

VOLUME 1

Cultural Resources Inventory and Evaluation

La Costa Hotel Project

City of Encinitas
San Diego County, California

Prepared For:

dasMOD Real Estate Development
1144 North Coast Highway
Encinitas, California 92024

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MANAGEMENT SUMMARY

ECORP Consulting, Inc. carried out a cultural resources investigation for the La Costa Hotel Project Area, a 1.22-acre property (Assessor's Parcel Number 216-030-48) located adjacent to the northwestern corner of the intersection of La Costa Avenue and Interstate 5 in the City of Encinitas, San Diego County, California. The study was conducted at the request of dasMOD Real Estate Development for the construction of a boutique hotel and dining establishment, in response to a request for information from the City of Encinitas, which is carrying out environmental review under the California Environmental Quality Act.

In April 2019, a cultural resources records search of the California Historical Resource Information System was requested from the South Coastal Information Center at San Diego State University in San Diego, California. The records search results indicated that 82 cultural resources investigations were conducted within a one-mile search radius of the Project Area between 1973 and 2018. Twelve of these investigations overlap the Project Area. The records search also indicated that 28 cultural resources were previously recorded within the one-mile search radius. One cultural resource was previously recorded as overlapping the Project Area.

A search of the Sacred Lands File was requested from the Native American Heritage Commission (NAHC) in Sacramento, California. The results of the Sacred Lands File records search were negative, indicating no recorded presence of Native American Sacred Lands within the Project Area. The NAHC identified an additional 16 Native American groups and individuals with historic or traditional ties to the Project Area.

A cultural resources field survey and auger testing program was conducted by ECORP archaeologists on April 16 and 17, 2019. Seven auger samples returned positive identifications for pre-contact cultural resources. The newly identified resources have been evaluated as manifestations of site CA-SDI-603 that lack context and integrity due to prior ground disturbance and other activity on the property during previous decades. CA-SDI-603 was previously evaluated as eligible for listing on the California Register of Historical Resources (CRHR) and the National Register of Historic Places (NRHP), but the portion that extends into the Project area does not retain integrity or convey that significance. Therefore, the proposed project will not have a significant impact on site CA-SDI-603. Recommendations for worker awareness training, archaeological monitoring, and the management of unanticipated discoveries are provided.

CONTENTS

MANAGEMENT SUMMARY	ii
1.0 INTRODUCTION	1
1.1 Project Location and Description.....	1
1.2 Regulatory Context.....	4
1.3 Report Organization	4
2.0 NATURAL SETTING.....	5
3.0 CULTURAL CONTEXT.....	6
3.1 Regional Prehistory	6
3.1.1 San Dieguito Complex – 10,000 to 8,500 B.P.....	6
3.1.2 La Jolla Complex – 8,500 to 1,300 BP	7
3.1.3 Late Period (<i>Kumeyaay</i>) – 1,300 BP to Contact	8
3.2 Ethnohistory (<i>Kumeyaay and Luiseno</i>).....	9
3.3 History	12
4.0 METHODS	13
4.1 Personnel Qualifications.....	13
4.2 Records Search Methods	14
4.3 Sacred Lands File Coordination Methods	14
4.4 Field Methods.....	15
4.5 Evaluation Criteria.....	15
4.5.1 State Evaluation Criteria.....	15
4.5.2 Federal Evaluation Criteria.....	16
5.0 RESULTS.....	17
5.1 Records Search.....	17
5.1.1 Previous Cultural Resources Research	17
5.2 Sacred Lands File Results	19
5.3 Field Results.....	19
5.4 Evaluation	21
6.0 RECOMMENDED MITIGATION MEASURES	22
7.0 REFERENCES CITED	27

LIST OF TABLES

Table 1. Previous Cultural Studies that Overlap the Project Area	17
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LIST OF FIGURES

Figure 1. Project Vicinity	2
Figure 2. Project Location.....	3
Figure 3. Overview from northwest corner of Project Area (view southeast, April 16, 2019, Photo #342)...	20
Figure 4. Overview from southeast corner of Project Area (view north, April 17, 2019, Photo #365).....	20

LIST OF ATTACHMENTS

- Attachment A - CHRIS Records Search Documentation
- Attachment B - Sacred Lands File Documentation
- Attachment C – Confidential Project Area Photographs (Volume II)
- Attachment D – Confidential Maps and Department of Parks and Recreation Form (Volume II)

LIST OF ACRONYMS AND ABBREVIATIONS

APE	Area of Potential Effects
BP	Before Present
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CHRIS	California Historical Resources Information System
CRHR	California Register of Historical Resources
DPR	Department of Parks and Recreation
I-5	Interstate 5
MLD	Most Likely Descendant
NAHC	Native American Heritage Commission
NETROnline	Nationwide Environmental Title Research, LLC
NRHP	National Register of Historic Places
OHP	Office of Historic Preservation
PRC	Public Resources Code
Project	La Costa Hotel Development Project
RPA	Registered Professional Archaeologist
SCIC	South Coastal Information Center
USGS	U.S. Geological Survey

1.0 INTRODUCTION

In April 2019, ECORP Consulting, Inc. conducted a cultural resources investigation of a 1.22-acre property for the La Costa Hotel development project (Project) located in the City of Encinitas, California (Figure 1). The study was conducted at the request of dasMOD Real Estate Development for the construction of boutique hotel and dining establishment adjacent to the northwestern corner of the intersection of La Costa Avenue and Interstate 5 (I-5) in Encinitas, California. The purpose of the cultural resources study was to identify cultural resources that could be affected by the proposed Project, pursuant to terms of the California Environmental Quality Act (CEQA). This report presents the methods and results of the cultural resources records search, Sacred Lands File Search, and field survey and testing that were conducted for the Project, along with management recommendations.

1.1 Project Location and Description

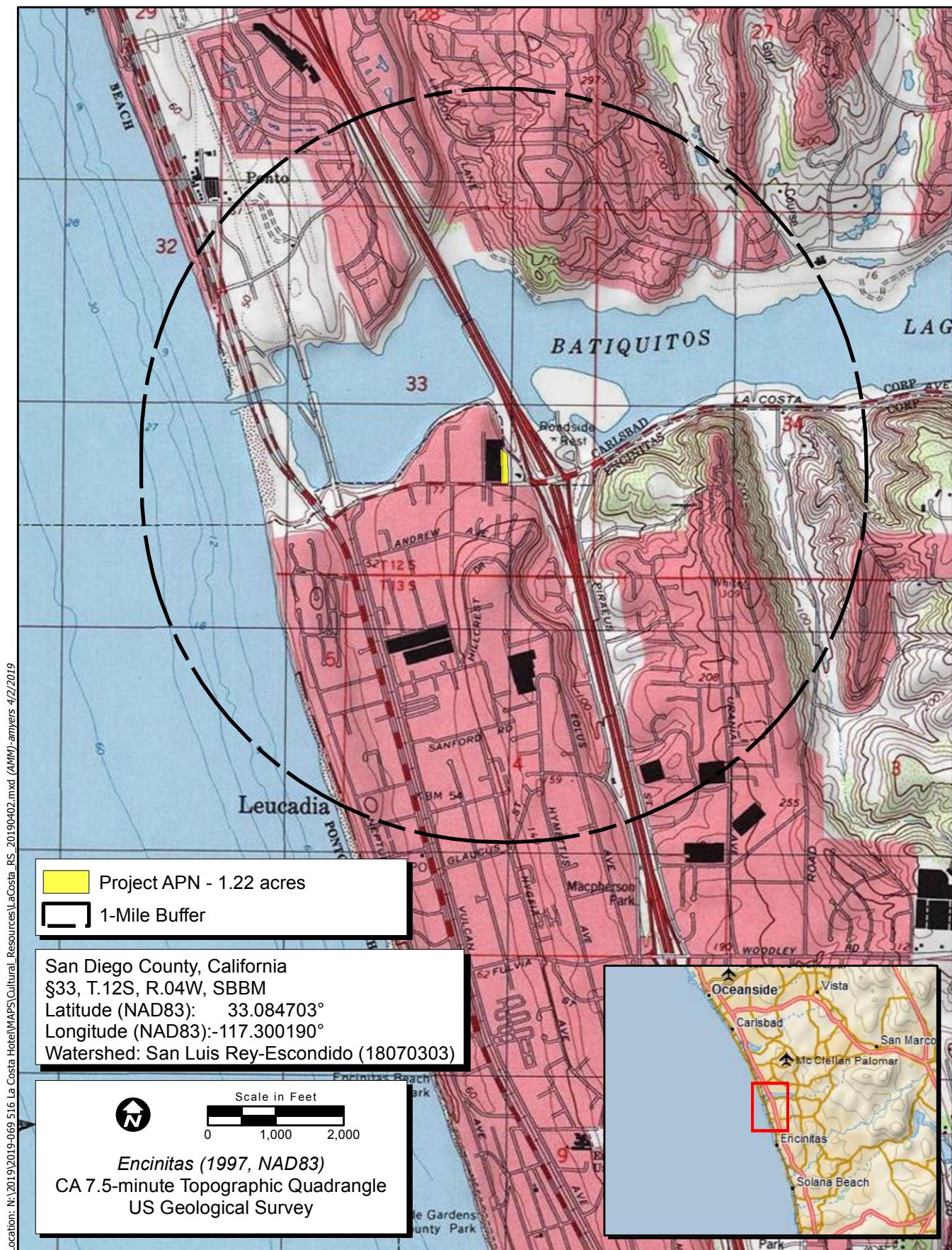
The Project Area consists of a 1.22-acre property in the City of Encinitas, a small coastal city located 30 miles north of San Diego County, California. The site is located 0.7 mile inland from the Pacific Ocean on a low bluff that is roughly bounded by Batiquitos Lagoon to the west, north and east. Interstate-5 and Batiquitos Lagoon are to the north of the Project Area, La Costa Avenue is to the south, a commercial nursery is to the west, and a gas station is immediately east of the Project parcel boundary. The Project Area is comprised of Assessor's Parcel Number 216-030-48. As shown on the U.S. Geological Survey (USGS) 7.5-minute Encinitas, California topographic quadrangle map (1997), the Project Area is located in the Section 33 of Township 12 South, Range 4 West, of the San Bernardino Base and Meridian (Figure 1).

This study was conducted in support of the La Costa Hotel Project, a private development venture. The Proposed Project will re-develop a former commercial nursery lot at 516 La Costa Avenue into a boutique hotel and dining property with a variety of hospitality amenities.

The Area of Potential Effects (APE) consists of the horizontal and vertical limits of the Project and includes the area within which significant impacts to historical resources could occur as a result of the Project. The terms Project Area and APE are used interchangeably in this report. The horizontal APE consists of all areas where activities associated with a project are proposed, and in the case of the current Project, equals the Project Area subject to environmental review under CEQA (Public Resources Code [PRC] § 21000 et seq. This includes areas proposed for construction, vegetation removal, grading, trenching, stockpiling, staging, paving, and other elements described in the official Project description. The horizontal APE is illustrated in Figure 1 and also represents the survey coverage area. It measures approximately 500 feet in length by 125 feet in width.

The vertical APE is described as the maximum depth below the surface to which excavations for Project foundations and facilities will extend. Thus, the vertical APE includes all subsurface areas where archaeological deposits could be affected. The subsurface vertical APE is anticipated to vary across the Project, with an average expected depth of four feet below surface.

The vertical APE also is described as the maximum height of structures or buildings being developed for the Project. This is also anticipated to vary across the Project, with a maximum building height of 30 feet.



Map Date: 4/2/2019

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Figure 1. Project Vicinity

2019-069 516 La Costa Hotel



Map Date: 4/24/2019
Photo Source: SANGIS (2017)



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Figure 2. Project Location

2019-069 La Costa Hotel

1.2 Regulatory Context

To meet the regulatory requirements of this Project, this study was conducted pursuant to the provisions for the treatment of cultural resources contained in CEQA (PRC § 21000 et seq.) The goal of CEQA is to develop and maintain a high-quality environment that serves to identify the significant environmental effects of the actions of a proposed project and to either avoid or mitigate those significant effects where feasible. CEQA pertains to all proposed projects that require state or local government agency approval, including the enactment of zoning ordinances, the issuance of conditional use permits, and the approval of development project maps.

CEQA (Title 14, California Code of Regulations [CCR], Article 5, § 15064.5) applies to cultural resources of the historical and prehistoric periods. Any project with an effect that may cause a substantial adverse change in the significance of a cultural resource, either directly or indirectly, is a project that may have a significant effect on the environment. As a result, such a project would require avoidance or mitigation of impacts to those affected resources. Significant cultural resources must meet at least one of four criteria that define eligibility for listing on either the California Register of Historical Resources (CRHR) (PRC § 5024.1, Title 14 CCR, § 4852) or the National Register of Historic Places (NRHP) (36 Code of Federal Regulations [CFR] 60.4). Cultural resources eligible for listing on the NRHP are considered historic properties under 36 CFR Part 800 and are automatically eligible for the CRHR. Resources listed on or eligible for inclusion in the CRHR are considered historical resources under CEQA.

Tribal Cultural Resources are defined in Section 21074 of the California Public Resources Code as sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either included in or determined to be eligible for inclusion in the California Register of Historical Resources, or are included in a local register of historical resources as defined in subdivision (k) of Section 5020.1, or are 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 Section 5024.1. Section 1(b)(4) of Assembly Bill 52 established that only California Native American tribes, as defined in Section 21073 of the California Public Resources Code, are experts in the identification of Tribal Cultural Resources and impacts thereto. Because ECORP does not meet the definition of a California Native American tribe, this report only addresses information for which ECORP is qualified to identify and evaluate, and that which is needed to inform the cultural resources section of CEQA documents. This report, therefore, does not identify or evaluate Tribal Cultural Resources. Should California Native American tribes provide information about Tribal Cultural Resources, that information is documented separately in the AB 52 tribal consultation record between the tribe(s) and lead agency and summarized in the Tribal Cultural Resources section of the CEQA document, if applicable.

1.3 Report Organization

The following report documents the study and its findings and was prepared in conformance with the California Office of Historic Preservation's (OHP's) *Archaeological Resource Management Reports: Recommended Contents and Format*. Volume I includes the report and two non-confidential attachments. Attachment A contains documentation of the CHRIS records search through the SCIC contains

documentation of a search of the Sacred Lands File. Attachment B contains documentation of the NAHC Sacred Lands File search. Volume II is confidential and includes two attachments. Attachment C contains a photolog and photographs of the Project Area and testing program and Attachment D contains additional records search information, site maps, and the updated Department of Parks and Recreation (DPR) form for site CA-SDI-603.

Sections 6253, 6254, and 6254.10 of the California Code authorize state agencies to exclude archaeological site information from public disclosure under the Public Records Act. In addition, the California Public Records Act (Government Code § 6250 et seq.) and California's open meeting laws (The Brown Act, Government Code § 54950 et seq.) protect the confidentiality of Native American cultural place information. Under Exemption 3 of the federal Freedom of Information Act (5 U.S. Code 5 [USC]), because the disclosure of cultural resources location information is prohibited by the Archaeological Resources Protection Act of 1979 (16 USC 470hh) and Section 304 of the NHPA, it is also exempted from disclosure under the Freedom of Information Act. Likewise, the Information Centers of the CHRIS maintained by the OHP prohibit public dissemination of records search information. In compliance with these requirements, Volume II is not intended for public distribution in either paper or electronic format.

2.0 NATURAL SETTING

The Project Area is located approximately 0.7 mile inland from the Pacific Ocean and approximately 0.2 mile south of the current southern extent of Batiquitos Lagoon. The Project Area is bounded by La Costa Avenue to the south, a gas station to the east, a commercial nursery to the west, and a terrace escarpment to the north that descends to lower elevations of the I-5 freeway off-ramp and open vegetation areas along the southern edge of Batiquitos Lagoon. The environment can be characterized as a Mediterranean climate with plant communities associated with the California Coastal Chaparral Forest and Scrub province. The vegetation within the vicinity includes disturbed wetlands, disturbed coastal and valley freshwater marsh/southern riparian scrub, ornamental trees, agriculture, and disturbed Diegan coastal sage scrub. The Project Area itself is under use for vehicle storage and as a supplementary nursery land with a variety of planted and potted trees and shrubs. Nonnative grasses and a mix of nonnative and some native plants are present across the Project parcel. Fauna observed in the Project Area included a variety of avian (birds), lacertilian (lizards), and lagomorph (rabbit) species.

The majority of the Project Area is generally flat with an elevation of approximately 70 feet above mean sea level. Local geomorphology may be characterized as a flat ridge top with a terrace escarpment at the north end of the Project Area. The slope varies from 2 to 9 percent across the Project Area, with substantially a steeper slope descending the terrace escarpment at the northeastern edge of the property. Surface sediments are primarily loamy sand entisols, inceptisols, and alfisols. Four primary soils groups are present across the level portion of the Project Area. Marina loamy coarse sand comprises the majority of the parcel, displaying approximately 69 cm of A-horizon soils overlying 58 cm of B-horizon and 97 cm of C-horizon soils. Minor soils include Corralitos loamy sand, Carlsbad gravelly loamy sand, and Chesterton fine sandy loam. The terrace escarpment is dominated by undecomposed and partially decomposed organic material classified as an H-horizon (SoilWeb 2019).

3.0 CULTURAL CONTEXT

3.1 Regional Prehistory

The archaeological history of southern California is remarkably complex, with a great deal of variation and the overlapping of specific technological and cultural traditions from the onset of documented human habitation in the terminal Pleistocene to the period of European contact in the Late Holocene. Today, archaeology and culture history are typically described according to geological epoch, with delineations in years before present (BP) between the Pleistocene (>10,000 BP), Early Holocene (10,000-6,500 BP), Middle Holocene (6,500 BP-3,500 BP) and the Late Holocene (3,500 BP to present). This approach places human history squarely in the realm of greater ecology and geological history in a way that allows discussion of human activity through time without limitations imposed by provincial labels. In California this distinct use of geological terminology is not entirely arbitrary as elements of technological change and diversification in cultural practices are observable at the transition of temporal periods (Erlandson and Colten 1991). However, terminology that is generally accepted by California archaeologists and the California OHP is still helpful in describing ancient patterns of human activity. The predominant archaeological patterns through time in San Diego County in relation to behavioral traditions and temporal periods, and in specific reference to the Project Area are discussed below.

3.1.1 *San Dieguito Complex – 10,000 to 8,500 B.P.*

Terminal Pleistocene archaeological deposits are notably present on the California Channel Islands, but the onset of human activity in coastal areas of the Southern Bight appear after 10,000 BP (Erlandson et al. 2007). Early Holocene warming temperatures, rising sea level, and megafaunal extinction resulted in landscape and resource change that contributed to alternative subsistence strategies in local populations, with an emphasis on hunting smaller game and increasing reliance on plant gathering. Early Holocene archaeological sites in San Diego County occur around bays, sloughs, and coastal valleys that allowed early peoples continued access to aquatic resources. These coastal sites contain large amounts of marine faunal remains along with worked tools, such as lithic bifaces, milling tools, and bone tools from which archaeologists may reconstruct the human past in southern California (Gallegos 1991).

The San Dieguito Complex is a cultural tradition originating in the Early Holocene and defined by material found at the Harris archaeological site (CA-SDI-149) on the San Dieguito River near Lake Hodges in San Diego County (Warren 1968). Diagnostic artifacts associated with the San Dieguito Complex include lithic manufacturing implements and a variety of chipped stone tools, including projectile points, knives, scrapers, engraving tools, and stone crescents (Knell and Becker 2017; Koerper et al. 1991). Particular interest has been paid to the stone crescents that appear in Terminal Pleistocene and Early Holocene deposits throughout the region. Though only a single specimen was found at CA-SDI-149, this class of artifacts has come to define human-environmental interactions of the period due to association with paleoshorelines and wetland habitats that existed on the Channel Islands, along the California coast, in interior areas of California and the Great Basin, and further east in what is today Wyoming and Colorado between approximately 12,000-8,000 cal BP (Moss and Erlandson 2013). The majority of these crescents appear to be utilitarian implements for the hunting of birds (Erlandson and Braje 2008; Moss and Erlandson 2013). Sanchez et al. (2017) have confirmed a strong spatial association between stone

crescents and reconstructed wetland habitats, supporting the argument that these artifacts were predominantly used for the harvesting of aquatic species and avifaunal resources that once existed along Terminal Pleistocene-Early Holocene paleoshorelines.

The San Dieguito Complex at CA-SDI-149 dates to between $9,030 \pm 350$ BP and $8,490 \pm 400$ BP (Gallegos 1991; Knell and Becker 2017). The presence of comparable artifacts and archaeological deposits are seen specifically throughout Southern California and northwestern Mexico between 9,000 and 7,000 BP. However, it is important to note the scarcity of San Dieguito materials and radiocarbon age determinations as well as the substantial spatiotemporal overlap with artifacts and faunal assemblages typically associated with later cultural traditions (Scharlotta 2015). The established use of groundstone technologies during the Early Holocene provides support for the continuation of certain subsistence practices during the Middle Holocene concurrent with decreases in wetland associated flaked-stone lithic assemblages. Early Holocene sites in coastal San Diego County have yielded artifacts and subsistence remains characteristic of succeeding technological traditions, including manos, metates, core-cobble tools, and species of marine shell more closely associated with the lagoon ecosystems, hotter and drier environmental contexts, and variable behavioral practices of the Middle Holocene (Gallegos 1991; Koerper et al. 1991).

3.1.2 La Jolla Complex – 8,500 to 1,300 BP

Sea levels continued to rise during the Early to Middle Holocene transition, eventually stabilizing around 6,000 BP and filling low-lying coastal areas and canyons in what became a relatively dense concentration of highly productive estuaries and coastal ecosystems (Masters and Gallegos 1997). The relationship of human populations to coastal resources consequently changed through time. Rocky reefs and kelp beds were more extensive during the earlier part of the Holocene and exploited by humans settling on the coast. Early Holocene coastal populations tended to aggregate around estuaries and areas of dense intertidal and littoral sustenance resources, but a greater focus on lagoon resources can be seen in later archaeological deposits. As sea level rose, a transition in species of exploited shellfish and vertebrates is seen, from rocky reef species to sandy beach species that reflects the changes in shoreline during the Middle Holocene. Western North America experienced a period of increased warmth and aridity during the Middle Holocene that likely impacted migrations and settlement patterns from the continental interior to the coast (Kennett et al. 2007). Increasingly, human populations in California began to process plant foods with the manos (pestles) and metates (mortars) in an observable shift in technology and subsistence practices that effectively replaced the San Dieguito Complex with a lengthy tradition of cultural behaviors alternately termed the La Jolla Complex (Warren et al. 1961; Byrd and Raab 2007), Encinitas Tradition (Warren 1968), and Milling Stone Period (Wallace 1955). The term “La Jolla Complex” is used here.

The La Jolla Complex is most identified with the manos and metates found along the San Diego County coast beginning about 8,500 BP (Sutton and Gardner 2010), but La Jolla tool kits included a wide array of lithic and bone tools. Most La Jolla Complex sites are located around Middle Holocene coastal lagoons, which continued filling with sea water due to the sustained retreat of ice caps and global influx of liquid water following the last glacial maximum (~20,000 BP). Shellfish from these lagoons were an important part of the diet, and most La Jolla sites are classified as shell middens. Both rocky shores shellfish, such as *Mytilus* sp. (mussels), and bay/estuary shellfish, such as *Argopecten* sp. (scallops), *Chione* sp. (cockles), and

Ostrea lurida (oyster) are found in La Jolla sites. Rocky shores species are much reduced in quantity and almost disappear from the middens in the Late Holocene. This has been attributed to increased sediment deposition around the mouths of the lagoons along the northern and central San Diego coast, which covered the rocky habitats. Fewer sites were occupied in these areas during the Late Holocene. However, the larger bays to the south (Mission Bay and San Diego Bay) never silted in, and there are numerous La Jolla Complex sites in this area (Masters and Gallegos 1997).

The Pauma Complex is a term to describe an inland cultural pattern beginning around 7,500 BP in San Diego County and occurring up to approximately 1,000 BP (Sutton and Gardner 2010; True 1958, 1970). Pauma archaeological deposits have numerous manos and metates similar to coastal sites of the same period but lack the marine subsistence remains seen in La Jolla sites. Other Pauma Complex artifacts include core and cobble tools, scraper planes, unifacial scrapers, and infrequent cogged stones and discoidals. In most Pauma Pattern sites, the mano-metate tool kit predominates, which suggests the collection and processing of seeds and other plant materials. Pauma sites are located on older high elevation alluvial terraces in valleys and canyons. Some Pauma sites may be buried in shallow alluvium. Shared similarities between the inland Pauma Complex and the coastal La Jolla Complex may reflect extended cultural ties or different seasonal manifestations of the same people, with the La Jolla Complex emphasizing marine resources (shellfish and fish) and the Pauma Complex emphasizing hard seeds. There are more planing and scraping tools in the La Jolla Complex and more grinding tools (i.e., manos and metates) in the Pauma Complex, which undoubtedly correspond to differential resource procurement and processing throughout this time period (Waugh 1986:55-56).

The San Diego coastline began to resemble its current appearance after about 3,500 BP, with estuaries silting in and a consequential decline in lagoon resources due to increased sedimentation along the San Diego coastline (Gallegos 2002). A warming climate combined with the loss of estuarine resources during the Middle Holocene resulted in an observable transition in settlement patterns during the Late Holocene as many people moved away from the coasts to more fully exploit inland habitats, though San Diego Bay remained due to freshwater runoff and tidal flushing. Additionally, coastal sedimentation and infilling events coincided with the development of the sandy beaches seen today that eliminated majority rocky coastal environments and gave way to a shift in the kinds of subsistence resources available at these locations (Byrd and Reddy 2002). This increased reliance on sandy shore species and the dominance of small terrestrial taxa in archaeological contexts, such as lagomorphs and waterfowl, is reflective of the unique coastal environment of much of San Diego in the Late Holocene.

3.1.3 Late Period (Kumeyaay) – 1,300 BP to Contact

The Late Period (Kumeyaay) in San Diego archaeology is determined to have begun with substantial cultural and technological changes occurring around 1,300 BP. The Late Holocene exemplified major cultural shifts with the entrance of Shoshonean language speakers, now known as the Cahuilla, Cupeño, and Luiseño, into the northern part of San Diego County sometime between 3,500 and 1,300 BP. This coincided with the establishment of definitive Ipai and Tipai (Kumeyaay peoples, Yuman language speakers) societal structures throughout the central and southern parts of the County. An abrupt decrease in coastal deposits appears to have occurred after 3,300 BP (Gallegos 2002), though increases in coastal occupation beginning around 1,600 to 1,200 BP appear to mirror sustained population increases

throughout San Diego County during the Late Holocene to the present day (Byrd and Reddy 2002). Late Period settlement patterns are characterized by the establishment of permanent, sometimes seasonal, villages and ephemeral satellite sites dedicated to specific tasks, such as tool production, food processing, or resource acquisition (Byrd and Raab 2007). A focus on reliable water sources and intensified subsistence practices is evident in the location and nature of regional Late Period archaeological sites.

The Kumeyaay Period has been associated with population increases, particularly in coastal areas, and changes in settlement patterns (Scharlotta 2015). The Late Holocene was a time of technological change. Choices regarding technology and subsistence practices influenced the nature of human-environmental interactions with an expansion of diet breadth, the establishment of permanent villages, and changes in hunting and gathering processes that also affected social structure during the Kumeyaay period (Bettinger 2013; Gamble and Mattingly 2012). Transition to more sedentary settlement patterns can be witnessed in aspects of technological variation such as the greater use of bedrock mortars in addition to portable milling stones (Byrd and Raab 2007). The Late Period is primarily characterized by use of the bow and arrow, which was introduced to the western United States sometime between 2,300 and 1,300 BP (Bettinger 2013). Bettinger argues that the adoption of bow hunting effected an expansion in the utilization of once peripheral subsistence resources (i.e., intensification of plant resource harvesting and processing) due to the increased efficacy of hunting among small groups and a shift to more localized resource harvesting among smaller family bands. Decreases in time spent hunting are thought to encourage greater time spent collecting foodstuffs once perceived as too costly.

In San Diego, principal foods for inland populations included acorns, grasses, other seeds, and lagomorphs, in addition to continued hunting of deer. However, people had returned to the coasts during the Kumeyaay Period and were exploiting a wide variety of marine resources in addition to the extensive trade networks along the southern California coast and that of Baja California (Byrd and Raab 2007). Gamble and Mattingly (2012) document more than 200 fire-affected rock features at Torrey Pines State Natural Reserve, positing the use of these features in the processing of Torrey pine nuts (*Pinus torreyana*) by Kumeyaay peoples on the coast over the last two millennia. The introduction of the bow and arrow to Southern California was followed by other archaeologically observable shifts prior to European contact, such as distinguishable changes in projectile point morphology, a switch from Coso (Sierra Nevada source) to Obsidian Butte (Salton Sea) as a source for volcanic glass, and even a transition from burial to cremation for the dead (Gallegos 2002). Ceramics appear in the archaeological record after 1,300 BP, with the distribution of reddish-brown sherds across San Diego County from the Peninsular Ranges to the Coast that differs from a lighter-colored buff pottery found in the deserts to the east (Quinn et al. 2013). Common ceramic forms include round-bottomed jars with restricted necks, bowls, scoops, plates, and other vessels used for cooking and storage. Ceramic pipes were also made (Gallegos 2002). Recovered ceramic specimens exhibit chemical signatures derived from similar geological contexts in the Laguna and Cuyamaca mountains, suggesting the transfer of materials from mountain to coast within the extensive trade networks that undoubtedly existed at this time (Quinn et al. 2013).

3.2 Ethnohistory (Kumeyaay and Luiseño)

The Kumeyaay (also known as Ipai and Tipai) are the Yuman-speaking native people of central and southern San Diego County and the northern Baja Peninsula in Mexico. Spanish missionaries and settlers

used the collective term Diegueño for these people, which referred to people living near the presidio and mission of San Diego de Alcalá. Today, these people refer to themselves as Kumeyaay or as Ipai and Tipai, which are northern and southern subgroups of Kumeyaay language speakers, respectively (Luomala 1978). The ancestral lands of the Kumeyaay extend north from Todos Santos Bay near Ensenada, Mexico to Agua Hedionda Lagoon in north San Diego County, and east to the west side of the Imperial Valley.

The primary source of Kumeyaay subsistence was vegetal food. Seasonal travel followed the ripening of plants from the lowlands to higher elevations of the mountain slopes. Acorns, grass and sage seeds, cactus fruits, wild plums, pinyon nuts, and agave stalks were the principal plant foods. Women sometimes transplanted wild onion and tobacco plants to convenient locations and sowed wild tobacco seeds. Deer, rabbits, small rodents, and birds provided meat. Village locations were selected for seasonal use and were occupied by exogamous, patrilineal clans or bands. Three or four clans might winter together, then disperse into smaller bands during the spring and summer (Luomala 1978).

The Kumeyaay were loosely organized into exogamous patrilineal groups termed sibs, clans, gens, and tribelets by ethnographers. The Kumeyaay term was cimul. The cimul used certain areas for hunting and gathering, but apparently did not control a bounded and defended territory, as did the Luiseño and Cahuilla. In addition, members of several different cimul usually lived in the same residential base, unlike the Luiseño, where a single party or clan controlled a village and its territory. Kumeyaay lived in residential bases during the winter and subsisted on stored resources. No permanent houses were built. Brush shelters were temporary and were not reused the next year. Ceremonies, including rites of passage and ceremonies to insure an abundance of food, were held in the winter residential bases. The cimul leader directed the ceremonies and settled disputes (Christenson 1990:58, 62). One of the most important ceremonies was the mourning ceremony. Upon death, the Kumeyaay cremated the body of the deceased. Ashes were placed in a ceramic urn and buried or hidden in a cluster of rocks. The family customarily held a mourning ceremony one year after the death of a family member. During this ceremony, the clothes of the deceased individual were burned to ensure that the spirit would not return for his or her possessions (Gifford 1931; Luomala 1978).

The Kumeyaay were geographically and linguistically divided into western and eastern Kumeyaay. The western and eastern Kumeyaay spoke two different dialects (Christenson 1990:64). The western Kumeyaay lived along the coast and in the valleys along the drainages west of the mountains. The eastern Kumeyaay lived in the canyons and desert east of the mountains. The western Kumeyaay spent the winter in residential bases in the lowland valleys and then broke into smaller cimul groups that moved gradually eastward toward the mountains, following ripening plants and occupying temporary residential bases along the way. Thus, each group occupied several different residential bases during the course of a year (Christenson 1990:292-293). The eastern Kumeyaay spent the winter in villages on the desert margin where water was available from springs at canyon mouths. They moved up the canyons toward the mountains during spring and summer. The eastern and western Kumeyaay met in the mountains in the fall where they gathered black oak acorns, traded, and held ceremonies (Christenson 1990:63). The large residential bases in the mountains appear archaeologically to be village sites (Gross and Sampson 1990).

The Kumeyaay population was estimated to be between 10,000 and 20,000 at the time of European contact, based on Spanish accounts and ethnographies (Gallegos 2002). Beginning in 1775, the semi-

nomadic life of the Kumeyaay began to change as a result of contact with Euro-Americans, particularly from the influence of the Spanish missions. Through successive Spanish, Mexican, and Anglo-American control, the Kumeyaay were forced to adopt a sedentary lifestyle and accept Christianity (Luomala 1978).

The Project Area is located on the southern side of Batiquitos Lagoon in what is generally accepted as traditional Kumeyaay territory. However, boundaries between ancestral territories are often fluid or loosely defined due to movement and interaction among pre-contact and post-contact populations. Luiseño communities are posited to have extended as far south as the north side of Batiquitos Lagoon. The Luiseño are one of the Takic-speaking groups that were present in southern California prior to the arrival of Euro-Americans. Luiseño occupied most of the area drained by the San Luis Rey and Santa Margarita Rivers.

The Luiseño lived in sedentary and autonomous village groups, each with specific subsistence territories encompassing hunting, collecting, and fishing areas. Villages were typically located in valley bottoms, along streams, or along coastal strands near mountain ranges where water was available and village defense was possible. Inland populations had access to fishing and gathering sites on the coast, which they used during the winter months (Bean and Shipek 1978).

Luiseño subsistence was based on the gathering of acorns, seeds, greens, bulbs, roots, berries, and other vegetal foods. This was supplemented by hunting mammals such as deer, antelope, rabbit, woodrat, ground squirrels, and mice, as well as birds including quail, doves, and ducks. Bands along the coast also exploited marine resources, such as sea mammals, fish, crustaceans, and mollusks. Inland, trout and other fish were taken from mountain streams (Bean and Shipek 1978).

Hunting was done both individually and by organized groups. Tool technology for food acquisition, storage, and preparation reflects the size and quantity of items procured. Small game was hunted with the use of curved throwing sticks, nets, slings, or traps. Bows and arrows were used for hunting larger game. Dugout canoes, basketry fish traps, and shell hooks were used for near-shore ocean fishing. Coiled and twined baskets were made for food gathering, preparation, storing, and serving. Other items used for food processing included large shallow trays for winnowing chaff from grain, ceramic and basketry storage containers, manos and metates for grinding seeds, and ceramic jars for cooking (Bean and Shipek 1978).

Luiseño social organization was based on patrilineal and patrilocal lineages. Exogamy rules required that a man could not marry a woman related to them within five generations. Women moved to their husband's village but kept their identity as a member of their natal lineage (Cultural Systems Research 2005). The Luiseño corporate group was a "party" composed of one major lineage with a ceremonial leader (chief), a ceremonial bundle, and a ceremonial house or enclosure. Members of other lineages within the party could live in the same village as the major lineage or within other villages within the party territory. The ceremonial chief was also the hereditary chief of the party who organized religious, economic, and military activities (Goldberg I:47). An advisory council of ritual specialists and shamans was consulted for their specialized knowledge. Resources within the party territory were owned by the party. The party territory was marked by boundary markers and was defended against trespassers (Waugh 1986).

Houses were circular with conical roofs and were made of a framework of logs covered by tules, sedge, or bark and a layer of earth. The floors of the houses were about two feet below the ground surface. Houses had a central fireplace, but most cooking was done outside (Cultural Systems Research 2005). Round earth-covered semi-subterranean sweat houses with an interior fire pit were primarily used by men and were located next to a stream or pond. Ramadas, flat-roofed open structures, provided shade for work areas (Cultural Systems Research 2005). Women's work areas often consisted of a circular windbreak made of arrow weed or tule. They had a hard-packed earth floor that was swept to remove debris. Earth ovens consisted of a pit with a ring of rocks. Granaries for storing acorns, seeds, and nuts were made of woven arrow weed or willow, sealed with mud. They were built on platforms, on top of houses, or on boulders to keep burrowing animals out. Caves and rockshelters in or near villages were used for activity areas, as caches, and for ceremonies. Rockshelters away from the village could be used as temporary camps. Other temporary camps had lean-tos made of willows with an adjacent fire pit (Cultural Systems Research 2005).

When the Spanish arrived in southern California in 1769, it is estimated that there were 50 Luiseño villages with a population of about 200 each, suggesting a total population of about 10,000 (White 1963).

3.3 History

The first European to visit California was Spanish maritime explorer Juan Rodriguez Cabrillo in 1542. Cabrillo was sent north by the Viceroy of New Spain (Mexico) to look for the Northwest Passage. Cabrillo visited San Diego Bay, Catalina Island, San Pedro Bay, and the northern Channel Islands. The English adventurer Francis Drake visited the Miwok Native American group at Drake's Bay or Bodega Bay in 1579. Sebastian Vizcaíno explored the coast as far north as Monterey in 1602. He reported that Monterey was an excellent location for a port (Castillo 1978). Vizcaíno also named San Diego Bay to commemorate Saint Didacus. San Diego began to appear on European maps of the New World by 1624 (Gudde 1998:332).

In 1769, the Gaspar de Portolá Spanish land expedition arrived in the San Diego area from New Spain (Mexico), and Mission San Diego de Alcalá was founded by Father Junipero Serra as the first of 21 Spanish missions in Alta California. A presidio (military facility for Spanish soldiers) was built near the mission. The purpose of the missions and presidios was to establish Spanish economic, military, political, and religious control over the Alta California territory. The missions sustained themselves through cattle ranching and traded hides and tallow for supplies brought by ship. Mission San Diego was established to convert the Native Americans that lived in the area, known as the Kumeyaay or Diegueño. The presidio and mission were located on a hill on the south side of the San Diego River about three miles inland from the coast. After being destroyed by attacking Kumeyaay in 1775 during an attempt to drive out the Spanish (Robinson 1948:63; Castillo 1978:103), Mission San Diego was rebuilt in its present location on the north side of the river about 5.5 miles upstream from the presidio. However, the presidio remained in its original location and a small town or pueblo developed around it (Caughey 1933:123).

Mexico became independent from Spain in 1821, and what is now California became the Mexican province of Alta California. The Mexican government closed the missions in the 1830s and former mission lands were granted to retired soldiers and other Mexican citizens for use as cattle ranches. Much of the land along the coast and in the interior valleys became part of Mexican land grants or "ranchos"

(Robinson 1948). During the Mexican period there were small towns at San Diego (near the presidio), San Juan Capistrano (around the mission), and Los Angeles. The rancho owners lived in one of the towns or in an adobe house on the rancho. The Mexican Period includes the years 1821 to 1848.

The American period began when the Treaty of Guadalupe Hidalgo was signed between Mexico and the United States in 1848. Alta California became part of the United States as the territory of California, officially becoming the State of California in 1850. Most Mexican land grants were confirmed to the grantees by U.S. courts, but usually with more restricted boundaries which were surveyed by the U.S. Surveyor General's office. Land that was not part of a land grant was owned by the U.S. government until it was acquired by individuals through purchase or homesteading. Floods and drought in the 1860s greatly reduced the cattle herds on the ranchos, making it difficult to pay the new American taxes on the thousands of acres they owned. At the same time, the Homestead Act of 1862 brought American settlers to southern California in search of land to claim. Many Mexican-American cattle ranchers borrowed money at usurious rates from newly arrived Anglo-Americans. The resulting foreclosures and land sales transferred most of the land grants into the hands of Anglo-Americans (Cleland 1941:137-138).

San Diego County was created in 1850 as one of the first counties within the new state of California (Coy 1973; Marschner 2000). At that time, the area designated as San Diego County included nearly all of present-day San Diego, Imperial, Riverside, and San Bernardino counties, as well as a small portion of present-day Inyo County (Coy 1973:221; Marschner 2000:39). The City of San Diego continued as a small settlement around the presidio until a new town was platted south of the old town by Alonzo Horton, a San Francisco furniture dealer. He sold lots beginning in 1867 and built a 700-foot wharf in 1869. By 1870 San Diego had 800 buildings and a population of 3,000 (Dumke 1944:134). The completion of the California Southern Railroad from National City and San Diego to San Bernardino via Oceanside in 1883 and the completion of the Santa Fe line from Los Angeles to Oceanside (connecting to San Diego via the California Southern track) in 1888 resulted in a real estate boom and the economic development of the San Diego area (Dumke 1944:136-137). The population continued to increase throughout the earlier part of the twentieth century, with continued growth in the City of San Diego as well as the gradual growth and eventual incorporation of various rural communities throughout San Diego County.

The Project Area is located within the City of Encinitas, approximately 25 miles north of downtown San Diego. Encinitas is a coastal beach community of northern San Diego County that was incorporated in 1986 from several smaller beachside and rural communities. Today, the city is an upscale community of 60,000 people. The area has become a locus for the beaches and outdoor activities, with a focus on arts and a local business district that exists along North Coast and South Coast Highway 101.

4.0 METHODS

4.1 Personnel Qualifications

All phases of the cultural resources investigation were conducted or supervised by Registered Professional Archaeologist (RPA) John O'Connor, who meets the Secretary of the Interior's Professional Qualifications Standards for prehistoric and historical archaeology. Oversight and QA/QC control was provided by Principal Investigator Lisa Westwood.

John O'Connor served as the project archaeologist, cultural task manager, and co-author for this study. Dr. O'Connor holds BA (Highest Honors) and MA degrees in Anthropology (archaeology) and completed his PhD in Anthropology (archaeology and human ecology) in March 2019. He is an RPA who meets the Secretary of the Interior's Professional Qualifications Standards for prehistoric and historical archaeologist. With over 11 years of archaeological experience, Dr. O'Connor has expertise in all facets of archaeological practice that includes cultural resources management, academic research, museum collections management, university teaching, and applied knowledge of inter-institutional coordination with American Indian and Native Hawaiian organizations.

Paige Liss the field archaeologist for implementation of the field survey and auger testing program. Ms. Liss hold a BS in Anthropology and Geography with a concentration in human ecology. Ms. Liss has archaeological experience throughout southern California, working on federal, state, and local projects.

Lisa Westwood served as the Principal Investigator and co-author for this cultural resources investigation. Ms. Westwood is a cultural resources professional with over 26 years of consulting experience. Ms. Westwood is an RPA with extensive experience in cultural resources management, archaeology, and tribal consultation. Building upon her expertise in archaeology and cultural resources law, and her experience in CEQA/National Environmental Policy Act, permitting, and tribal consultation, her professional focus is on cultural resources policy and the negotiation and development of cultural resources compliance strategy for large specific plans, residential developments, and public sector projects.

4.2 Records Search Methods

A cultural resources records search request was submitted on April 2, 2019 to the SCIC located at San Diego State University. The records search was conducted by SCIC staff. The SCIC operates as a branch of the California Historical Resources Information System (CHRIS) and is the official repository of cultural resources reports and site records for San Diego and Imperial counties in southern California. The purpose of the records search was to determine the extent and location of previous surveys, previously identified pre-contact or historic-era archaeological site locations, architectural resources, historic properties, cultural landscapes, or ethnic resources within a one-mile (1,600-meter) radius of the Project Area. Materials reviewed included survey and evaluation reports, archaeological site records, historic maps, and listings of resources on the NRHP, CRHR, California Points of Historical Interest, California Historical Landmarks, and National Historic Landmarks. Historic-period aerial photographs were also reviewed as a part of this study.

Topographic maps from 1939, 1947, 1949, 1955, 1963, 1969, 1971, 1978, 2001, 2012, and 2015 were reviewed for any indications of property usage and built environment. Aerial photographs taken in 1990, 1994, 1997, 2002, 2003, 2005, 2009, 2010, 2012, and 2014 were also reviewed, with no indication of any structures existing on the property during this period (Nationwide Environmental Title Research, LLC [NETROnline] 2019).

4.3 Sacred Lands File Coordination Methods

A search of the Sacred Lands File by the NAHC was requested by ECORP on April 2, 2019. This search was requested to determine whether there are sensitive or sacred Native American resources in the vicinity of

the Project Area that could be affected by the proposed Project. The NAHC was also asked to provide a list of Native American groups that have historic or traditional ties to the Project area.

4.4 Field Methods

Archaeological fieldwork was conducted by ECORP archaeologists John O'Connor and Paige Liss from April 16 to 17, 2019. Fieldwork consisted of a pedestrian survey, followed by an auger testing program to assess the presence or absence of cultural resources on the surface of the Project Area and to determine the subsurface extent, if any, of a known adjacent historical resource onto the proposed Project property. The Project Area was examined for the presence of cultural artifacts and features by walking the entire 1.22-acre parcel, using parallel north-south transects in 10- to 15-meter intervals. Notes and photographs were taken on the environmental setting and disturbances within the Project Area. Hand auger sampling was completed at 20 locations throughout the Project Area using a 4-inch bucket hand auger. Nineteen locations were sampled to a depth of 39.5 inches (1 meter), and one location was sampled to a depth of 79 inches (2 meters) based on the planned locations of structures and the anticipated depth below surface for the construction of the proposed Project.

All auger sample locations were assigned a unique temporary number (i.e., AS-1) and mapped using Collector for ArcGIS, a cloud-based geospatial software with two- to five-meter accuracy, with data later post-processed for submeter accuracy. Digital photographs were taken of auger sample locations and artifacts/ecofacts, as well as general site overviews showing the general environment and the presence, if any, of human or naturally-occurring impacts. Following fieldwork, DPR 523 records were prepared for any resources identified during the field investigation, and location and sketch maps were created using data collected with the Collector ArcGIS application used in the field.

Understanding that the Project area is a former commercial nursery, the presence of patches of darker, organically rich soils that mimic archaeological midden is possible. Therefore, identification of such deposits as pre-contact required consideration of a broader set of indicators, including distance from previously recorded sites, the presence of artifacts, and context.

4.5 Evaluation Criteria

4.5.1 State Evaluation Criteria

Under CEQA, the lead agency must determine whether or not the project would have a significant effect on historical resources, archaeological resources, unique archaeological resources, or human remains. Cultural resources are evaluated using CRHR eligibility criteria in order to determine whether any of the sites are historical resources, as defined by CEQA. CEQA requires that impacts to historical resources be identified and, if the impacts would be significant, that mitigation measures to reduce the impacts be applied.

An historical resource is a resource that:

1. is listed in or has been determined eligible for listing in the CRHR by the State Historical Resources Commission;

2. is included in a local register of historical resources, as defined in PRC 5020.1(k);
3. has been identified as significant in an historical resources survey, as defined in PRC 5024.1(g); or
4. is determined to be historically significant by the CEQA lead agency [CCR Title 14, § 15064.5(a)]. In making this determination, the CEQA lead agency usually applies the CRHR eligibility criteria.

In making this determination, the CEQA lead agency usually applies the CRHR eligibility criteria. The eligibility criteria for the CRHR are as follows [CCR Title 14, § 4852(b)]:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. it is associated with the lives of persons important to local, California, or national history;
3. it embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
4. it has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition, the resource must retain integrity. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association [CCR Title 14, § 4852(c)].

Impacts to an historical resource (as defined by CEQA) are significant if the resource is demolished or destroyed or if the characteristics that made the resource eligible are materially impaired [CCR Title 14, § 15064.5(a)].

4.5.2 Federal Evaluation Criteria

Under federal regulations implementing Section 106 of the NHPA (36 CFR 800), cultural resources identified in a Project APE are evaluated using NRHP and eligibility criteria. The eligibility criteria for the NRHP are as follows (36 CFR 60.4):

"The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance that possess aspects of integrity of location, design, setting, materials, workmanship, feeling, association, and

- a) is associated with events that have made a significant contribution to the broad patterns of our history;
- b) is associated with the lives of a person or persons significance in our past;
- c) embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- d) has yielded or may be likely to yield information important in prehistory or history.

In addition, the resource must be at least 50 years old, except in exceptional circumstances (36 CFR 60.4)".

Effects to NRHP-eligible resources (historic properties) are adverse if the project may alter, directly or indirectly, any of the characteristics of an historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.

5.0 RESULTS

5.1 Records Search

The cultural resources records search consisted of a review of previous research and literature, records on file with the SCIC for previously recorded resources, and historical aerial photographs and maps of the vicinity.

5.1.1 Previous Cultural Resources Research

The results of the CHRIS records search were received by ECORP on May 13, 2019 (Attachment A). The records search indicated that 82 cultural resources investigations were conducted within a one-mile radius of the Project Area between 1973 and 2018. Twelve of these investigations overlap the Project Area (Table 1). The entire Project Area has been surveyed in previous investigations.

Table 1. Previous Cultural Studies that Overlap the Project Area				
Report Number(s)	Author(s)	Affiliation	Report Title	Year
SD-00671; NADB-R - 1120671; Voided - GALLEGOS52	Gallegos, Dennis, Dayle Cheever, and Stephan Van Wormer	WESTEC Services, Inc.	<i>A Cultural Resource Overview for the Encinitas Planning Area, Encinitas, California</i>	1986
SD-01984; NADB-R - 1121984; Voided - WESTEC 07	WESTEC Services, Inc.	WESTEC Services, Inc.	<i>Regional Historic Preservation Study</i>	1980
SD-03028; NADB-R - 1123028; Voided - SMITHB 252	Smith, Brian.	Brian F. Smith and Associates	<i>Results of an Archaeological Evaluation of Cultural Resources Within the Proposed Corridor for the San Elijo Water Reclamation System (Project No. C-06-4155-110)</i>	1995
SD-04111; NADB-R - 1124111; Voided - SEEMAN01	Seeman, Larry	Larry Seeman	<i>Draft Environmental Impact Report Revised Parks and Recreation Element, Carlsbad, California</i>	1982
SD-04226; NADB-R - 1124226; Voided - MCCORKLE18	McCorkle-Apple, Rebecca	KEA Environmental	<i>Historic Property Survey Report for Widening La Costa Avenue Overcrossing</i>	1994

Table 1. Previous Cultural Studies that Overlap the Project Area

Report Number(s)	Author(s)	Affiliation	Report Title	Year
SD-09361; NADB-R - 1129361; Other - 11A0398; Voided - BYRD15	Byrd, Brian F. and Collin O'Neill	ASM, Inc.	<i>Archaeological Survey Report for the Phase I Archaeological Survey along Interstate 5 San Diego County, CA</i>	2002
SD-11761; NADB-R - 1131761; Voided - DOMINICI67	Dominici, Deb	Caltrans	<i>Historic Property Survey Report, I-5 North Coast Widening Project</i>	2007
SD-14615; NADB-R - 1134615; Voided - CALTRANS90	Caltrans	Caltrans	<i>I-5 North Corridor Project Supplements</i>	2013
SD-16127; NADB-R - 1136127	Dominici, Deb and Don Laylander	Caltrans	<i>2007 Cultural Resources Treatment Plan North Coast Interstate 5 Corridor</i>	2008
SD-16131; NADB-R - 1136131	Blake, Michelle	Caltrans	<i>Sixth Supplemental Historic Property Survey Report (HPSR): Revised Area of Potential Effects (APE) I-5 North Coast Corridor</i>	2013
SD-17634; NADB-R - 1137634	Davis, Nichole Jordan	Michael Baker International	<i>Archaeological Testing and Research Design for the Weston Subdivision Project, City of Encinitas, San Diego County, California</i>	2017
SD-17635	Zinn, Timothy G.	Michael Baker International	<i>Findings of National Register Eligibility and Assessment of Integrity of the Weston Farm for the Weston Subdivision Project, Encinitas, San Diego County, California</i>	2017

The records search also indicated that 28 cultural resources were previously recorded within the one-mile search radius. One cultural resource, CA-SDI-603 a pre-contact archaeological site, was previously recorded within the Project Area (Table 2 in Volume II, Attachment D), but its location was mapped differently by several sources. This archaeological site was previously evaluated as eligible for the NRHP under Criterion D. Associated with Batiquitos Lagoon, the site is a large pre-contact shell midden comprising rock features, human burials, and artifacts of stone, ceramic, shell, and bone. CA-SDI-603 has been radiocarbon dated to 5500-6930 cal B.C. (Laylander and Becker 2004). Given the conflicting information and uncertainty about whether or not the proposed Project could have an effect on the site, an updated survey with a testing program was necessary.

In addition, two historic addresses identified as Weston Farm, CA-SDI-017928 and CA-SDI-022520, have been documented west of the Project Area.

A review of historic-period maps and historic aerial photographs indicates the Project Area remained mostly undeveloped throughout the twentieth century and to the present day. An 1872 official map for the western portion of San Diego County does not depict any roads or structures in the Project Area. Likewise, a 1955 map of San Diego County depicting all roads and trails used between 1769 and 1885 does not show any details of development or use on the Project Area. A 1939 topographic map of the area shows no indication of land uses other than agricultural or open private land. A 1948 map of Encinitas provided by the SCIC depicts agriculture use on the adjacent property to the west and a small structure at the northern end of the Project Area, a structure that is likely the same depicted in a 1969 topographic map. The I-5 highway that is now located to the northeast of the Project Area is first depicted on a 1969 topographic map, at which time two small structures appear within the Project parcel boundaries on the map. These small structures are present on the 1978 topographic map but are no longer depicted on the 2001 topographic map.

The earliest aerial photograph available is from 1990. In this photo, the Project Area is undeveloped, and the surrounding area is similar to its current condition. The I-5 highway, La Costa Avenue, the nursery, and the gas station are all visible in the image. No structures or other evidence of a built environment are present in the Project Area in the 1990 aerial photograph or subsequent images.

5.2 Sacred Lands File Results

Results of the Sacred Lands File records search conducted by the NAHC were received by ECORP on April 23, 2019. The results of the Sacred Lands File records search were negative, indicating no record for the presence of Native American Sacred Lands within the Project Area. However, the NAHC provided contact information for 16 Native American groups and individuals with cultural, historic, or traditional ties to the Project Area (Attachment B).

5.3 Field Results

The field survey and auger testing of the Project Area was conducted by ECORP senior archaeologist John O'Connor and archaeologist Paige Liss on April 16 and 17, 2019. The survey was conducted as an intensive systematic pedestrian survey on the morning of April 16. The Project Area was examined for the presence of pre-contact and historic-period cultural artifacts and features by walking the entire 1.22-acrea parcel, using parallel north-south transects in 10- to 15-meter intervals. The Project Area is relatively small with generally flat topography, except for the substantial slope at the northwest edge of the parcel. Ground visibility was good in most areas, approaching 95-100 percent visibility in many sections of the Project Area. Portions of the Project Area are alternately used as a plant nursery, garden, and equipment/vehicle storage location (Figures 3 and 4). Small marine shells and shell fragments were observed in various locations but were deemed not to be associated with any cultural resource based on the proximity to the lagoon, the lack of association of identified shells with subsistence or other cultural activities (very small shells and shell fragments, insufficient as food sources), and the disturbed nature of the soils in the Project

Area. No cultural resources or features were observed on the surface of the Project Area. Photographs of the Project Area are included in Attachment C of Volume II.



Figure 3. Overview from northwest corner of Project Area (view southeast, April 16, 2019, Photo #342).



Figure 4. Overview from southeast corner of Project Area (view north, April 17, 2019, Photo #365).

Following utilities clearance, the auger testing program was implemented on April 16 and 17, 2019. Testing was conducted to determine the subsurface nature of archaeological resources in the Project Area and to assess the potential for previously recorded archaeological sites (e.g., CA-SDI-603) to extend into the Project Area. Hand auger sampling was completed at 20 locations throughout the Project Area using a 4-inch bucket hand auger. Nineteen locations were sampled to a depth of 39.5 inches (1 meter), and one location was sampled to a depth of 79 inches (2 meters) based on the planned locations of structures and the anticipated depth below surface for the construction of the proposed Project. All sampled locations were recorded using Collector for ArcGIS and assigned temporary identification numbers AS-1 through AS-20.

The majority of auger samples (65%, n=13) returned no evidence of subsurface cultural materials. However, seven auger samples returned positive identifications for archaeological materials: AS-2, AS-3, AS-4, AS-11, AS-14, AS-15, and AS-19 (Figure 5 in Volume II, Attachment D). Recovered materials included five marine shell specimens (*Chione cf. californiensis*; locations AS-2, AS-4, AS-11, AS-14, and AS-15), two lithicdebitage specimens (small tertiary flakes consistent with local secondary cobble volcanic deposits; locations AS-3 and AS-19), heat-affected rock (location AS-19), and minimal amounts of charcoal flecking throughout. Small bits of charcoal were observed on the surface of the property and in many of the auger samples, but there was no evidence of any hearth features. No midden was encountered, and these materials were observed within otherwise culturally-sterile soil. All recovered materials were redeposited in the ground at the respective sample locations prior to backfilling of the auger samples.

The field survey did not yield any indication of any historic-era foundations or features associated with former structures on the property, which were removed in the past. Modern concrete pavers, irrigation materials, and other nursery items are present on the property. Modern materials recovered from auger sampling include small glass specimens (locations AS-10, AS-12, AS-16, and AS-17), one piece of metal (location AS-18), terracotta (location AS-11), ceramic (location AS-16) specimens, and a coin (location AS-13). All of these materials are of modern origin and relate to recent nursery activity and other surface and ground disturbance related to modern parcel use. No other pre-contact, historic-era, or built environment cultural resources are present within the Project Area.

5.4 Evaluation

Pre-contact archaeological site CA-SDI-603 was previously evaluated as eligible for the NRHP under Criterion D, an eligibility determination and criterion that makes that site eligible for the CRHR under CEQA. The archaeological materials identified during the auger testing program have been determined to be an extension of CA-SDI-603 into the current Project Area. However, the materials identified during the auger testing program lack context and do not appear representative of intact deposits. Examination of the soil in the auger buckets upon excavation in controlled levels suggests that the cultural material observed in the seven auger locations was not associated with any intact archaeological strata. Marine shell is a common occurrence in the area, and its presence alone would not ordinarily suggest an archaeological site. Similarly, heat-affected rock and charcoal may be the result of either modern activity or pre-contact occupation. However, the observation of two lithic artifacts and the presence of a significant pre-contact archaeological site nearby suggest that these observances may be residue from site CA-SDI-603 that have been relocated and moved out of context. Had site CA-SDI-603 extended,

intact, into the proposed project area, ECORP would have expected a much greater density of artifacts and cultural deposits both on the surface and within the auger locations.

The presence of the newly identified materials has likely been caused by decades of prior ground disturbance on the Project parcel and in the surrounding landscape. Massive earthwork associated with construction of I-5 and the adjacent developments, including a gas station, has undoubtedly impacted site CA-SDI-603 in the past. Grading and earthwork on those adjacent projects likely pushed artifacts into the current project area, which was then further disturbed by previous use as a nursery. These materials are no longer in their primary (original context), and therefore, their ability to provide information important to prehistory is limited. Therefore, while these materials have been determined as an extension of historical resource CA-SDI-603, these cultural materials lack integrity with respect to CRHR eligibility criteria under CEQA [CCR Title 14, § 4852(c)]. Further, because the auger locations were specifically selected to coincide with planned excavation for the proposed project, the results of the auguring program reflect the potential impact (or lack thereof) to the eligible site. Based on the current evidence, no significant impact will occur to CA-SDI-603 as a result of the proposed Project.

6.0 RECOMMENDED MITIGATION MEASURES

Geologic maps of the area show that the Project Area contains Holocene deposits. These sediments are contemporaneous with human occupation of the region, and the area is known to have been a traditional territory for the Kumeyaay tribe. Reflections of an adjacent pre-contact archaeological site were observed within the Project Area as a result of this cultural resources investigation. However, the presence of archaeological materials in the Project Area and the high density of substantial archaeological deposits in the vicinity suggests that there is a potential for additional archaeological materials to be unearthed during construction. CEQA requires the lead agency to address any unanticipated cultural resources discoveries during Project construction. Therefore, ECORP recommends the following mitigation measures be adopted and implemented by the lead agency to reduce potential adverse impacts to less than significant. The City has approved these mitigation measures in consultation with traditionally affiliated California Native American tribes.

- CUL-1** A qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall provide pre-construction cultural resources awareness training to all construction personnel. Training will include appropriate protocol following the unanticipated discovery of any archaeological deposits during construction. A qualified professional archaeologist shall be retained to monitor all ground-disturbing activity associated with the project.
- CUL-2** Due to the high potential for uncovering unknown subsurface archaeological resources, including Native American tribal cultural resources, cultural resource mitigation monitoring shall be undertaken for any and all on-site and off-site ground disturbing activities. If on-site and/or off-site ground disturbing activities (e.g., exploratory trenching or excavations) are required for any informal or formal solicitation (written or spoken) of construction bids or similar requirements, all applicable requirements identified in mitigation measures CUL-3 to CUL-9 shall be undertaken by the applicant and/or owner.

- CUL-3** A Cultural Resource Mitigation Monitoring Program shall be conducted to provide for the identification, evaluation, treatment, and protection of any cultural resources that are affected by or may be discovered during the construction of the proposed project. The monitoring shall consist of the full-time presence of an archaeological monitor, who is a professional archaeologist working under the direction of the qualified archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, and a traditionally and culturally affiliated (TCA) Native American monitor for, but not limited to, any clearing or grubbing of vegetation, tree removal, demolition and/or removal of remnant foundations, pavements, abandonment and/or installation of infrastructure; grading or any other ground disturbing or altering activities, including the placement of imported fill materials (note: all fill materials shall be absent of any and all cultural resources); and related road improvements, including, but not limited to, La Costa Avenue. Other tasks of the monitoring program shall include the following:
1. The requirement for cultural resource mitigation monitoring shall be noted on all applicable construction documents, including demolition plans, grading plans, etc.
 2. The archaeological monitor and TCA Native American monitor shall attend all applicable pre-construction meetings with the Contractor and/or associated Subcontractors.
 3. The archaeological monitor shall maintain ongoing collaborative consultation with the TCA Native American monitor during all ground disturbing or altering activities, as identified above.
 4. The archaeological monitor and/or TCA Native American monitor may halt ground disturbing activities if archaeological artifact deposits or cultural features are discovered. In general, ground disturbing activities shall be halted within a 50-foot radius of the discovery to allow a determination of potential significance, the subject of which shall be determined by the archaeological monitor and the TCA Native American monitor, in consultation with the qualified archaeologist and the San Luis Rey Band of Mission Indians ("San Luis Rey Band"). Ground-disturbing activities shall not resume until the qualified archaeologist, in consultation with the TCA Native American monitor, deems the cultural resource or feature has been appropriately documented and/or protected. At the discretion of the archaeological monitor, the location of ground disturbing activities may be relocated elsewhere on the project site to avoid further disturbance of cultural resources. The qualified archaeologist shall be called to evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgement. The following notifications shall apply, depending on the nature of the find:
 - a. If the qualified archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.

- b. If the qualified archeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the City and landowner. The City shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the CRHR. Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the site either: 1) is not eligible for or CRHR; or 2) that the treatment measures have been completed to its satisfaction.
5. The avoidance and protection of discovered unknown and significant cultural resources and/or unique archaeological resources is the preferable mitigation for the proposed project. If avoidance is not feasible, a Data Recovery Plan may be authorized by the City as the lead agency under CEQA. If data recovery is required, then the San Luis Rey Band shall be notified and consulted in drafting and finalizing any such recovery plan.
6. The archaeological monitor and/or TCA Native American monitor may also halt ground disturbing activities around known archaeological artifact deposits or cultural features if, in their respective opinions, there is the possibility that they could be damaged or destroyed.
7. If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measured are taken to protect the discovery from disturbance (Assembly Bill {AB} 2641). The archaeological monitor shall notify the San Diego County Medical Examiner (as per §7050.5 of the Health and Safety Code). The provisions of §7050.5 of the California Health and Safety Code, §5097.98 of the California PRC, and AB 2641 will be implemented. If the Medical Examiner determines the remains are Native American and not the result of a crime scene, the Medical Examiner will notify the NAHC, who then will designate a Native American Most Likely Descendant (MLD) for the Project (§5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC may mediate (§5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate information center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB2641). Work may not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.

CUL-4 Prior to the issuance of a grading permit, and subject to approval of terms by the City, the applicant or owner, and/or contractor shall enter into a Pre-Excavation Agreement with the

San Luis Rey Band, or other TCA tribe. The purpose of this agreement shall be to formalize protocols and procedures between the applicant or owner, and/or contractor, and the San Luis Rey Band for the protection and treatment of, but not limited to, such items as Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas and cultural items, located and/or discovered through the cultural resource mitigation monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, soil surveys, grading, or any other ground disturbing activities.

- CUL-5** Prior to the issuance of a grading permit, the applicant or owner, and/or contractor shall provide a written and signed letter to the City's Director of Development Services, stating that a City-approved qualified archaeologist and a TCA Native American monitor have been retained at the applicant or owner and/or contractor's expense to implement the monitoring program, as described in the pre-excavation agreement. A copy of the letter shall be included in the grading plan submittals for the grading permit.
- CUL-6** Prior to any ground disturbing activities and/or the issuance of a grading permit and concurrent with any demolition activities within the project area, a Phase II archaeological assessment shall occur and be completed, and identify any additional potential negative impacts to subsurface tribal cultural resources that have not yet been identified due to safety conditions at the project area. The Phase II archaeological assessment shall be developed by the qualified archaeologist and the San Luis Rey Band of Mission Indians. All sacred sites, significant tribal cultural resources and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation, if feasible.
- CUL-7** Prior to the issuance of a grading permit, and in order for potentially significant archaeological artifact deposits and/or cultural resources to be readily detected during mitigation monitoring, a written "Controlled Grade Procedure" shall be prepared by a qualified archaeologist, in consultation with the TCA Native American monitor, the San Luis Rey Band, and the applicant or owner, subject to the approval of City representatives. The Controlled Grade Procedure shall establish requirements for any ground disturbing work with machinery occurring in and around areas the archaeological monitor and TCA Native American monitor determine to be sensitive through the cultural resource mitigation monitoring process. The Controlled Grade Procedure shall include, but not be limited to, appropriate operating pace, increments of removal, weight and other characteristics of the earth disturbing equipment. A copy of the Controlled Grade Procedure shall be included in the grading plan submittals for the grading permit.
- CUL-8** Prior to the release of the grading bond, a Monitoring Report and/or Evaluation Report, which describes the results, analysis and conclusions of the cultural resource mitigation monitoring efforts (such as, but not limited to, the Research Design and Data Recovery Program) shall be submitted by the qualified archaeologist, along with the TCA Native

American monitor's notes and comments, to the City's Director of Development Services for approval.

- CUL-9** The landowner shall relinquish ownership of all tribal cultural resources collected during the cultural resource mitigation monitoring conducted during all ground disturbing activities, and from any previous archaeological studies or excavations on the project site to the San Luis Rey Band for respectful and dignified treatment and disposition, including reburial, in accordance with the Tribe's cultural and spiritual traditions. All cultural materials that are associated with burial and/or funerary goods will be repatriated to the Most Likely Descendant as determined by the Native American Heritage Commission per California Public Resources Code Section 5097.98.

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LIST OF ATTACHMENTS

Attachment A - CHRIS Records Search Documentation

Attachment B - Sacred Lands File Documentation

Attachment C – Confidential Project Area Photographs (Volume II)

Attachment D – Confidential Maps and Department of Parks and Recreation Form (Volume II)

ATTACHMENT A

CHRIS Records Search Documentation



South Coastal Information Center
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-5320
Office: (619) 594-5682
www.scic.org
nick@scic.org

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM RECORDS SEARCH

Company: ECORP Consulting, Inc.

Company Representative: John T. O'Connor

Date Processed: 5/12/2019

Project Identification: La Costa Hotel Project

Search Radius: 1 mile

Historical Resources: YES

Trinomial and Primary site maps have been reviewed. All sites within the project boundaries and the specified radius of the project area have been plotted. Copies of the site record forms have been included for all recorded sites.

Previous Survey Report Boundaries: YES

Project boundary maps have been reviewed. National Archaeological Database (NADB) citations for reports within the project boundaries and within the specified radius of the project area have been included.

Historic Addresses: YES

A map and database of historic properties (formerly Geofinder) has been included.

Historic Maps: YES

The historic maps on file at the South Coastal Information Center have been reviewed, and copies have been included.

Summary of SHRC Approved CHRIS IC Records Search Elements

RSID:	2600
RUSH:	no
Hours:	1
Spatial Features:	110
Address-Mapped Shapes:	yes
Digital Database Records:	113
Quads:	1
Aerial Photos:	0
PDFs:	Yes
PDF Pages:	217

ATTACHMENT B

Sacred Lands File Documentation

Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite 100

West Sacramento, CA 95691

916-373-3710

916-373-5471 – Fax

nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: La Costa Hotel Project

County: San Diego

USGS Quadrangle Name: Encinitas (1997, NAD83)

Township: 12S **Range:** 4W **Section(s):** 33

Company/Firm/Agency: ECORP Consulting, Inc.

Street Address: 3914 Murphy Canyon Road, Suite A206

City: San Diego Zip: 92123

Phone: 858-279-4040

Zip: 92123

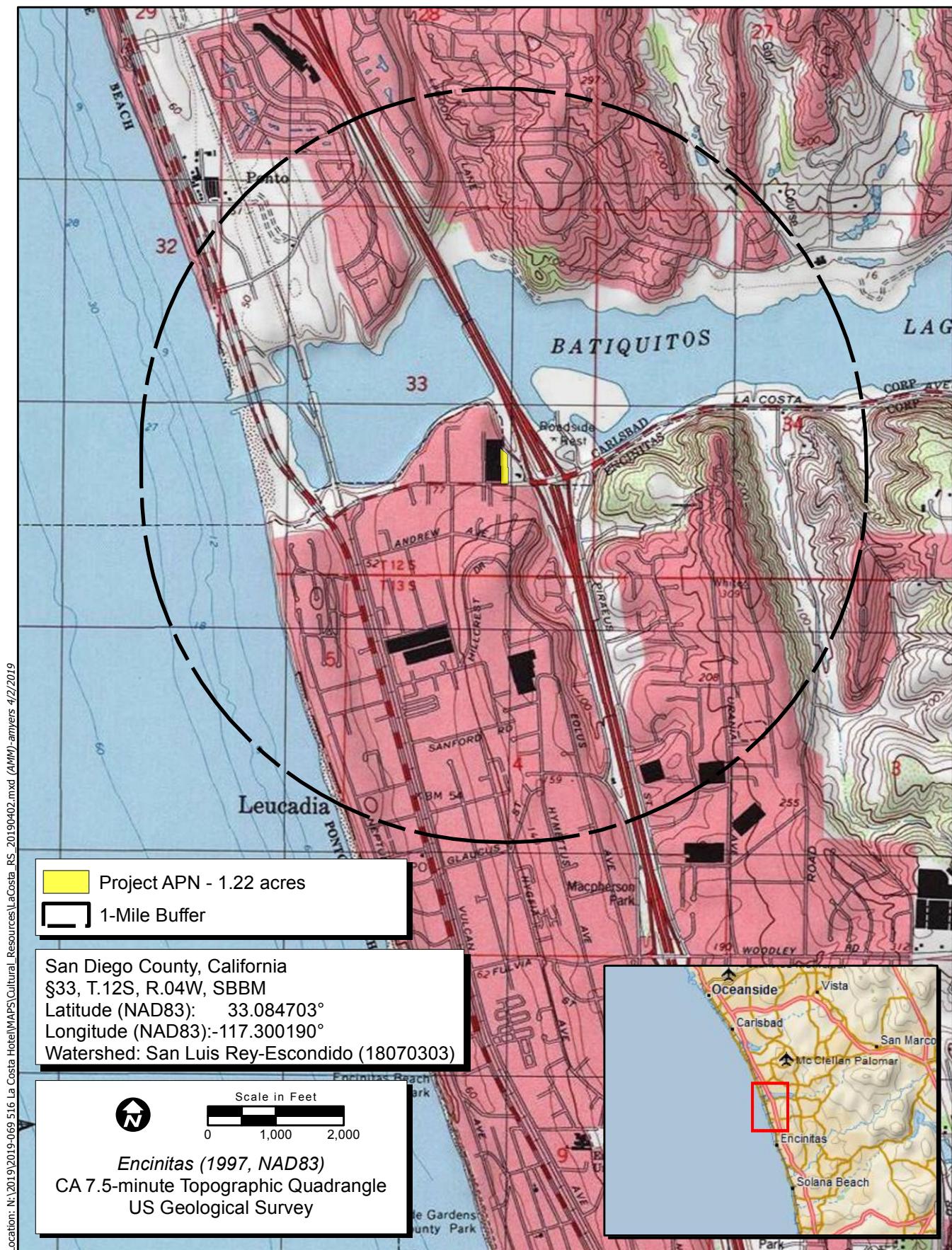
E 858-279-4043

E 858-279-4043

Email: joconnor@ecorpconsulting.com

Email: joconnor@ecorpconsulting.com

Project Description: This project involves construction of a hotel and dining establishment at 516 La Costa Avenue in Encinitas, California.



Map Date: 4/2/2019

iService Layer Credits: Copyright © 2018 Garmin
 Copyright © 2013 National Geographic Society, i-cubed



ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

Records Search Map

2019-069 La Costa Hotel

STATE OF CALIFORNIA

Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone: (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC



April 23, 2019

John O'Connor
ECORP

VIA Email to: joconnor@ecorpconsulting.com

RE: La Costa Hotel Project, San Diego County.

Dear Mr. O'Connor:

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

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

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information. If you have any questions or need additional information, please contact me at my email address: katy.sanchez@nahc.ca.gov.

Sincerely,

Katy Sanchez

KATY SANCHEZ
Associate Environmental Planner

Attachment

**Native American Heritage Commission
Native American Contacts List
4/22/2019**

Barona Band of Mission Indians Edwin Romero, Chairperson 1095 Barona Road Lakeside ,CA 92040 cloyd@barona-nsn.gov (619) 443-6612 (619) 443-0681	Diegueno	Inaja-Cosmit Band of Indians Rebecca Osuna, Chairman 2005 S. Escondido Blvd. Escondido ,CA 92025 (760) 737-7628 (760) 747-8568 Fax	Diegueno
Campo Band of Diegueño Mission Indians Ralph Goff, Chairperson 36190 Church Road, Suite 1 Campo ,CA 91906 rgoff@campo-nsn.gov (619) 478-9046 (619) 478-5818 Fax	Diegueno/Kumeyaay	Jamul Indian Village Erica Pinto, Chairperson P.O. Box 612 Jamul ,CA 91935 epinto@jiv-nsn.gov (619) 669-4785 (619) 669-4817	Diegueno/Kumeyaay
Ewiaapaayp Band of Kumeyaay Indians Robert Pinto Sr., Chairperson 4054 Willows Road Alpine ,CA 91901 wmicklin@leaningrock.net (619) 445-6315 (619) 445-9126 Fax	Diegueno/Kumeyaay	Jamul Indian Village Lisa Cumper, THPO P.O. Box 612 Jamul ,CA 91935 lcumper@jiv-nsn.gov (619) 669-4855 Office (619) 669-4817 Cell	Diegueno/Kumeyaay
Ewiaapaayp Band of Kumeyaay Indians Michael Garcia, Vice Chairperson 4054 Willows Road Alpine ,CA 91901 michaelg@leaningrock.net (619) 445-6315 (619) 445-9126 Fax	Diegueno/Kumeyaay	Kumeyaay Cultural Repatriation Committee Clint Linton, Director of Cultural Resources P.O. Box 507 Santa Ysabel ,CA 92070 cjlinton73@aol.com (760) 803-5694	Diegueno/Kumeyaay
lipay Nation of Santa Ysabel Virgil Perez, Chairperson P.O. Box 130 Santa Ysabel ,CA 92070 (760) 765-0845 (760) 765-0320 Fax	Diegueno/Kumeyaay	Kwaaymii Laguna Band of Mission Indians Carmen Lucas P.O. Box 775 Pine Valley ,CA 91962 (619) 709-4207	Diegueno-Kwaaymii Kumeyaay

This list is current as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code, or Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans Tribes for the proposed: La Costa Hotel Project, San Diego County.

**Native American Heritage Commission
Native American Contacts List
4/22/2019**

La Posta Band of Diegueño Mission Indians Gwendolyn Parada, Chairperson P. O. Box 1120/ 8 Crestwood Road Boulevard ,CA 91905 LP13boots@aol.com (619) 478-2113 (619) 478-2125 Fax	Diegueno/Kumeyaay 1 Viejas Grade Road Alpine ,CA 91901 jhagen@viejas-nsn.gov (619) 445-3810 (619) 445-5337 Fax	Viejas Band of Kumeyaay Indians Robert J. Welch, Jr., Chairperson Diegueno/Kumeyaay
Manzanita Band of Kumeyaay Nation Angela Elliott-Santos, Chairperson P.O. Box 1302 Boulevard ,CA 91905 (619) 766-4930 (619) 766-4957 Fax	Diegueno/Kumeyaay	
Mesa Grande Band of Diegueño Mission Indians Michael J. Linton, Chairperson P.O Box 270 Santa Ysabel ,CA 92070 mesagrandeband@msn.com (760) 782-3818 (760) 782-9092 Fax	Diegueno	
San Pasqual Band of Diegueño Mission Indians Allen E. Lawson, Chairperson P.O. Box 365 Valley Center ,CA 92082 allenl@sanpasqualtribe.org (760) 749-3200 (760) 749-3876 Fax	Diegueno	
Sycuan Band of the Kumeyaay Nation Cody J. Martinez, Chairperson 1 Kwaaypaay Court El Cajon ,CA 92019 ssilva@sycuan-nsn.gov (619) 445-2613 (619) 445-1927 Fax	Diegueno/Kumeyaay	

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