stones, hand stones, battered cobbles, heavy crude scrapers, incipient flake-based tools, and cobble-core reduction. These assemblages occur in all environments across the San Diego 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 are 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 milling stones and hand stones decrease in proportion relative to expedient, unshaped ground stone tools (Hale 2009). Thus, the terminus of the Archaic period is equally hard to define as its beginning because basic assemblage constituents and patterns of manufacturing investment remain stable, complemented only by the addition of the bow and ceramics.

2.2.4 LATE PREHISTORIC (AD 500–1769)

The period of time following the Archaic and prior to Ethnohistoric times (AD 1769) is commonly referred to as the Late Prehistoric (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 1980), while the same period in southern San Diego County is called the Cuyamaca Complex and is thought to extend from AD 500 until Ethnohistoric times (Meighan 1959). 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 and Cuyamaca complexes 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 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. For southern San Diego County, the picture is less clear. The Cuyamaca Complex is the southern counterpart to the San Luis Rey pattern, however, and is most recognizable after AD 1450 (Hector 1984). Similar to True (1980), Hale (2009) argued that an acorn economy did not appear in the southern San Diego region until just prior to Ethnohistoric times, and that when it did occur, a major shift in social organization followed.

2.2.5 ETHNOHISTORIC (POST-AD 1769)

The history of the Native American communities prior to the mid-1700s has largely been reconstructed through later mission-period and early ethnographic accounts. The first records of the Native American inhabitants of the San Diego region come predominantly from European merchants, missionaries, military personnel, and explorers. These brief, and generally peripheral, accounts were prepared with the intent of furthering respective colonial and economic aims and were combined with observations of the landscape. They were not intended to be unbiased accounts regarding the cultural structures and community practices of the newly encountered cultural groups. The establishment of the missions in the San Diego region brought more extensive documentation of Native American communities, though these groups did not become the focus of formal and in-depth ethnographic study until the early twentieth century (Boscana 1846; Fages 1937; Geiger and Meighan 1976; Harrington 1934; Laylander 2000). The principal intent of these researchers was to record the pre-contact, culturally specific practices, ideologies, and languages that had survived the destabilizing effects of missionization and colonialism. This research, often understood as “salvage ethnography,” was driven by the understanding that traditional knowledge was being lost due to the impacts of modernization and cultural assimilation. Alfred Kroeber applied his “memory culture” approach (Lightfoot 2005, p. 32) by recording languages and oral histories within the San Diego region. Kroeber’s 1925 assessment of the impacts of Spanish missionization on local Native American populations supported Kumeyaay traditional cultural continuity (Kroeber 1925, p. 711):

> San Diego was the first mission founded in upper California; but the geographical limits of its influence were the narrowest of any, and its effects on the natives comparatively light. There seem to be two reasons for this: first, the stubbornly resisting temper of the natives; and second, a failure of the rigorous concentration policy enforced elsewhere.

In some ways this interpretation led to the belief that many California Native American groups simply escaped the harmful effects of contact and colonization all together. This, of course, is untrue. Ethnographic research by Dubois, Kroeber, Harrington, Spier, and others during the early

twentieth century seemed to indicate that traditional cultural practices and beliefs survived among local Native American communities. These accounts supported, and were supported by, previous governmental decisions that made San Diego County the location of more federally recognized tribes than anywhere else in the United States: 18 tribes on 18 reservations that cover more than 116,000 acres (CSP 2009).

The traditional cultural boundaries between the Luiseño and Kumeyaay Native American tribal groups have been well defined by anthropologist Florence C. Shipek (as summarized in County of San Diego 2007, p. 6):

> In 1769, the Kumeyaay national territory started at the coast about 100 miles south of the Mexican border (below Santo Tomas), thence north to the coast at the drainage divide south of the San Luis Rey River including its tributaries. Using the U.S. Geological Survey topographic maps, the boundary with the Luiseño then follows that divide inland. The boundary continues on the divide separating Valley Center from Escondido and then up along Bear Ridge to the 2240 contour line and then north across the divide between Valley Center and Woods Valley up to the 1880-foot peak, then curving around east along the divide above Woods Valley.

Based on ethnographic information, it is believed that at least 88 different languages were spoken from Baja California Sur to the southern Oregon state border at the time of Spanish contact (Johnson and Lorenz 2006, p. 34). The distribution of recorded Native American languages has been dispersed as a geographic mosaic across California through six primary language families (Golla 2007, p. 71). Based on the project location, the Native American inhabitants of the region would have likely spoken both the Ipai and Tipai language subgroup of the Yuman language group. Ipai and Tipai, spoken respectively by the northern and southern Kumeyaay communities, are mutually intelligible. For this reason, these two are often treated as dialects of a larger Kumeyaay tribal group rather than as distinctive languages, though this has been debated (Luomala 1978; Laylander 2010).

Victor Golla has contended that one can interpret the amount of variability within specific language groups as being associated with the relative “time depth” of the speaking populations (Golla 2007, p. 80) A large amount of variation within the language of a group represents a greater time depth then a group’s language with less internal diversity. One method that he has employed is by drawing comparisons with historically documented changes in Germanic and Romantic language groups. Golla has observed that the “absolute chronology of the internal diversification within a language family” can be correlated with archaeological dates (Golla 2007, p. 71). This type of interpretation is modeled on concepts of genetic drift and gene flows that are associated with migration and population isolation in the biological sciences.

Golla suggested that there are two language families associated with Native American groups who traditionally lived throughout the San Diego County region. The northern San Diego tribes have traditionally spoken Takic languages that may be assigned to the larger Uto–Aztecan family (Golla 2007, p. 74). These groups include the Luiseño, Cupeño, and Cahuilla. Golla has interpreted the amount of internal diversity within these language-speaking communities to reflect a time depth of approximately 2,000 years. Other researchers have contended that Takic may have diverged from Uto–Aztecan ca. 2600 BC–AD 1, which was later followed by the diversification within the Takic-speaking San Diego tribes, occurring approximately 1500 BC–AD 1000 (Laylander 2010). The majority of Native American tribal groups in southern San Diego region have traditionally spoken Yuman languages, a subgroup of the Hokan Phylum. Golla has suggested that the time depth of Hokan is approximately 8,000 years (Golla 2007, p. 74). The Kumeyaay tribal communities share a common language group with the Cocopa, Quechan, Maricopa, Mojave, and others to east, and the Kiliwa to the south. The time depth for both the Ipai (north of the San Diego River, from Escondido to Lake Henshaw) and the Tipai (south of the San Diego River, the Laguna Mountains through Ensenada) is approximated to be 2,000 years at the most. Laylander has contended that previous research indicates a divergence between Ipai and Tipai to have occurred approximately AD 600–1200 (Laylander 1985). Despite the distinct linguistic differences between the Takic-speaking tribes to the north, the Ipai-speaking communities in central San Diego, and the Tipai-speaking southern Kumeyaay, attempts to illustrate the distinctions between these groups based solely on cultural material alone have had only limited success (Pigniolo 2004; True 1966).

The Kumeyaay generally lived in smaller family subgroups that would inhabit two or more locations over the course of the year. While less common, there is sufficient evidence that there were also permanently occupied villages, and that some members may have remained at these locations throughout the year (Owen 1965; Shipek 1982, 1985; Spier 1923). Each autonomous triblet was internally socially stratified, commonly including higher-status individuals such as a tribal head (Kwaaypay), shaman (Kuseyaay), and general members with various responsibilities and skills (Shipek 1982). Higher-status individuals tended to have greater rights to land resources, and owned more goods, such as shell money and beads, decorative items, and clothing. To some degree, titles were passed along family lines; however, tangible goods were generally ceremonially burned or destroyed following the deaths of their owners (Luomala 1978). Remains were cremated over a pyre and then relocated to a cremation ceramic vessel that was placed in a removed or hidden location. A broken metate was commonly placed at the location of the cremated remains, with the intent of providing aid and further use after death. At maturity, tribal members often left to other bands to find a partner. The families formed networks of communication and exchange around such partnerships.

Areas or regions, identified by known physical landmarks, could be recognized as band-specific territories that might be violently defended against use by other members of the Kumeyaay. Other areas or resources, such as water sources and other locations that were rich in natural resources, were generally understood as communal land to be shared amongst all the Kumeyaay (Luomala 1978). The coastal Kumeyaay exchanged a number of local goods, such as seafood, coastal plants, and various types of shell for items including acorns, agave, mesquite beans, gourds, and other more interior plants of use (Luomala 1978). Shellfish would have been procured from three primary environments, including the sandy open coast, bay and lagoon, and rocky open coast. The availability of these marine resources changed with the rising sea levels, siltation of lagoon and bay environments, changing climatic conditions, and intensity of use by humans and animals (Gallegos and Kyle 1988; Pigniolo 2005; Warren 1964). Shellfish from sandy environments included *Donax*, *Saxidomus*, *Tivela*, and others. Rocky coast shellfish dietary contributions consisted of *Pseudochama*, *Megastraea*, *Saxidomus*, *Protothaca*, *Megathura*, *Mytilus*, and others. Lastly, the bay environment would have provided *Argopecten*, *Chione*, *Ostrea*, *Neverita*, *Macoma*, *Tagelus*, and others. Although marine resources were obviously consumed, terrestrial animals and other resources likely provided a large portion of sustenance. Game animals consisted of rabbits, hares (Leporidae), birds, ground squirrels, woodrats (*Neotoma* sp.), deer, bears, mountain lions (*Puma concolor*), bobcats (*Lynx rufus*), coyotes (*Canis latrans*), and others. In lesser numbers, reptiles and amphibians may have been consumed.

A number of local plants were used for food and medicine. These were exploited seasonally and were both traded between regional groups and gathered as a single triblet moved between habitation areas. Some of the more common of these that might have been procured locally or as higher elevation varieties would have included buckwheat (*Eriogonum fasciculatum*), *Agave*, *Yucca*, lemonade sumac (*Rhus integrifolia*), sugarbush (*Rhus ovata*), sage scrub (*Artemisia californica*), yerba santa (*Eriodictyon* sp.), sage (*Salvia* sp.), *Ephedra*, prickly pear (*Opuntia* sp.), mulefat (*Baccharis salicifolia*), chamise (*Adenostoma fasciculatum*), elderberry (*Sambucus nigra*), oak (*Quercus* sp.), willow (*Salix* sp.), and *Juncus* grass among many others (Wilken 2012).

2.2.6 HISTORIC PERIOD (POST-AD 1542)

San Diego history can be divided into the Spanish Period (1769–1821), Mexican Period (1821–1846) and American Period (1846–Present). European activity in the region began as early as AD 1542, when Juan Rodríguez Cabrillo landed in San Diego Bay. Sebastián Vizcaíno returned in 1602, and it is possible that there were subsequent contacts that went unrecorded. These brief encounters made the local native people aware of the existence of other cultures that were technologically more complex than their own. Epidemic diseases may also have been introduced into the region at an early date, either by direct contacts with the infrequent European visitors or through waves of

diffusion emanating from native peoples farther to the east or south (Preston 2002). It is possible, but as yet unproven, that the precipitous demographic decline of native peoples had already begun prior to the arrival of Gaspar de Portolá and Junípero Serra in 1769.

The Spanish colonization of Alta California began in 1769 with the founding of Mission San Diego de Alcalá by Father Junípero Serra. Concerns over Russian and English interests in California motivated the Spanish government to send an expedition of soldiers, settlers and missionaries to occupy and secure the northwestern borderlands of New Spain through the establishment of a Presidio, Mission, and Pueblo. The Spanish explorers first camped on the shore of the bay in the area that is now downtown San Diego. Lack of water at this location, however, led to moving the camp on May 14, 1769, to a small hill closer to the San Diego River and near the Kumeyaay village of Cosoy. Father Junípero Serra arrived in July of the same year to find the Presidio serving mostly as a hospital. The Spanish built a primitive mission and presidio structure on the hill near the river.

Bad feelings soon developed between the native Kumeyaay and the soldiers, resulting in construction of a stockade, which, by 1772, included barracks for the soldiers, a storehouse for supplies, a house for the missionaries and the chapel, which had been improved. The log and brush huts were gradually replaced with buildings made of adobe bricks. Flat earthen roofs were eventually replaced by pitched roofs with rounded roof tiles. Clay floors were eventually lined with fired brick.

In August 1774, the Spanish missionaries moved the Mission San Diego de Alcalá to its present location 6 miles up the San Diego River valley (modern Mission Valley) near the Kumeyaay village of Nipaguay. Begun as a thatched chapel and compound built of willow poles, logs and tules, the new mission was sacked and burned in the Kumeyaay uprising of November 5, 1775. The first adobe chapel was completed in October 1776 and the present church was begun the following year. A succession of building programs through 1813 resulted in the final rectilinear plan that included the church, bell tower, sacristy, courtyard, residential complex, workshops, corrals, gardens, and cemetery. Orchards, reservoirs and other agricultural installations were built to the south on the lower San Diego River alluvial terrace and were irrigated by a dam and aqueduct system. The initial Spanish occupation and mission system brought about profound changes in the lives of the Kumeyaay people. Substantial numbers of the coastal Kumeyaay were forcibly brought into the mission or died from introduced diseases.

As early as 1791, presidio commandants in California were given the authority to grant small house lots and garden plots to soldiers and their families and sometime after 1800, soldiers and their families began to move down the hill near the San Diego River. Historian William Smythe noted that Don Blas Aguilar, who was born in 1811, remembered at least 15 such grants below Presidio Hill by

1821, of which only 5 (within the boundaries of what would become Old Town) had houses in 1821. These included the home of retired commandant Francisco Ruiz Adobe (which is now known as the Carrillo Adobe), another building later owned by Henry Fitch on Calhoun Street, the Ybanes and Serrano houses on Juan Street near Washington Street, and a small adobe house on the main plaza owned by Juan Jose Maria Marron.

In 1822, the political situation changed as Mexico won its independence from Spain and San Diego became part of the Mexican Republic. The Mexican Government opened California to foreign trade; began issuing private land grants in the early 1820s, creating the rancho system of large agricultural estates; secularized the Spanish missions in 1833; and oversaw the rise of the civilian pueblo. By 1827, as many as 30 homes existed around the central plaza and in 1835, Mexico granted San Diego official pueblo (town) status. At this time the town had a population of nearly 500 residents, later reaching a peak of roughly 600. By 1835, the presidio, once the center of life in Spanish San Diego, had been abandoned and lay in ruins. Mission San Diego de Alcalá fared little better. The town and the ship landing area at La Playa were now the centers of activity in Mexican San Diego. However, the new Pueblo of San Diego did not prosper as did some other California towns during the Mexican Period.

The secularization in San Diego County triggered increased Native American hostilities against the Californios during the late 1830s. The attacks on outlying ranchos, along with unstable political and economic factors helped San Diego's population decline to around 150 permanent residents by 1840. San Diego's official pueblo status was removed by 1838, and it was made a subprefecture of the Los Angeles Pueblo. When the Americans took over after 1846, the situation had stabilized somewhat, and the population had increased to roughly 350 non-Native American residents. The Native American population continued to decline, as Mexican occupation brought about continued displacement and acculturation of Native American populations.

The American Period began in 1846 when United States military forces occupied San Diego, and this period continues today. When United States military forces occupied San Diego in July 1846, the town's residents split on their course of action. Many of the town's leaders sided with the Americans, while other prominent families opposed the United States invasion. In December 1846, a group of Californios under Andres Pico engaged United States Army forces under General Stephen Kearney at the Battle of San Pasqual and inflicted many casualties. However, the Californio resistance was defeated in two small battles near Los Angeles and effectively ended by January 1847. The Americans assumed formal control with the Treaty of Guadalupe–Hidalgo in 1848 and introduced Anglo culture and society, American political institutions, and especially American entrepreneurial commerce. In 1850, the Americanization of San Diego began to develop rapidly.

On February 18, 1850, the California state legislature formally organized San Diego County. The first elections were held at San Diego and La Playa on April 1, 1850, for county officers. San Diego grew slowly during the next decade. San Diegans attempted to develop the town's interests through a transcontinental railroad plan and the development of a new town closer to the bay. The failure of these plans, added to a severe drought that crippled ranching and the onset of the Civil War, left San Diego as a remote frontier town. The troubles led to a drop in the town's population from 650 in 1850 to 539 in 1860. Not until land speculator and developer Alonzo Horton arrived in 1867 did San Diego begin to develop fully into an active American town.

Alonzo Horton's development of a New San Diego (modern downtown) in 1867 began to swing the community focus away from Old Town and began the urbanization of San Diego. Expansion of trade brought an increase in the availability of building materials. Wood buildings gradually replaced adobe structures. Some of the earliest buildings to be erected in the American Period were "pre-fab" houses that were built on the east coast of the United States and shipped in sections around Cape Horn and reassembled in San Diego. Development spread from downtown based on a variety of factors, including the availability of potable water and transportation corridors. Factors such as views and access to public facilities affected land values, which in turn affected the character of neighborhoods that developed. During the Victorian Era of the late 1800s and early 1900s, the areas of Golden Hill, Uptown, Banker's Hill and Sherman Heights were developed. Examples of the Victorian Era architectural styles remain in these communities, as well as in Little Italy, which developed at the same time. At the time downtown was being built, there began to be summer cottage/retreat development in what are now the Beach communities and La Jolla area. The early structures in these areas were not of substantial construction; they were primarily for temporary vacation housing.

The historic context of the current program area has been thoroughly discussed in the technical study for the Mission Bay ReWild Project (Everest 2016). The information provided below has been cited directly from this previous study.

Mission Bay remained a tidal marsh until the Army Corps of Engineers attempted to reroute the terminus of the San Diego River into the bay in 1853. The rerouting structure, known as the Derby Dike, lasted 2 years until it was washed away by a flood. Besides this temporary development, Mission Bay was largely undeveloped and used as sheep pasture and outdoor sports until the 1880s when the bay's commercial potential was realized.

In the 1920s, entrepreneur John D. Spreckels subdivided Mission Beach, constructed an amusement park, and build the La Jolla Streetcar. In 1929, Mission Bay was incorporated into the California State Park System, but the Great Depression and World War II delayed any further developments.

2.3 RECORDS SEARCH RESULTS

An examination of existing maps, records, and reports was conducted by Tierra and Dudek to determine if the proposed program could potentially impact previously recorded cultural resources. Dudek conducted a records search in June 2019 at the South Coastal Information Center (SCIC) at San Diego State University. The search encompassed the APE and a 0.25-mile buffer around the APE. The purpose of the records search is to identify any previously recorded resources that may be located in or adjacent to the area and to identify previous studies in the vicinity. In addition to a review of previously prepared site records and reports, the records search also reviewed historical maps of the area, ethnographies, the NRHP, the CRHR, the California Historic Property Data File, and the lists of California State Historical Landmarks, California Points of Historical Interest, and Archaeological Determinations of Eligibility.

2.3.1 PREVIOUSLY IDENTIFIED CULTURAL RESOURCES

The records search identified 135 cultural resources within 0.25 miles of the Improvement Zone APE (Confidential Appendix A), 16 resources of which intersect the Improvement Zone APE (Table 2). The prehistoric sites include three lithic and shell scatters and the ethnographic village of La Rinconada de Jamo. The historic-period sites include four historic buildings, a bridge, a railroad bridge, the Beach Cottage Community Plan Area District, and Ocean Front Walk including a historic sea wall and boardwalk. Two resources, CA-SDI-005017 and P-37-016522, intersects a proposed program Element and another, CA-SDI-11571, is located adjacent to a proposed program Element.

Table 2
Previously Identified Cultural Resources within Mission Bay Improvement Zone APE

Primary No	Trinomial	Era	Description	CEQA Evaluation Status	Intersects
P-37-000045	CA-SDI-000045	Prehistorical	Ocean Beach Gateway Archaeological Site	Unevaluated	Improvement Zone APE
P-37-000047	CA-SDI-000047	Prehistoric	Shell midden	Partially evaluated not significant	Improvement Zone APE
P-37-005017	CA-SDI-005017	Prehistoric	Village Of Rinconada	Significant	Rose Creek Bike Path

Table 2
Previously Identified Cultural Resources within Mission Bay Improvement Zone APE

Primary No	Trinomial	Era	Description	CEQA Evaluation Status	Intersects
P-37-011571	CA-SDI-011571	Prehistoric	Artifact scatter	Partially evaluated not significant	Improvement Zone APE
P-37-016166	N/A	Historical	Historical structure	Appears locally significant	Improvement Zone APE
P-37-016167	N/A	Historical	Historical structure	Appears locally significant	Improvement Zone APE
P-37-016168	N/A	Historical	Historical structure	Appears locally significant	Improvement Zone APE
P-37-016170	N/A	Historical	Historical structure	Appears locally significant	Improvement Zone APE
P-37-016522	N/A	Historical	Ocean Front Walk	Significant	Seawall Bulkhead Restoration
P-37-016543	N/A	Historical	Historical structure	Not significant	Improvement Zone APE
P-37-028406	N/A	Historical	Historical structure	Significant	Improvement Zone APE
P-37-029025	N/A	Historical	District: Beach Cottage Community Plan Area	Significant	Improvement Zone APE
P-37-034332	N/A	Historical	Railroad bridge	Not significant	Improvement Zone APE
P-37-034333	N/A	Historical	Bridge	Not significant	Improvement Zone APE
P-37-036520	N/A	Unknown	Unknown	Not evaluated	Improvement Zone APE
P-37-036521	N/A	Unknown	Unknown	Not Evaluated	Improvement Zone APE

Note: APE = area of potential effect; CEQA = California Environmental Quality Act; N/A = not applicable.

CA-SDI-005017 consists of La Rinconada de Jamo, an ethnohistoric Native American village located at the mouth of Rose Canyon. The CEQA significant resource was recorded by archaeologists in the late 1970s and described as a large habitation site including many cobble hearth features, scattered ground and flaked stone artifacts, and midden soil with burned shell. In 1986, an archaeological index of the site was constructed with the focus of documenting the extent and variation of the cultural deposit at the time to measure future preservation and research efforts. The index identified ground stone tools, flaked stone tools, ceramics, bone artifacts, shell, historic artifacts, charcoal, and other habitation debris. The presence of a ceramic pipe and red-tailed hawk remains was interpreted as evidence of ceremonial activities. The rich midden deposits reached a depth of at least 2 meters (approx. 6.5 feet). The site has been repeatedly tested and monitored for development efforts. All previous reports noted that the area has been highly modified and developed, much of the land being plowed by the 1970s. Despite the previous developments, midden soil was observed during excavations. While monitoring excavations for the installation of storm sewer improvements, archaeologists identified midden soil under fill soil as deep as 1.5 meter (approximately 5 feet). This resources boundary is very large and includes a large portion of the Rose Creek Bike Path Project Element.

CA-SDI-011571 was originally recorded as a prehistoric habitation site encompassing the Crown Point Peninsula. The site consists of midden soils, charcoal, ground stone and a lithic scatter. However, the land was developed into a residential neighborhood. ERC Environmental updated the site record in 1990 and noted exposed midden and a shell lens in exposed bluff walls, as well as a lithic tool at the base of the bluff. In 1992, Ogden Environmental and Energy Services conducted trenching yet observed no intact cultural features (Ogden 1992). Additional survey and construction monitoring efforts have occurred at individual residences within the original site boundary in past years. CA-SDI-011571 is located immediately adjacent to the Crown Point Restoration Project Element.

P-37-016522 is a historic sea wall and boardwalk that was initially constructed in 1925, 1928, 1940, and 1968. Also known as Ocean Front Walk or the Mission Beach Boardwalk, the sea wall and boardwalk extend from Thomas Avenue in the north to the Point Medonos Jetty in the south. Originally recorded in 1997 by San Diego City Engineers, the board walk and sea wall spans 2.4 miles between Pacific Beach and the Mission Beach jetty. In 1997, the Mission Beach Boardwalk was recommended eligible for the National Register of Historic Places (NRHP) for its strong association with the early development of the Mission Beach area (Criterion A) and as prime components of an award-winning landscape design by developer John D. Spreckels. The State Historic Preservation Officer, Cherilyn Widell, concurred with these findings, making P-37-016522 eligible for inclusion on the NRHP and significant under CEQA. The Seawall Bulkhead Restoration Project Element proposes alterations to P-37-016522.

2.3.2 PREVIOUS STUDIES

The records search revealed that 192 archaeological studies have been previously conducted within 0.25 miles of the Improvement Zone APE (Confidential Appendix A). Of the 192 studies, 66 studies cover portions of the Improvement Zone APE. One study contains information pertinent to the cultural sensitivity of a Project Element.

SD-2782

In 1990, Affinis conducted an archaeological resources inventory for the proposed installation of a sludge force main into Sunset Cliff Boulevard (Gross et al. 1991). An Affinis principal archaeologist visited the recorded location of CA-SDI-45 and noted that the area had been subject to heavy impacts from development. Affinis stated that CA-SDI-45 was located on the west side of Sunset Cliffs Boulevard but later stated that the recorded site location is “apparently now under Sunset Cliffs Boulevard.” The principal archaeologist noted the presence of shell in the road fill but that the shell is characteristic of dredge spoils common to the Mission Bay area. Affinis also reviewed engineering designs of Sunset Cliffs Boulevard, which show that the roadway was built on approximately 8 feet of fill. Affinis stated that if any portion of CA-SDI-45 remains, the deposits are beneath “several feet of fill soil” and any remnants of the site that are within the roadway are under approximately 8 feet of fill. Though they expected project trenching to be located within imported fill, Affinis recommended archaeological monitoring during construction. The current recorded site boundary of CA-SDI-45 is located outside of the Sunset Cliffs Boulevard right-of-way.

2.4 NATIVE AMERICAN HERITAGE COMMISSION SACRED LANDS FILE SEARCH AND TRIBAL CONSULTATION

Dudek requested a NAHC search of its Sacred Lands File on March 10, 2025, for the Improvement Zone APE. The Sacred Lands File consists of a database of known Native American resources. These resources may not be included in the SCIC database. The NAHC responded on March 25, 2025, with positive results, but it did not specify whether resources had been identified within the Improvement Zone APE (Appendix B). The NAHC additionally provided a list of Native American tribes and individuals/organizations with traditional geographic knowledge. Outreach letters were mailed on March 26, 2025, to all Native American group representatives included on the NAHC contact list (Appendix B). These letters attempt to solicit additional information relating to Native American resources that may be impacted by the Improvement Zone APE. To date, no responses have been received.

Under CEQA, the lead agency is required to perform formal government-to-government consultation with Native American Tribes under AB 52. In compliance with AB 52, the City met with

Lisa Cumper, Tribal Historic Preservation Officer for Jamul Indian Village. Ms. Cumper informed the City that there is an increased potential of encountering unanticipated Tribal Cultural Resources (TCR) during ground disturbing activities associated with the Seawall Bulkhead Restoration Project Element. Ms. Cumper stated that a natural source of pitch used by the Kumeyaay to adhere projectile points to shafts is located in the area and projectile points have been linked to the area of the seawall. Ms. Cumper recommended cultural monitoring during ground-disturbance associated with the Seawall Bulkhead Restoration Project Element.

AB 52 consultation between the City and tribal representatives is ongoing.

3 METHODS

The purpose of this study was to compile an inventory of all resources within the proposed Improvement Zone APE to determine possible impacts to cultural resources. To complete this study, a review of all known resources and the identification of any new resources were necessary. Because the proposed Improvement Zone APE is within a highly developed area, much of the APE has been previously inventoried and most resources have been previously identified. Due to the high level of development and vast area of the Improvement Zone APE, it was determined that pedestrian survey of the entire Improvement Zone APE was unnecessary. Pedestrian survey was conducted of the Project Elements to determine the possible impact of each project on known cultural resources and to ensure no previously unidentified resources are present.

3.1 SURVEY

The surveys of the Project Elements were conducted by Hillary Murphy of Tierra on June 13 and 17, 2019, by Dudek archaeologist Matthew DeCarlo on October 23, 2024, and January 8, 2025, and by Dudek archaeologist Philip Sharp-Garcia on March 26, 2025. Banning Taylor, Alisa Contreras, Keadan Graham, and Gail Kenyon of Red Tail Environmental participated in the pedestrian surveys as tribal monitors. The Project Elements have all been extensively developed ranging from pavement covered parking lots, to channeled creeks, to human engineered islands. Though some Project Elements were completely covered by pavement with no ground surface visibility, the survey teams conducted systematic pedestrian survey of each Project Element. The condition of each Project Element is described in Section 4, Results.

An iPad Air with georeferenced project maps and GPS capabilities was used to aid surveying and site recordation. Records of sites previously identified within the APE were loaded onto the iPad for field reference. Any documentation of cultural resources would have complied with the Office of Historic Preservation and Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716-44740) and the California Office of Historic Preservation Planning Bulletin

Number 4(a). All sites identified during this constraints analysis would have been recorded on California Department of Parks and Recreation Form DPR 523 (Series 1/95), using the Instructions for Recording Cultural Resources (Office of Historic Preservation 1995).

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4 RESULTS

This section presents the results of the pedestrian survey of the Project Elements for the proposed program.

4.1 FIESTA ISLAND CAUSEWAY PATH

The Fiesta Island Causeway Path Project Element is categorized as a Bicycle and Pedestrian Improvements project. The Project Element measures approximately 2,050 feet and is located at the entrance to Fiesta Island Road from East Mission Bay Drive. The Project Element is highly developed and consists of extant bike and walking paths, dirt parking lot, concrete sidewalks, and the asphalt covered land bridge potions of Fiesta Island Road (Exhibit 1). The entire area is developed, and no native soils were observed. Fiesta Island and the bank along East Mission Bay Drive were created by depositing dredged bay sand. No cultural materials were observed.

Exhibit 1. *Fiesta Island Causeway Path Project Element overview facing southwest.*

4.2 OCEAN BEACH BIKE PATH

The Ocean Beach Bike Path Project Element is categorized as a Bicycle and Pedestrian Improvements project. The Project Element measures approximately 5,020 feet and extends along the southern bank of the San Diego River outlet from the beach to Sea World Drive. The Project Element is highly developed and consists of an extant paved bike and walking trail that will be removed and replaced due to sub-standard conditions. The Project Element overlooks the San Diego River outlet bank, which has been highly modified and reenforced with rip rap (Exhibit 2). The Project Element landform is completely developed, and no native soils were observed. No cultural materials were observed.

Exhibit 2. *Ocean Beach Bike Path Project Element overview facing west.*

4.3 ROSE CREEK BIKE PATH

The Rose Creek Bike Path Project Element is categorized as a Bicycle and Pedestrian Improvements project. The Project Element extends 4,230 feet along the eastern bank of Rose Creek north of North Mission Bay Drive. The Project Element includes the removal and replacement of the existing nonstandard bike path. The path will be widened to 16 feet, requiring grading. The pedestrian survey revealed the Project Element area to be highly modified, including bank improvement and bridge overpasses (Exhibits 3 and 4). A portion of the Project Element bisects the boundary of cultural resource CA-SDI-005017, La Rinconada de Jamo, an ethnohistoric Native American village. The current pedestrian survey did not observe any cultural resources within the Project Element.

***Exhibit 3**. Extensive terrain modification along Rose Creek Bike Path; facing north.*

***Exhibit 4.** Channelization of Rose Creek along Rose Creek Bike Path; facing south.*

4.4 BAHIA POINT SHORELINE RESTORATION

The Bahia Point Shoreline Restoration Project Element is categorized as a Restoration of the Shoreline project located along the east-facing Bahia Point Shoreline. The parcel measures approximately 0.6 miles and 2.6 acres in size. The Project Element consists of a sandy beach adjacent to a public parking lot along its southern extent. The Project Element consists of varying stretches of narrow beach with a low ridge along its eastern boundary as it extends north along Bahia Point (Exhibit 5) and wide, open beach. The area is completely landscaped and adjacent to public parking and resort facilities. A linear transect was best utilized for the Project Element and visibility was excellent at 95%. No cultural resources were observed within the Bahia Point Shoreline Restoration Project Element.

Exhibit 5. *Bahia Point Shoreline Restoration overview of eastern boundary, facing north*.

4.5 BONITA COVE RESTORATION

The Bonita Cove Restoration Project Element is categorized as a Restoration of the Shoreline project. Located at the northwestern extent of Bonita Cove, the Project Element is 0.06 miles long and consists of approximately 0.6 acres. The Project Element consists of a sandy beach, which, at the time of the survey, had recently been modified by heavy machinery (Exhibit 6). The Project Element is bounded inland by landscaped grass, park facilities, and a parking lot. Ground visibility was 95%, and no cultural resources were identified.

Exhibit 6. *Overview of Bonita Cove Restoration Project Element; facing north.*

4.6 CROWN POINT RESTORATION

The Crown Point Restoration Project Element is categorized as a Restoration of the Shoreline project. The Project Element is located along the southwestern tip of the Crown Point Peninsula's shoreline and measures less than 1 acre and 0.25 miles in length. The shoreline is located along the boundary of cultural resource CA-SDI-11571, a collection of prehistoric artifacts deposits identified on Crown Point Peninsula. Archaeological resource deposits have been identified during utility and other ground-disturbing activities within the interior of Crown Point Peninsula between Riviera Drive on Crown Point Drive. However, the proposed Crown Point Restoration is separated from previous archaeological deposits by the Crown Point bluffs (Exhibit 7). A single, linear transect was utilized to adequately survey this parcel and visibility was excellent at 95%. No cultural resources were observed within the Project Element.

Exhibit 7. *Crown Point Restoration Project Element overview facing west from eastern boundary.*

4.7 VACATION ISLAND RESTORATION PROJECT ELEMENTS

Vacation Island has three Restoration of the Shoreline projects circumnavigating the island: Vacation Island NW Restoration, Vacation Island NE Restoration, and Vacation Island SW Restoration Project Elements. Collectively, the three segments measure just over 1 mile in length and approximately 2.5 acres. Linear transects were utilized to best survey these Project Elements. The survey area consisted of hard-packed soils with rock erosion control and sandy beaches (Exhibits 8 and 9). Visibility was excellent at 90%. No cultural resources were observed within the three Vacation Island Restoration Project Elements.

Exhibit 8. *Overview of Vacation Island SW Restoration Project Element; facing west.*

Exhibit 9. *Overview of Vacation Island NE Project Element; facing east.*

4.8 VENTURA COVE PARK RESTORATION

The Ventura Cove Park Restoration Project Element is categorized as a Restoration of the Shoreline project. The Project Element measures 0.1 mile in length and approximately 0.25 acres in size. The Project Element consists of hard-packed soils with rock erosion control, sod groundcover and sandy beaches (Exhibit 10). Linear transects were utilized to best survey this Project Element and visibility was excellent at 90%. No cultural resources were observed within the Ventura Cove Park Restoration Project Element.

Exhibit 10. *Overview of the Ventura Cove Park Restoration Project Element; facing north.*

4.9 WEST SAIL BAY RESTORATION

The West Sail Bay Restoration Project Element is categorized as a Restoration of the Shoreline project (Exhibit 11). This Project Element is located along the northwest shoreline beach of Mission Bay and measures approximately a third of a mile in length and less than 1 acre in size. Depending on tidal flow, portions of this Project Element may become submerged at times. A linear transect was conducted to survey the Project Element. At the time of survey, visibility was excellent at 100%. No cultural resources were observed within the Project Element.

Exhibit 11. *Overview of the West Sail Bay Restoration Project Element; facing north.*

4.10 SEAWALL BULKHEAD RESTORATION

The Seawall Bulkhead Restoration Project Element is categorized as a Restoration of the Seawall Bulkhead project. This Project Element was previously recorded as historic structure Ocean Front Walk or the Mission Beach Boardwalk (P-37-016522). The site record includes both the sea wall and the boardwalk (Exhibit 12). A linear transect was utilized to survey the Project Element, which spans 2.4 miles. Visibility was excellent at 100%. The Seawall Bulkhead is an NRHP eligible historic resource. No additional cultural resources were observed.

Exhibit 12. *Overview of the southern end of the Seawall Bulkhead Restoration Project Element (P-37-016522-Mission Beach Boardwalk); facing northwest.*

4.11 FIESTA ISLAND SITE NO. 1 SOUTH

The Fiesta Island Site No. 1 South Project Element is categorized as an Upland Habitat and Preservation Expansion project and is located at the southeastern extension of Fiesta Island. The total acreage of the Fiesta Island Site No. 1 South Project Element is approximately 38 acres. The Project Element is composed of open fields within the interior of the island (Exhibit 13). The open fields are largely flat with berms and ridges separating them from the island's exterior roadway. Portions of the open field have been altered into a dirt bike track composed of multiple berms and jumps, while the rest of the field is largely undeveloped but does support a network of dirt trails. The areas available for survey supported 10-meter transects. When transects were not feasible due to dense brush, meandering transects accessing visible ground were conducted. On average, visibility averaged at a poor 30% due to dense brush ranging between 3 and 6 feet in height. No cultural materials were observed.

Exhibit 13. *Overview of Fiesta Island Site No. 1 South; facing south.*

4.12 FIESTA ISLAND SITE NO. 3 NEAR YOUTH CAMPING

The Fiesta Island Site No. 3 Near Youth Camping Project Element is categorized as an Upland Habitat and Preservation Expansion project and is located in the central projection on the east side of Fiesta Island. The total acreage of the Project Element is approximately 15.3 acres, and the eastern boundary consists of wide beach shores, while the interior consists of large grassy fields with Torrey Pine trees (Exhibit 14). The interior has public facilities, including concrete tables and benches and fire pits. The entire Project Element was surveyable, and 10-meter transects were utilized. Ground visibility was high along the sandy beach and low within the grassy field. No cultural materials were observed.

***Exhibit 14**. Overview of beach shore of Fiesta Island Site No. 3 Near Youth Camping Project Element, view west.*

4.13 FIESTA ISLAND SITE NO. 4 NORTH

The Fiesta Island Site No. 4 North Project Element is categorized as an Upland Habitat and Preservation Expansion project and is located along the western shore of Fiesta Island. The total acreage of the Project Element is approximately 15.5 acres. The Project Element consists of hilly grass-covered terrain with brush. Sandy foot paths traverse the area, and the area is surrounded by berms (Exhibit 15). A portion of the Project Element was separated by a chain-link fence, and its interior was used for off-road vehicles. The terrain has been altered for recreational vehicle use. No cultural materials were observed.

***Exhibit 15**. Overview south toward the berm, access road, and fence separating Fiesta Island Site No. 4 North.*

4.14 FIESTA ISLAND SITE NO. 5 LEAST TERN PRESERVE

The Fiesta Island Site No. 5 Least Tern Preserve Project Element is categorized as an Upland Habitat and Preservation Expansion project and is located in the northwestern extension of Fiesta Island. The total acreage of the Fiesta Island Site No. 5 Least Tern Preserve Project Element is approximately 27 acres, yet approximately 4 of those acres are enclosed within a California least tern restrictive access habitat area. The remaining portions of the property are composed of wide, sandy beaches in the northern and western portions and open fields within the interior of the island (Exhibit 16). The open fields are largely flat with berms and ridges separating them from the island's exterior roadway. The areas available for survey supported 10-meter transects. When transects were not feasible due to dense brush, meandering transects accessing visible ground were conducted. On average, visibility averaged at a poor 30% due to dense brush ranging between 3 and 6 feet in height. No cultural materials were observed.

Exhibit 16. *Overview of Fiesta Island Site No. 5 Least Tern Preserve Project Element open field; facing south southwest.*

4.15 SEA WORLD DRIVE/SAN DIEGO RIVER SITE NO. 1A – CLOVERLEAF AREA

The Sea World Drive/San Diego River Site No. 1a – Cloverleaf Area Project Element is categorized as an Upland Habitat and Preservation Expansion project. This Project Element is approximately 17.8 acres in size and 0.4 miles long. It is in the southern portion of the Mission Bay Park Improvement Zone APE. This Project Element is landlocked and does not line Mission Bay waters. This Project

Element is bounded by Sea World Drive to the north and east, Old Sea World Drive to the south, and West Mission Bay Drive to the west. The Project Element consists of an open field enclosed as a restricted area for the California least tern's rehabilitation (Exhibit 17).

Exhibit 17. *Overview of the Sea World Drive/San Diego River Site No. 1a – Cloverleaf Area Project Element restricted area.*

4.16 SEA WORLD DRIVE/SAN DIEGO RIVER SITE NO. 3C – TRIANGLE RESTORATION AREA

The Sea World Drive/San Diego River Site No. 3c – Triangle Restoration Area Project Element is categorized as an Upland Habitat and Preservation Expansion project. This Project Element is approximately 8.3 acres in size and 0.3 miles long. It is in the southern portion of the Mission Bay Park Improvement Zone APE. This Project Element is landlocked and does not line Mission Bay waters. This Project Element is bounded by Sea World Drive to the north and west, Friars Drive to the east, and Old Sea World Drive to the south. The Project Element consists of an undeveloped parcel of land between roadways. This area was surveyed with meandering transects due to dense brush.

4.17 SEA WORLD DRIVE/SAN DIEGO RIVER SITE NO. 4D – SOUTH SHORES EAST AREA

The Sea World Drive/San Diego River Site No. 4d – South Shores East Area is categorized as an Upland Habitat and Preservation Expansion project. This Project Element is approximately 50 acres in size and is located along the southeast corner of Mission Bay (Exhibit 18). Much of the western half of the Project Element shows evidence of attempted landscaping. The southern and western portions of the parcel are also home to a recreational park with established model airplane landing strips and model helicopter helipads. Ten-meter transects were utilized across the project and meandering transects were applied in areas of dense brush. Visibility was limited at approximately 20% due to dense vegetation averaging 3 feet in height. No cultural resources were observed within the Sea World Drive/San Diego River Site No. 4d – South Shores East Area. Portions of this Project Element are part of the former Mission Bay Landfill, which was an active dumpsite in the 1950s (SCS Engineers 2006). The proposed program proposes the import of soil to support native vegetation communities and to cap the former landfill. This landfill cap would prevent proposed program activities from encountering buried landfill materials.

Exhibit 18. *Overview of eastern portion of the Sea World Drive/San Diego River Site No. 4d – South Shores East Area from southeast corner facing north-northwest.*

4.18 CUDAHY CREEK WETLANDS

The Cudahy Creek Wetlands Project Element is categorized as a Wetland and Water Quality Improvements project. Most of this Project Element is composed of both water and landscaped areas covered in sod. Exposed areas consist of beach sands between the sod and waterline. Additionally, a storm drain empties into Mission Bay (Exhibit 19) from the central eastern portion of the Project Element. Ten-meter transects were employed to survey Cudahy Creek Wetlands. Overall visibility was poor given the parcel is partially submerged under the bay and largely covered with landscaping sod. Therefore, average visibility was low at approximately 15%. No cultural resources were observed.

Exhibit 19. *Overview of storm drain connecting to Mission Bay at Cudahy Creek Wetlands; facing northwest.*

4.19 NORTH FIESTA ISLAND WETLAND

The North Fiesta Island Wetland Project Element is categorized as a Wetland and Water Quality Improvements project within the northeastern portion of Fiesta Island. The North Fiesta Island Wetland Project Element is approximately 39 acres, though 9 acres are enclosed within a California least tern habitat restrictive area. Exhibit 20 shows the condition of North Fiesta Wetland Project Element's restricted area. This portion of the Project Element could not be surveyed due to the gated restricted habitat. The remaining portions of the property are composed of beaches along the eastern edge and open fields northeast and southwest of the restricted area. The open fields support dense brush with multiple dirt trails. The areas available for survey supported 10-meter transects. When transects were not feasible due to dense brush, meandering transects accessing visible ground were conducted. On average, visibility averaged at a poor 30% due to dense brush ranging between 3 and 6 feet in height. No cultural materials were observed.

Exhibit 20. *Overview of CA least tern enclosure within North Fiesta Island Wetland; facing south.*

4.20 NORTH FIESTA ISLAND WETLAND STOCKPILE OPTION 1

The North Fiesta Island Wetland Stockpile Option 1 Project Element is categorized as a Wetland and Water Quality Improvements project within the north-central portion of Fiesta Island. The Project Element consists of approximately 17.4 acres of grass-covered hilly terrain (Exhibit 21). Foot paths traverse the area, which is surrounded by earthen berms on three sides. Ground visibility was approximately 80%, and the area was surveyed using 10-meter transects. No cultural materials were observed.

Exhibit 21. *Overview of North Fiesta Island Wetland Stockpile Option 1 open field; facing south.*

4.21 NORTH FIESTA ISLAND WETLAND STOCKPILE OPTION 2

The North Fiesta Island Wetland Stockpile Option 2 Project Element is categorized as a Wetland and Water Quality Improvements project within the southeastern portion of Fiesta Island. The Project Element consists of approximately 23.3 acres of sandy fields surrounded by earthen berms. Portions of the Project Element are covered in dense brush, prefabricated concrete barriers and modern trash piles (Exhibit 22). Ground visibility was nearly 100% except for the top of the berms, which were covered by heavy brush. No cultural materials were observed.

Exhibit 22. *Overview of North Fiesta Island Wetland Stockpile Option 2 Project Element. View northwest of sandy berms, bushes, and modular concrete barriers stockpile.*

4.22 NORTH FIESTA ISLAND WETLAND STOCKPILE OPTION 3

The North Fiesta Island Wetland Stockpile Option 3 Project Element is categorized as a Wetland and Water Quality Improvements project within the central portion of Fiesta Island. The Project Element consists of approximately 31.8 acres of a sandy field with minimal vegetation surrounded by earthen berms (Exhibit 23). One notable feature appeared to be the remnants of a baseball scoreboard, but further investigation revealed that the structure dated back to the mid-1980s. Ground visibility was 100%, and no cultural materials were observed.

Exhibit 23. *Overview northeast of large sandy lot within the North Fiesta Island Wetland Stockpile Option 3 Project Element.*

4.23 TECOLOTE CREEK AND FIESTA ISLAND CAUSEWAY

Exhibit 24. *Overview of Tecolote Creek and Fiesta Island Causeway and Bridge 57C0183; facing northeast.*

The Tecolote Creek and Fiesta Island Causeway Project Element is categorized as a Wetland and Water Quality Improvements project at Tecolote Creek's outlet into Mission Bay. The total acreage of the Project Element is 25.7 acres, yet most of the area falls within Mission Bay waters. Those areas outside of the water consist of sandy beach, marshland, a transitional zone between the two, and a built-up rocky shoreline. Additionally, a portion of Fiesta Island Road intersects the southern portion of the Project Element. The areas available for survey supported 10-meter transects. The entire area has been disturbed given the artificial nature of Fiesta Island.

Furthermore, the beaches are continuously used recreationally, and much campfire debris and refuse was observed. Pockets of cobbles were observed but none exhibited evidence of past human modification. Visibility of the beaches and transitional areas between beaches and marshland averaged at 95%.

Bridge 57C0183 is located within above the Tecolote Creek and Fiesta Island Causeway Project Element permitting traffic to traverse Tecolote Creek as it flows into Mission Bay. This two-way, concrete bridge was constructed in 1967. A September 2016 inspection evaluated this bridge's condition as poor and requiring maintenance (Tallahassee Democrat 2019). Bridge 57C0183 is shown in Exhibit 24. No cultural resources were observed in Tecolote Creek and Fiesta Island Causeway Project Element.

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5 MANAGEMENT CONSIDERATIONS

5.1 RESOURCE MANAGEMENT

This cultural resource constraints analysis was conducted to determine if implementation of the proposed program has the potential to impact cultural and/or tribal cultural resources. The Improvement Zone APE is highly developed and has been previously surveyed. The current study identified one built environment resource (P-37-016522) and one prehistoric archaeological resource (CA-SDI-005017) within proposed Project Elements. Additionally, one prehistoric cultural resource (CA-SDI-11571) is located immediately adjacent to a Project Element (Confidential Appendix C).

The historic Mission Beach Boardwalk and associated seawall, P-37-016522, may incur potentially significant impacts by implementation of the Seawall Bulkhead Restoration Project Element. The Mission Beach Seawall and Bulkhead has been previously recommended eligible for inclusion on the National Register of Historic Places (NRHP) “at the level of local significance, under Criteria A and C” (Widell 1997). Please see Frank et al. (2021) for a significance evaluation of the Mission Beach Seawall and Bulkhead. Additionally, Jamul Indian Village informed the City that there is an increased potential of encountering unanticipated TCRs associated with projectile point manufacturing during ground-disturbing activities associated with the Seawall Bulkhead Restoration Project Element. Ms. Cumper recommended cultural monitoring during ground disturbance associated with the Seawall Bulkhead Restoration Project Element.

The boundary of the Rose Creek Bike Path bisects the boundary of CA-SDI-005017, the ethnohistoric Native American village of La Rinconada de Jamo. Previous archaeological testing within the resource boundary has produced significant deposits of cultural midden and materials. However, the resource boundary covers approximately 300 acres, and none of these deposits were identified within the Project Element footprint. The Project Element area has undergone extensive alteration of the terrain along the east bank of Rose Creek. This has likely displaced any remnants of the resource had any previously existed. Cultural monitoring is recommended during initial ground-disturbing activities associated with the Rose Creek Bikie Path improvements to avoid potentially significant impacts to CA-SDI-005017.

Prehistoric cultural resource, CA-SDI-11571, is located immediately adjacent to the Crown Point Restoration Project Element. CA-SDI-11571 consists of a collection of prehistoric artifacts deposits identified on Crown Point Peninsula. Archaeological resource deposits have been identified within the interior of Crown Point Peninsula. Because the ground disturbance will be limited to the shoreline, the proposed Crown Point Restoration is separated from previous archaeological deposits by the Crown Point bluffs. There is a low probability for encountering cultural resources with the

shoreline sediments as these sediments are unstable and unlikely to support intact cultural deposits. Implementation of the Crown Point Restoration Project Elements will have no significant impact on CA-SDI-11571 under CEQA and is unlikely to unearth cultural resources (Table 3).

Table 3
Previously Identified Cultural Resources within Mission Bay Improvement Zone APE

Primary No	Trinomial	Description	CEQA Evaluation Status	Potential Impact	Impact Significance after Mitigation	Intersects
P-37-000045	CA-SDI-000045	Ocean Beach Gateway Archaeological Site	Unevaluated	None; Avoided	No significant impact	Improvement Zone APE
P-37-000047	CA-SDI-000047	Shell midden	Partially evaluated not significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-005017	CA-SDI-005017	Village Of Rinconada	Significant	Significant; monitoring recommended	Less than significant	Rose Creek Bike Path
P-37-011571	CA-SDI-011571	Artifact scatter	Partially evaluated not significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-016166	N/A	Historical structure	Appears locally significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-016167	N/A	Historical structure	Appears locally significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-016168	N/A	Historical structure	Appears locally significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-016170	N/A	Historical structure	Appears locally significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-016522	N/A	Ocean Front Walk	Significant	See Frank et al. 2021	See Frank et al. 2021	Seawall Bulkhead Restoration

Table 3
Previously Identified Cultural Resources within Mission Bay Improvement Zone APE

Primary No	Trinomial	Description	CEQA Evaluation Status	Potential Impact	Impact Significance after Mitigation	Intersects
P-37-016543	N/A	Historical structure	Not significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-028406	N/A	Historical structure	Significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-029025	N/A	District: Beach Cottage Community Plan Area	Significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-034332	N/A	Railroad bridge	Not significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-034333	N/A	Bridge	Not significant	None; Avoided	No significant impact	Improvement Zone APE
P-37-036520	N/A	Unknown	Not evaluated	None; Avoided	No significant impact	Improvement Zone APE
P-37-036521	N/A	Unknown	Not Evaluated	None; Avoided	No significant impact	Improvement Zone APE

Note: APE = area of potential effect; CEQA = California Environmental Quality Act; N/A = not applicable.

5.2 MITIGATION MEASURES

This study found that development of most of the Project Elements under the proposed program are unlikely to impact cultural resources, especially in highly developed areas that have undergone extensive topographic modifications, including the construction of landforms (islands) from dredged bay sands in the twentieth century. These areas do not require additional cultural review. However, the development of the two Project Elements within the proposed program do pose potential impacts to a cultural resources. The Rose Creek Bike Path bisects the boundary of CA-SDI-005017; however, this Project Element area has been highly altered and intact cultural deposits are unlikely.

Jamul Indian Village stated that there is an increased potential of encountering unanticipated TCRs during ground disturbing activities associated with the Seawall Bulkhead Restoration Project Element. Cultural monitoring per mitigation measure MM-CUL-01 is required during initial ground-disturbing activities associated with the construction or maintenance of the Rose Creek Bike Path Project Element and the Seawall Bulkhead Restoration Project Element.

Additionally, Section 6.6-2, Archaeological, Native American, and Paleontological Discoveries, of the City's "Whitebook – Standard Specification for Public Works Construction" (City of San Diego 2021) contains established procedures for addressing unanticipated discoveries during construction-related activities. This section provides guidance and direction to contractors regarding the notification process, and the requirement to cease work in the area of discovery until the resource is properly evaluated by a qualified archaeologist and Native American representative and a plan for treatment and/or recovery is reviewed/approved by qualified City staff in the Development Services Department. The procedures of the Whitebook apply to all construction associated with the proposed program.

MM-CUL-1 Construction Monitoring

The following shall be implemented to protect unknown archaeological resources, Tribal Cultural Resources, and/or grave sites that may be identified during initial ground-disturbing activities associated with the construction or maintenance of the Rose Creek Bike Path Project Element and the Seawall Bulkhead Restoration Project Element.

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

A. Entitlements Plan Check

1. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Environmental Designee (ED) shall verify that the requirements for Archaeological Monitoring and Native American monitoring have been noted on the applicable construction documents through the plan check process.

B. Letters of Qualification have been submitted to ED

1. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.

2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project meet the qualifications established in the HRG.
3. Prior to the start of work, the applicant must obtain written approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

A. Verification of Records Search

1. The PI shall provide verification to MMC that a site-specific records search (1 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coastal Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
3. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

B. PI Shall Attend Precon Meetings

1. Prior to beginning any work that requires monitoring; the Applicant shall arrange a Precon Meeting that shall include the PI, Native American consultant/monitor (where Native American resources may be impacted), Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist and Native American Monitor shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.
   a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
2. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

   The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.
3. Identify Areas to be Monitored

   Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) (with verification that the AME has been reviewed and approved by the Native American consultant/monitor when Native

American resources may be impacted) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits.

The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

MMC shall notify the PI that the AME has been approved.

4. When Monitoring Will Occur

   a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

   b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

5. Approval of AME and Construction Schedule

   After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

III. During Construction

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

1. The Archaeological Monitor shall be present full-time during all soil disturbing and grading/excavation/trenching activities which could result in impacts to archaeological resources as identified on the AME. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities such as in the case of a potential safety concern within the area being monitored. In certain circumstances OSHA safety requirements may necessitate modification of the AME.**

2. The Native American consultant/monitor shall determine the extent of their presence during soil disturbing and grading/excavation/trenching activities based on the AME and provide that information to the PI and MMC. If prehistoric resources are encountered during the Native American consultant/monitor's absence, work shall

stop and the Discovery Notification Process detailed in Section III.B-C and IV.A-D shall commence.

3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous grading/trenching activities, presence of fossil formations, or when native soils are encountered that may reduce or increase the potential for resources to be present.
4. The archaeological and Native American consultant/monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be emailed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion)**, and in the case of ANY discoveries. The RE shall forward copies to MMC.

B. Discovery Notification Process

1. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources and immediately notify the RE or BI, as appropriate.
2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by email with photos of the resource in context, if possible.
4. No soil shall be exported off-site until a determination can be made regarding the significance of the resource specifically if Native American resources are encountered.

C. Determination of Significance

1. The PI and Native American consultant/monitor, where Native American resources are discovered shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.
    a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
    b. If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and

RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume. **Note: If a unique archaeological site is also an historical resource as defined in CEQA Section 15064.5, then the limits on the amount(s) that a project applicant may be required to pay to cover mitigation costs as indicated in CEQA Section 21083.2 shall not apply.**

(1). Note: For pipeline trenching and other linear projects in the public Right-of-Way, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."

c. If the resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

(1). Note: For Pipeline Trenching and other linear projects in the public Right-of-Way, if the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.

(2). Note, for Pipeline Trenching and other linear projects in the public Right-of-Way, if significance cannot be determined, the Final Monitoring Report and Site Record (DPR Form 523A/B) shall identify the discovery as Potentially Significant.

D. Discovery Process for Significant Resources - Pipeline Trenching and other Linear Projects in the Public Right-of-Way

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

1. Procedures for documentation, curation and reporting

a. One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.

b. The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.

c. The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.

d. The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

IV. Discovery of Human Remains

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

A. Notification

1. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS) of the Development Services Department to assist with the discovery notification process.

2. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.

B. Isolate discovery site

1. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.

2. The Medical Examiner, in consultation with the PI, will determine the need for a field examination to determine the provenience.

3. If a field examination is not warranted, the Medical Examiner will determine with input from the PI, if the remains are or are most likely to be of Native American origin.

C. If Human Remains **ARE** determined to be Native American

1. The Medical Examiner will notify the Native American Heritage Commission (NAHC) within 24 hours. By law, **ONLY** the Medical Examiner can make this call.
2. NAHC will immediately identify the person or persons determined to be the Most Likely Descendant (MLD) and provide contact information.
3. The MLD will contact the PI within 24 hours or sooner after the Medical Examiner has completed coordination, to begin the consultation process in accordance with CEQA Section 15064.5(e), the California Public Resources and Health & Safety Codes.
4. The MLD will have 48 hours to make recommendations to the property owner or representative, for the treatment or disposition with proper dignity, of the human remains and associated grave goods.
5. Disposition of Native American Human Remains will be determined between the MLD and the PI, and, if:
   a. The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 48 hours after being notified by the Commission, OR;
   b. The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner, THEN
   c. To protect these sites, the landowner shall do one or more of the following:
      (1) Record the site with the NAHC;
      (2) Record an open space or conservation easement; or
      (3) Record a document with the County.
   d. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Culturally appropriate treatment of such a discovery may be ascertained from review of the site utilizing cultural and archaeological standards. Where the parties are unable to agree on the appropriate treatment measures the human remains and items associated and buried with Native American human remains shall be reinterred with appropriate dignity, pursuant to Section 5.c, above.

D. If Human Remains are **NOT** Native American

1. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
2. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
3. If the remains are of historic origin, they shall be appropriately removed and conveyed to the San Diego Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant/landowner, any known descendant group, and the San Diego Museum of Man.

V. Night and/or Weekend Work

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

1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
2. The following procedures shall be followed.

a. No Discoveries

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

b. Discoveries

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

c. Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction and IV-Discovery of Human Remains shall be followed.

d. The PI shall immediately contact the RE and MMC, or by 8AM of the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

B. If night and/or weekend work becomes necessary during the course of construction

1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.

2. The RE, or BI, as appropriate, shall notify MMC immediately.

C. All other procedures described above shall apply, as appropriate.

VI. Post Construction

A. Submittal of Draft Monitoring Report

1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Historical Resources Guidelines (Appendix C/D) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring. **It should be noted that if the PI is unable to submit the Draft Monitoring Report within the allotted 90-day timeframe as a result of delays with analysis, special study results or other complex issues, a schedule shall be submitted to MMC establishing agreed due dates and the provision for submittal of monthly status reports until this measure can be met.**

   a. For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.

   b. Recording Sites with State of California Department of Parks and Recreation

      The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

2. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.

3. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.

4. MMC shall provide written verification to the PI of the approved report.

5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.

B. Handling of Artifacts

1. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
2. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.

C. Curation of artifacts: Accession Agreement and Acceptance Verification

1. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
2. When applicable to the situation, the PI shall include written verification from the Native American consultant/monitor indicating that Native American resources were treated in accordance with state law and/or applicable agreements. If the resources were reinterred, verification shall be provided to show what protective measures were taken to ensure no further disturbance occurs in accordance with Section IV – Discovery of Human Remains, Subsection C.
3. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
4. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
5. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.

D. Final Monitoring Report(s)

1. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution

5.3 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be **less than significant** after mitigation is incorporated.

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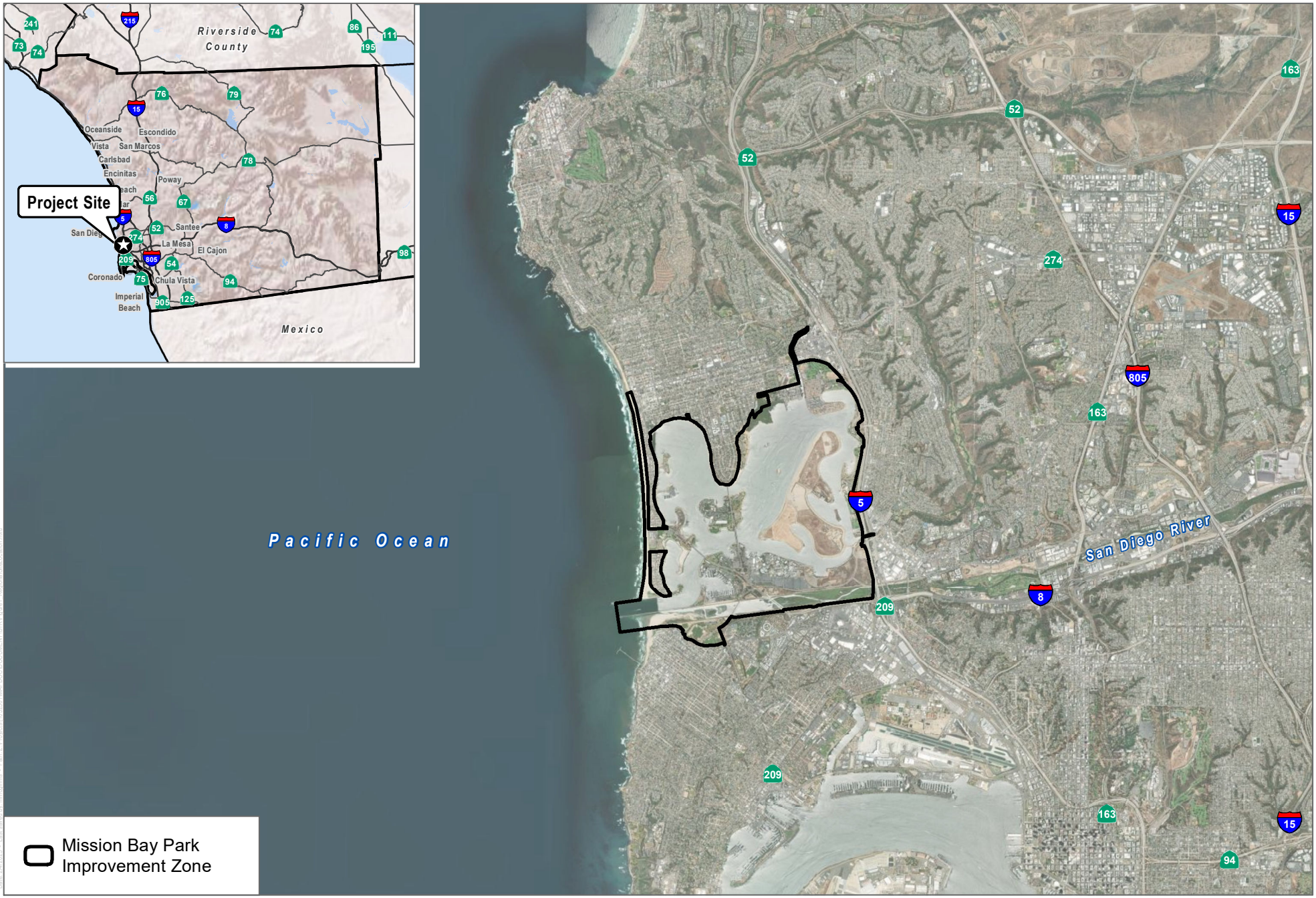

SOURCE: ESRI 2024

DUDEK

0 4,200 8,400 Feet

FIGURE 1

Mission Bay Park Improvements Program - Location

Mission Bay PEIR

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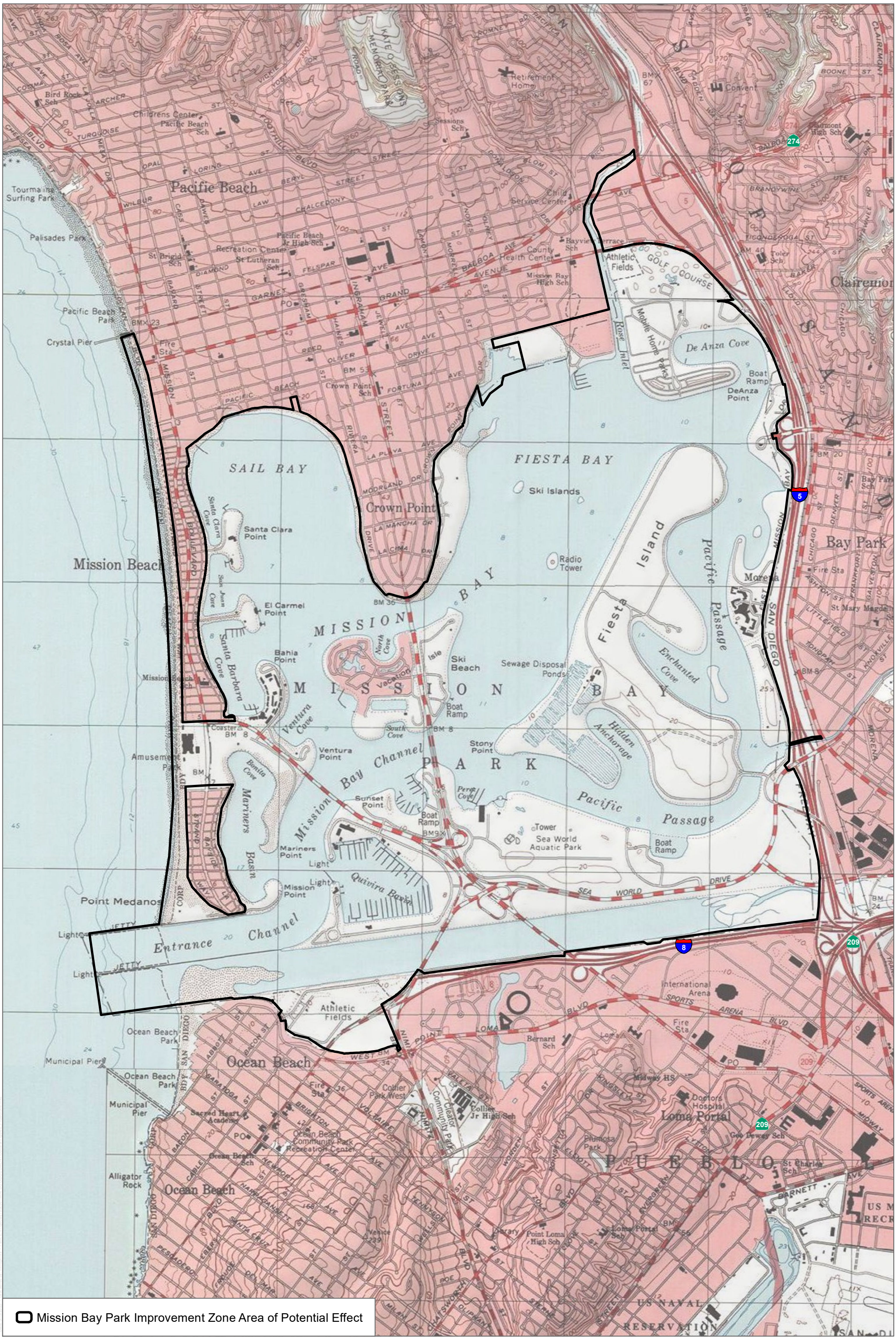

SOURCE: SANGIS 2023

DUDEK

0 1,000 2,000 Feet

FIGURE 2

Program Vicinity Map

Mission Bay PEIR

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SOURCE: SANGIS 2023

DUDEK

0 900 1,800 Feet

FIGURE 3

Project Site

Mission Bay PEIR

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7 CERTIFICATION

Preparer: Matthew DeCarlo, MA, RPA	**Title:** Archaeologist
Signature: Matthew H. DeCarlo	**Date:** July 31, 2025

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APPENDIX A

SCIC Records Search Results (Confidential)

APPENDIX B

Native American Heritage Commission Search

APPENDIX C

Cultural Resources Proximity to Project Elements (Confidential)