



## 200 North Las Posas Road Project

### Cultural Resources Assessment (**Confidential**)

*prepared for*

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# Confidential Distribution

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The following document contains sensitive and confidential information concerning Native American site locations and components. This report should be held confidential and is not for public distribution. A public distribution version of this report will also be made available. The public version of the report will redact sensitive and confidential information that could compromise the integrity of Native American resources.

**Distribution should be restricted appropriately**

# Executive Summary

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A & S Engineering retained Rincon Consultants, Inc. (Rincon) on behalf of the City of San Marcos (City) to conduct a cultural resources study in support of a general plan amendment for the 200 North Las Posas Road Project (project), in the city of San Marcos, San Diego County, California. The project proposes to develop a 5,000-square foot food mart, 2,000-square foot car wash, and 6,232-square foot gas station canopy with nine fueling dispensing pumps. The current land use designation is Mixed-Use (Nonresidential) (MU-3). A general plan amendment would be required to change the current land use designation of MU-3 to the proposed land use designation of Commercial (C). The study was completed in accordance with the requirements of the California Environmental Quality Act (CEQA) and applicable local guidelines and regulations. The City is the CEQA lead agency for the project. Rincon's scope of work for the study included a cultural resources records search, Native American outreach, field survey, and an assessment of potential, project-related impacts to cultural resources.

The background research and field survey concluded no known archaeological resources or built environment resources are present at the project site. However, four prehistoric resources are located within 0.5 mile of the project site. Two of these resources, P-37-005581 (located approximately 0.25 mile north of the project site) and P-37-005633 (located approximately 500 feet east of the project site) are prehistoric village sites with dense artifact deposits; the latter site contains human remains. A review of soils studies and historical aerial imagery indicate the presence of alluvial soils and minimal past ground disturbance on the project site. Both factors increase the likelihood of encountering intact buried archaeological deposits during project-related ground disturbance. Based on the results of the cultural resources assessment, Rincon recommends a finding of ***less than significant impact to historical and archaeological resources with mitigation incorporated*** under CEQA.

Due to the overall sensitivity of the project area, Rincon recommends completion of Worker's Environmental Awareness Training (WEAP) prior to the start of ground disturbance for the project and that archaeological and Native American monitoring take place during initial project-related ground disturbance. A mitigation measure for the unanticipated discovery of cultural resources during project development as a best management practice is also provided. The project is required to adhere to regulations regarding the unanticipated discovery of human remains, detailed below.

## Worker's Environmental Awareness Program

A qualified archaeologist should be retained to conduct WEAP training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The archaeologist should meet or exceed the Secretary of Interior's Professional Qualification Standards for archaeology (National Park Service [NPS] 1983). Archaeological sensitivity training should include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.

## Archaeological and Native American Monitoring

Rincon recommends archaeological and Native American monitoring during initial project-related, ground-disturbing activities (e.g., grubbing and grading). This monitoring should be conducted by a

qualified archaeologist and Native American consultant. Archaeological monitoring should be performed under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (NPS 1983). Native American monitoring should be provided by a locally affiliated tribal member. Monitors will have the authority to halt and redirect work should any archaeological resources be identified during project-related activities. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area must halt and the find should be evaluated for listing in the California Register of Historical Resources (CRHR). Once initial project-related, ground disturbing activities are completed, archaeological or Native American monitoring or both may be reduced or halted at the discretion of the monitors, in consultation with the lead agency, as warranted by conditions that merit such reduction or suspension.

## Unanticipated Discovery of Cultural Resources

If archaeological resources are encountered during ground-disturbing activities, work in the immediate area should be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR. If the discovery proves to be CRHR eligible and cannot be avoided by the project, additional work, such as data recovery excavation, may be warranted to mitigate any significant impacts to historical resources.

## Human Remains

The discovery of human remains is always a possibility during ground-disturbing activities. If human remains are found, the state of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner makes a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the county coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant, who shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.

# 1 Introduction

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A & S Engineering (A & S) retained Rincon Consultants, Inc. (Rincon) on behalf of the City of San Marcos (City) to conduct a cultural resources study in support of a general plan amendment for the 200 North Las Posas Road Project (project), in the city of San Marcos, San Diego County, California (Figure 1). The purpose of this report is to document the tasks Rincon conducted, specifically, a cultural resources records search, Native American outreach, field survey, and an assessment of potential project-related impacts to cultural resources. The study was completed in accordance with the requirements of the California Environmental Quality Act (CEQA) and applicable local guidelines and regulations. The City is the CEQA lead agency for the current project

## 1.1 Project Location and Description

The 1.65-acre project site is located at the southwest corner of North Las Posas Road and West Mission Road, in the west central portion of San Marcos, approximately 0.3 mile north of State Route 78. The project site is identified as Assessor's Parcel Number 219-122-0300, and is depicted on Township 12S, Range 03W, Section 10 of the United States Geological Survey *San Marcos CA 7.5-minute quadrangle*.

The project site is undeveloped (Figure 2) and consists of sparse patches of exposed soil with dense grasses. Adjacent land uses include commercial developments to the north, south, east, and west, with residential development in the project vicinity to the north and west.

The proposed development entails a 5,000-square foot food mart, 2,000-square foot car wash, and 6,232-square foot gas station canopy with nine fueling dispensing pumps. The current land use designation is Mixed-Use (Nonresidential) (MU-3). A general plan amendment would be required to change the current land use designation of MU-3 to the proposed land use designation of Commercial (C).

## 1.2 Regulatory Setting

### California Environmental Quality Act

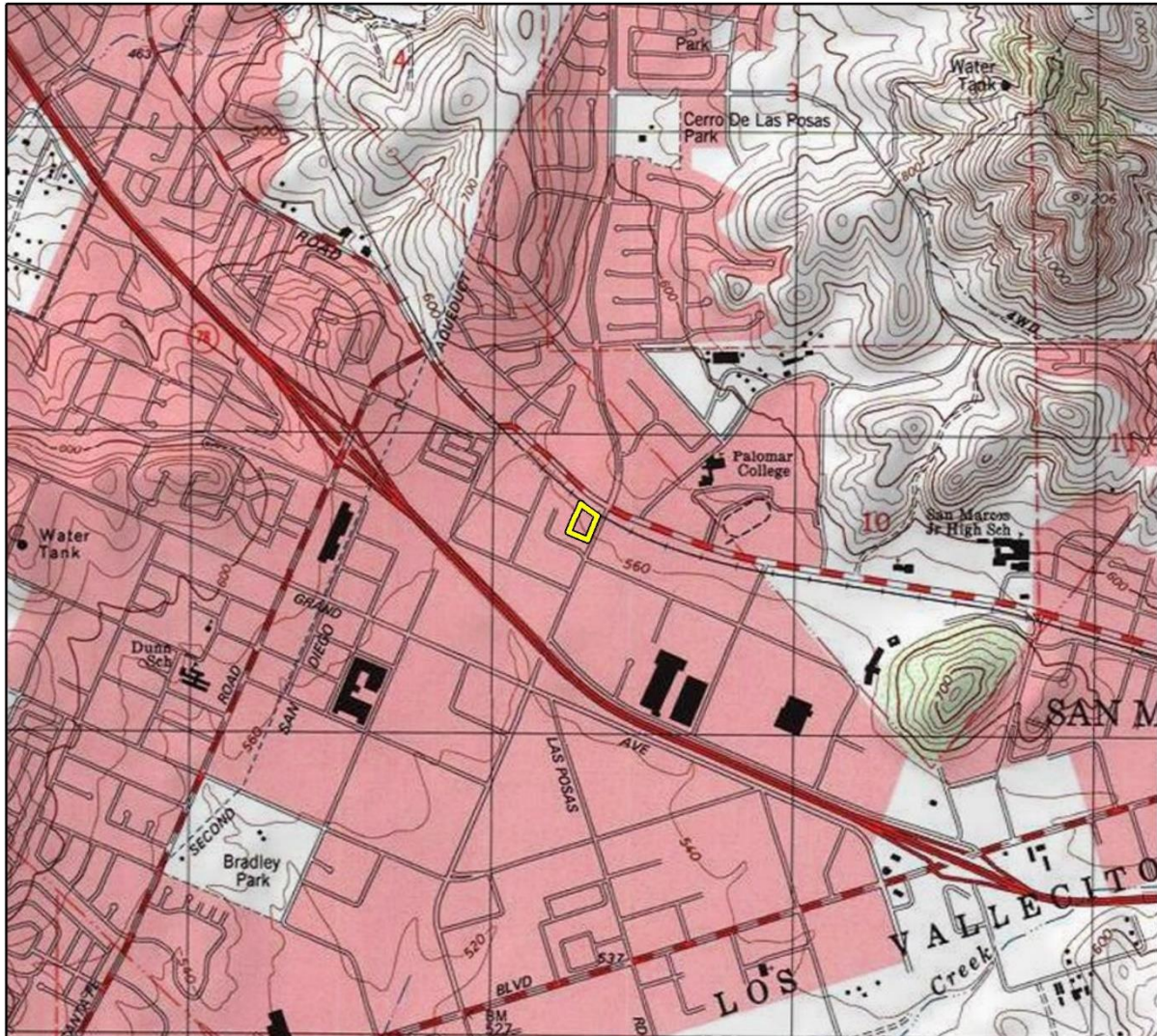
CEQA requires a lead agency to determine whether a project may have a significant effect on historical resources (Public Resource Code [PRC] Section 21084.1) or tribal cultural resources (PRC Section 21074[a][1][A]-[B]). An historical resource is one listed or determined to be eligible for listing in the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources; or an object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be *historically significant* (CEQA Guidelines, Section 15064.5[a][1-3]).

A resource shall be considered *historically significant* if it meets any of the following criteria:

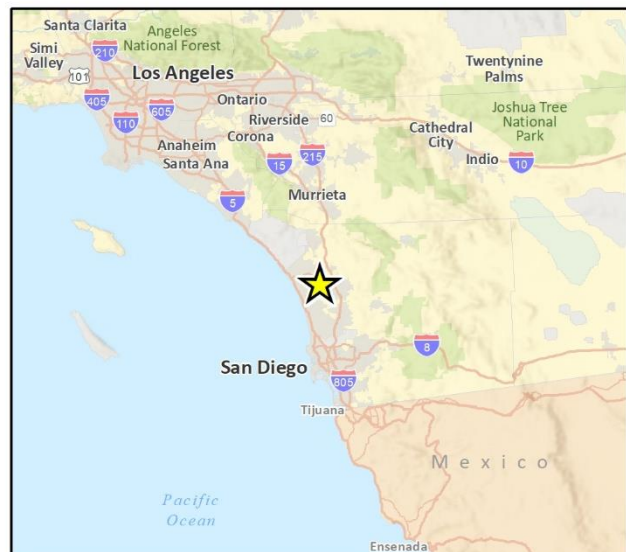
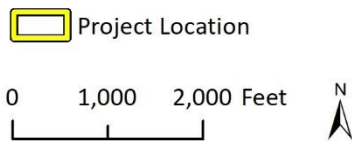
- 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
- 2) Is associated with the lives of persons important to our past
- 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, 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



Figure 1 Project Vicinity Map

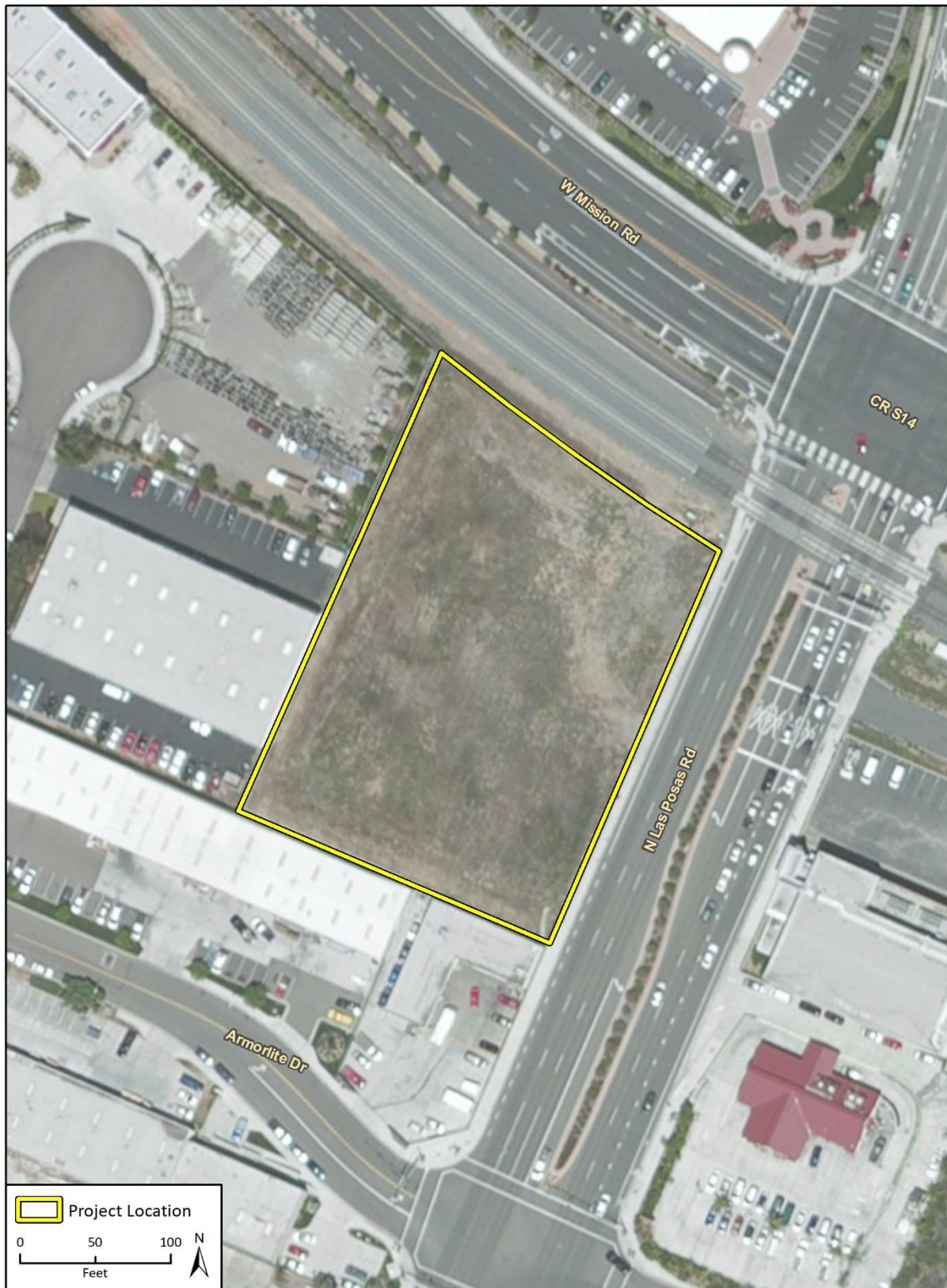


Imagery provided by National Geographic Society, Esri and its licensors © 2020. San Marcos Quadrangle. T12S R03W S10. The topographic representation depicted in this map may not portray all of the features currently found in the vicinity today and/or features depicted in this map may have changed since the original topographic map was assembled.



CRFig 1 Proj Locn Map

Figure 2 Project Location Map



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If it can be demonstrated that a project will cause damage to a *unique archaeological resource*, the lead agency may require reasonable efforts be made to allow any or all resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a], [b]).

PRC Section 21083.2(g) defines a *unique archaeological resource* as an 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

### **Senate Bill 18**

Enacted on March 1, 2005, California Senate Bill 18 (SB 18) (California Government Code Sections 65352.3 and 65352.4) requires cities and counties to notify and consult with California Native American tribal groups and individuals regarding proposed local land use planning decisions for the purpose of protecting traditional tribal cultural places (sacred sites), prior to adopting or amending a General Plan or designating land as open space. Tribal groups or individuals have 90 days to request consultation following the initial contact.

### **Assembly Bill 52**

On July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and expanded CEQA by defining a new resource category called tribal cultural resources (TCR). AB 52 establishes that “a project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment” (PRC Section 21084.2). AB 52 further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a TCR, when feasible (PRC Section 21084.3).

PRC Section 21074(a)(1)(A) and (B) defines TCRs as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and requires that they meet either of the following criteria:

- 1) Listed or eligible for listing in the CRHR, or in a local register of historical resources, as defined in PRC Section 5020.1(k)
- 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 PRC Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe

AB 52 also establishes a formal consultation process for California tribes regarding TCRs that must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed under the jurisdiction of the lead agency.

## Local Guidelines

The City of San Marcos General Plan (2012) includes recommendations related to cultural resources in the Conservation and Open Space (COS) section of the document and includes the following measures:

**Goal COS-2:** The City is committed to conserving, protecting, and maintaining open space, agricultural, and limited resources for future generations. By working with property owners, local organizations, and state and federal agencies, the City can limit the conversion of resource lands to urban uses.

**Policy COS-2.5:** Continue to review future development proposals to ensure that cultural resources (including prehistoric, historic, paleontological, and Senate Bill 18 Tribal resources) are analyzed and conserved in compliance with CEQA requirements

**Goal COS-11:** Continue to identify and evaluate cultural, historic, archeological, paleontological, and architectural resources for protection from demolition and inappropriate actions.

**Policy COS-11.1:** Identify and protect historic and cultural resources including individual properties, districts, and sites (e.g., archaeological sites) in compliance with CEQA.

**Policy COS-11.2:** Prohibit the demolition or removal of a historic structure without evaluation of the condition of the structure, the cost of rehabilitation, and the feasibility of alternatives to preservation in place including but not limited to relocation, or reconstruction offsite, and/or photo-preservation.

**Policy COS-11.3:** Identify opportunities for adaptive reuse of historic sites and buildings to preserve and maintain their viability

## 1.3 Project Personnel

Rincon Cultural Resources Principal Investigator Breana Campbell-King, MA, Registered Professional Archaeologist (RPA), served as principal investigator for the study and provided program-level oversight. Ms. Campbell-King meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology (NPS 1983). Archaeologist Mark Strother, MA, RPA, completed the Native American outreach, requested the cultural resources records search from South Coastal Information Center (SCIC) staff, and is the primary author of this report. Archaeologist Rachel Bilchak conducted the field survey and is a contributing author of this report. Rincon GIS Analyst Allysen Valencia prepared the figures found in the report. Senior Technical Editor, April Durham, PhD, and Rincon Principal and Senior Archaeologist, Christopher Duran, MA, RPA, provided quality control for this report.

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## 2 Natural and Cultural Setting

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### 2.1 Natural Setting

The project site is in San Marcos in northern San Diego County, approximately nine miles east of the Pacific Ocean and in the Carlsbad watershed. The project site is relatively flat with elevation ranging from 565 to 570 feet above mean sea level. Vegetation on the project site includes non-native grassland and sparse patches of sage brush scrub.

#### **Geology and Soils**

According to published geologic mapping, the project site is located in the Peninsular Ranges geomorphic province of southern California and is underlain by Mesozoic-age granitic and other intrusive crystalline rocks (United States Geologic Survey 1949). One soil series, Placentia sandy loam, has been documented within the project site (Bowman 1973). All soils within the project site are Placentia sandy loam, which generally lay on alluvial fans and terraces and consist of alluvium derived from granitoid. A typical profile of Placentia Series soils features sandy loam from 0 to 13 inches, sandy clay from 13 to 34 inches, and sandy clay loam from 34 to 63 inches (U.S. Department of Agriculture 2020).

Because of the episodic nature of alluvial sedimentation, the sudden burial of artifacts is possible, and alluvial soils have an increased likelihood of containing buried archaeological deposits (Waters 1992; Borejaza et al. 2014).

#### **Paleoenvironment**

Since the onset of the Holocene era approximately 10,000 years ago, environmental conditions have changed, rapidly influencing the distribution of flora and fauna in the region. These changes in paleoenvironmental conditions likely influenced the cultural groups who occupied the San Diego region throughout the prehistoric period.

Fast paced sea level rise during the transition from the terminal Pleistocene to the early Holocene caused the paleo-coastal landscape to transform significantly, shifting the shoreline eastward and inundating valley floors (Byrd 1996). Sea levels during this time rose by approximately 100 feet, creating steep and narrow bays (Byrd 1996). Prehistoric settlement of the San Diego River Valley is documented as early as 7000 years ago, with prehistoric groups seeking resources beyond those found in coastal areas (Gallegos 1992).

Palynological studies conducted near Las Pulgas Canyon in north San Diego County, indicate that considerable changes in local plant communities have occurred over the last 4000 years. These changes tend to be associated with a gradual transition from a wetter climate to a much drier climate (Anderson 1996). Since the arrival of Europeans in southern California, an influx of non-native species occurred that replaced many indigenous plant communities.

Changes to the paleoenvironment during the Holocene influenced the regional availability of flora and fauna available to prehistoric groups. Ongoing archaeological research actively explores the relationship between resource availability and human adaptive responses (Arnold 2001; Gallegos 2002; Raab and Larson 1997; Redman 1999). This research suggests that as resource availability began to fluctuate, some groups may have migrated from the coast to the interior, settling in the

inland valleys and mountain areas. Seasonal availability of resources also likely influenced settlement patterns in San Diego County.

## 2.2 Cultural Setting

The cultural setting for the project is presented broadly in three overviews: prehistoric, ethnographic, and historic. The prehistoric and historic overviews describe human occupation before and after European contact. The ethnographic overview provides a synchronic “snapshot” of traditional Native American culture.

### Prehistory

The project site lies in what is generally described as California’s Southern Bight (Byrd and Raab 2007). This region extends from the Mexican border to Santa Monica and includes Orange and San Diego counties, western Riverside County, and the Southern Channel Islands. At European contact, the region was occupied by the Tongva, Juaneño, Luiseño, Cupeño, and Kumeyaay (Ipai and Tipai). For the purposes of this study, the prehistoric cultural chronology for the Southern Bight is presented following Byrd and Raab (2007), who divide the chronology into the Early (9600- 5600 BCE), Middle (5600-1650 BCE), and Late (1650 BCE- 1769 CE) Holocene.

#### *Early Holocene (ca. 9600-5600 BCE)*

Evidence of Paleo-Indian occupation of southern California remains very limited. Approximately 75 sites on the southern and central California coast are known that date to 7500 years before present (BP Erlandson and Colten 1991). The earliest accepted dates for human occupation of the California coast are from the Northern Channel Islands, off the Santa Barbara coast. Daisy Cave, on San Miguel Island, dates to as early as 9600 BCE (Erlandson et al. 1996). At the Arlington Springs site on Santa Rosa Island human remains yielded a date of approximately 10,000 BCE (Johnson et al. 2002). San Diego and Orange counties and the Southern Channel Islands have not produced dates as early as these. However, radiocarbon evidence has dated early occupation of the coastal region between circa (ca.) 8000 and 7000 BCE (Byrd and Raab 2007).

Traditional models describe California’s first inhabitants as big-game hunters roaming North America during the end of the last Ice Age. As the Ice Age ended, warmer and drier climatic conditions are thought to have created wide-spread cultural responses. The pluvial lakes and streams in the desert interior began to wane and cultures dependent on these water sources migrated to areas with moister conditions, such as the southern California coast (Byrd and Raab 2007).

The San Dieguito Complex is a well-defined cultural response to these changing climatic conditions in the southern California coastal region and was originally named for the cultural sequence in western San Diego County (Rogers 1929, 1939). Leaf-shaped points and knives, crescents, and scrapers characterize the artifact assemblages throughout the region (Byrd and Raab 2007). San Dieguito sites generally show evidence of the hunting of various animals, including birds, and gathering of plant resources (Moratto 2004).

#### *Middle Holocene (ca. 5600–1650 BCE)*

The Middle Holocene is generally viewed as a time of cultural transition. During this time, the cultural adaptations of the Early Holocene gradually altered. Use of milling stone tools began to

appear across most of central and southern California around 6000-5000 BCE, indicating a focus on the collection and processing of hard-shelled seeds. Environmental changes in the Southern Bight are thought to have been the key factor in these changing adaptations (Byrd and Raab 2007). Occupation patterns indicated semi-sedentary populations focused on the bays and estuaries of San Diego and Orange counties, with shellfish and plant resources as the most important dietary components (Warren 1968). In the San Diego area, this adaptive strategy is known as the La Jolla complex.

Around 4,000 years ago, extensive estuarine silting began to cause a decline in shellfish and, thus, a depopulation of the coastal zone. Settlement shifted to river valleys, and resource exploitation focused on hunting small game and gathering plant resources (Warren 1968; Byrd and Raab 2007).

#### *Late Holocene (ca. 1650 BCE – 1769 CE)*

The Late Holocene witnessed numerous cultural adaptations. The bow and arrow were adopted sometime after 500 CE, and ceramics appeared in the area ca. 1000 CE. Populations were sustained by food surpluses, especially acorns (Kroeber 1925; Byrd and Raab 2007). Other exploited food resources include shellfish, fish, small terrestrial mammals, and small-seeded plants. Settlement patterns of the Late Holocene are characterized by large residential camps linked to smaller specialized camps for resource procurement (Byrd and Raab 2007).

### **Ethnographic Overview**

The Luiseño occupied territory along the coast between Aliso Creek and Agua Hedionda Creek that extended inland to Santiago Peak in the north and the east side of Palomar Mountain in the south, including Lake Elsinore and the Valley of San Jose (Bean and Shipek 1978). The population of the Luiseño prior to the arrival of Europeans is believed to be approximately 3500 (O'Neil 2002).

The Luiseño language belongs to the Cupan group of the Takic subfamily of languages (previously known as Southern California Shoshonean), along with their northern and eastern neighbors, the Gabrielino and Cahuilla (Bean and Shipek 1978). The Takic subfamily is part of the Uto-Aztecan language family and its origins lie in the Great Basin (Driver 1969). The language of their southern neighbors, the Ipai, is part of the Yuman family of languages, which is related to languages spoken throughout the southwest. Linguistic studies suggest that Takic-speaking immigrants from the Great Basin displaced Hokan speakers sometime after 500 BCE. Unsurprisingly, the Luiseño cultural practices were like those of other Takic language speakers, though they also had some things in common with their Ipai neighbors.

Luiseño social structure was more rigid than other Takic-speaking groups, possibly in part because of a higher population density. They were strongly patrilineal and resided in permanent villages of between a few dozen to several hundred people, each of which was politically independent and claimed its own territory, including seasonal camps. In the smaller villages, most residents belonged to a single lineage; in the larger settlements one lineage dominated, but families of many clans were present. Ties between villages were maintained through various economic, religious, and social networks (Bean and Shipek 1978).

Father Boscana, a priest at Mission San Juan Capistrano, recorded his observations of the indigenous peoples in "*Chinigchinich*," a work that Kroeber described as "the most intensive and best written account of the customs and religion of any group of California Indians in the mission days" (Kroeber 1925). Kroeber further describes the Juaneño as having well-developed religious, ritualistic, and social customs, with the center of the Luiseño religion being *Chinigchinich*, the last of a series of



heroic mythological figures. The heroes were originally from the stars and the sagas told of how they formed Luiseño religious beliefs. Initiation rites during puberty were practiced for both boys and girls, including a hallucinogenic journey in search of a spirit guide for boys and days of fasting in a heated pit for girls. Luiseño cremated and buried their dead.

Plant foods were by far the largest part of the traditional diet, with acorns representing the most important staple item (Bean and Shipek 1978). In part because of this, villages were located near reliable water sources, as large quantities of water were necessary to process acorn products. The Luiseño ate a wide variety of other plant foods, including grasses, seeds, cactus fruits, yucca, bulbs, roots, tubers, mushrooms, and other items. The Luiseño also hunted and trapped game animals such as deer, rabbit, and birds. The sea was a very important source of protein, possibly providing up to 60 percent of the diet for coastal villages (White 1962). The Luiseño caught sea mammals and fish, and gathered shellfish such as abalone, mussels, clams, and scallops.

## Historic Overview

The post-Contact history of California is generally divided into three periods: the Spanish period (1769–1822), the Mexican period (1822–1848), and the American period (1848–present). These historical periods are described below.

### *Spanish Period (1769–1822)*

Juan Rodriguez Cabrillo in 1542 led the first European expedition to observe what is now called southern California. That year, he landed on Point Loma, approximately 20 miles from the proposed project site. For more than 200 years, Cabrillo and other Spanish, Portuguese, British, and Russian explorers sailed the Alta (upper) California coast and made limited inland expeditions, but they did not establish permanent settlements (Bean 1968; Rolle 2003).

Gaspar de Portolá and Franciscan Father Junipero Serra established the first Spanish settlement in Alta California at Mission San Diego de Alcalá in 1769. This was the first of 21 missions erected by the Spanish between 1769 and 1823. The Mission San Diego de Alcalá and its associated presidio were initially built near the Kumeyaay village of *Cosoy*, near the present site of Old Town. However, the water supply at this location was lacking and the soil was not very fertile. Thus, the mission was moved in 1774 to its present location, near the Kumeyaay village of *Nipaguay* (City of San Diego 2006; Mission San Diego 2013). In 1789, Father Fermin Francisco de Lasuen founded Mission San Luis Rey de Francia, approximately 12 miles from the proposed project site. The missions were responsible for developing relationships with local Native American groups and converting the population to Christianity (Engelhardt 1927a). Diseases brought by Europeans greatly reduced the Native American population.

During the Mission period, Spain deeded ranchos to prominent citizens and soldiers, though very few in comparison to those deeded during the Mexican Period. Presidio commandants were given the authority to grant house lots and garden plots to soldiers, and sometime after 1800, soldiers and their families began to move towards the base of Presidio Hill to receive land grants from the presidio commandants (City of San Diego 2006). To manage and expand their herds of cattle on these large ranchos, colonists enlisted the labor of the surrounding Native American population (Engelhardt 1927b).

### *Mexican Period (1822–1848)*

The Mexican period commenced when news of the success of the Mexican Revolution (1810-1821) against the Spanish crown reached California in 1822. This period was an era of extensive interior land grant development and exploration by American fur trappers west of the Sierra Nevada Mountains. The California missions declined in power and were ultimately secularized in 1834. By 1835, the presidio and Mission San Diego de Alcalá had been abandoned and lay in ruins (City of San Diego 2006). News of secularization reached Mission San Luis Rey in 1835 and it came under the control of secular administrators, many of whom gained title to mission lands (Hebert 1961; Mission San Luis Rey 2014). Pío and Andrés Pico gained ownership of Rancho Santa Margarita y las Flores after secularization, a property that is adjacent to the project site on the northwest (Hebert 1961).

The Mexican government recognized the newly established Pueblo of San Diego in 1834. The pueblo did not fare as well as other California towns during the Mexican period. Secularization of the missions caused increased hostilities by Native Americans against the *Californios* living in San Diego County during the late 1830s. Attacks on outlying ranchos and an unstable political and economic climate caused the pueblo's population to drop from approximately 500 to 150 permanent residents by 1840. In 1838, San Diego was demoted from pueblo status and made a sub-prefecture of the Los Angeles Pueblo (City of San Diego 2006).

### *American Period (1848–Present)*

The American period in San Diego County began as early as 1846 when the United States (U.S.) military occupied San Diego and effectively ended *Californio* resistance in 1847. The American government assumed formal control of Alta California with the signing of the Treaty of Guadalupe Hidalgo in 1848, in which the U.S. agreed to pay Mexico \$15 million for the territory that included California, Nevada, Utah, and parts of Colorado, Arizona, New Mexico, and Wyoming.

During the early American period, cattle ranches dominated much of Southern California, although droughts and population growth resulted in farming and urban professions supplanting ranching through the late nineteenth century. After the U.S. took control of San Diego in 1846, the political and economic situation stabilized, and population increased. The discovery of gold in northern California in 1848 led to the California Gold Rush, which resulted in a massive population increase (Guinn 1977). By 1853, the population of California exceeded 300,000. Thousands of settlers and immigrants continued to pour into the state, particularly after the completion of the transcontinental railroad in 1869. By the 1880s, the railroads had established networks throughout southern California, resulting in fast and affordable shipment of goods, as well as means to transport new residents (Dumke 1944).

### *San Diego County*

San Diego County was organized formally in February of 1850 and grew slowly during the 1860s. The mid-1800s saw the urbanization of San Diego thanks to the development and promotion of the area by Alonzo Horton, who offered free lots to anyone who would build a house worth \$500. The Santa Fe Railroad began construction in 1880, with the first trains arriving in 1882. After several population booms, San Diego reached 35,000 residents in 1888. The population later fell to 17,000 in 1890 because of a real estate market crash (City of San Diego 2006).

The twentieth century brought further development to San Diego. John D. Spreckels launched a major building campaign to modernize the city during the first two decades of the 20<sup>th</sup> century. Summer cottage retreats began to develop in the seaside communities of Ocean Beach and La Jolla.

Improvements in public transportation allowed development to spread to the areas of University Heights, Greater North Park, and Mission Hills. In 1915, the Panama-California Exposition was held in San Diego in celebration of the opening of the Panama Canal (City of San Diego 2006).

During the 1920s, San Diego's population grew from 74,683 to 147,897, due to the Panama-California Exposition and efforts to attract the U.S. Navy to the city. The naval and military presence provided the population and economy that allowed the city further development (City of San Diego 2006). San Diego County continues to be an important military center, and as one of the largest metropolitan areas in California, San Diego County is a popular vacation destination known for its beaches, mild climate, and urban events.

### *City of San Marcos*

The project site is in San Marcos. In 1875, Gustavus French Merriam relocated his family from Kansas to southern California, purchasing 160 acres, on which he established an apiary and vineyard (Carroll 1975). Within a few years, the area surrounding the Merriam homestead – the first in the area – began attracting European immigrants. In 1887, the San Marcos Land Company purchased much of the surrounding land to partition into tracts available for purchase by an increasing number of families looking to move into the area. The early growth of San Marcos was aided, in large part, by its proximity to the Santa Fe Railroad Line. By 1896, the burgeoning town had a post office, school, blacksmith, and railroad depot (Carroll 1975).

Throughout the early twentieth century, San Marcos was an agriculturally driven community, with many of its residents involved in farm-related work. By 1956, 2500 residents lived in San Marcos and in 1963 the community was officially incorporated as a city. The population of San Marcos steadily expanded from 17,479 in 1980 to over 63,900 in 2018. San Marcos has continued to grow from a farming community serving the greater San Diego area to a city featuring commercial centers, a large business district, recreational activities, and an extensive higher education community with four college and university campuses (City of San Marcos 2018).

## 3 Background Research

Background research for this cultural resources assessment included a records search, review of historical maps and aerial photographs, and Native American outreach. A summary of findings of each of these efforts is provided below.

### 3.1 California Historical Resources Information System

Staff from the SCIC at San Diego State University completed an in-house records search of the California Historical Resources Information System on September 18, 2020. The purpose of the records search was to identify previously recorded cultural resources, and previously conducted cultural resources studies at the project site and within a 0.5-mile radius. Rincon also reviewed the National Register of Historic Places (NRHP), the CRHR, the California Historical Landmarks list, the California Points of Historical Interest list, Built Environment Resources Directory, and the Archaeological Determination of Eligibility list.

#### Previous Studies

The SCIC records search identified 29 previous cultural resource studies conducted within a 0.5-mile radius of the project site (Appendix A). Of these, four encompassed portions of the project site. These consist of one cultural resources technical report, one draft environmental impact report, one cultural resources monitoring report, and one cultural resources records search and literature review. None of these reports discuss details related to the six cultural resources recorded within 0.5-mile of the project site that are not documented in the resource records explained further in Section 3.1.2, below.

#### Previously Recorded Resources

The SCIC records search identified six cultural resources previously recorded within a 0.5-mile radius of the project site (Table 1), none of which are within the project site. The cultural resources consist of four prehistoric sites, one historic-era refuse scatter associated with the remnants of a residence, and one historic-era road alignment. Descriptions of the four prehistoric sites (P-37-005581, P-37-005584, P-37-005633, and P-37-008815) are provided below.

**Table 1 Previously Recorded Resources within a 0.5-mile radius of the Project Site**

Primary Number	Trinomial	Resource Type	Description	Recorder(s) and Year(s)	NRHP/CRHR Status	Relationship to Site
37-005581	CA-SDI-005581	Prehistoric	Habitation site	Varner 1978 de Barros 2005 Becker 2009 Robbins-Wade 2020	Recommended CRHR ineligible	Outside
37-005584	CA-SDI-005584	Prehistoric	Milling slick and lithic scatter	Franklin 1977	Insufficient information	Outside
37-005633	CA-SDI-005633	Prehistoric	Habitation site including human remains	Franklin 1977 James et al. 1996 Gallegos et al. 2002	Recommended NRHP eligible	Outside

Primary Number	Trinomial	Resource Type	Description	Recorder(s) and Year(s)	NRHP/CRHR Status	Relationship to Site
37-008814	CA-SDI-008814	Historic	Burned residence and associated refuse scatter	Roth 1981	Recommended CRHR ineligible	Outside
37-008815	CA-SDI-008815	Prehistoric	Lithic scatter	Roth 1981	Recommended CRHR ineligible	Outside
37-033557	CA-SDI-749	Historic	Highway 395	Tift 2013 Machen 2015 Chasteene 2017 Foglia and Keckeisen 2017 Stringer-Bowsher 2018	Recommended NRHP eligible	Outside

Source: SCIC 2020

*P-37-005581*

Located approximately 0.25-mile northeast of the current project site, resource P-37-005581 was initially recorded in 1978 by Gary Varner, who first documented the site as 20 bedrock grinding slicks with a sparse scatter of debitage. A 2005 data recovery program conducted by Philip de Barros further defined the resource as a habitation site that specialized in the production and use of adzes for woodworking. Artifacts recovered by de Barros include manos, metates, a steatite net sinker, hammerstones, flake and biface blanks, and preforms, projectile points, ceramics, biface fragments, adzes, two ceramic tobacco pipe fragments, and abundant debitage including adze re-sharpening flakes. Site chronology was assessed through obsidian hydration, which placed occupation of the site from between 3,730 to 3,160 years BP and through radiocarbon date and temporally diagnostic artifacts, which placed occupation at the site to around 1100 BP. Subsequent testing by Becker in 2009 established an approximate 1,000 square meter boundary for the site. Becker also recommended P-37-005581 as not eligible for the CRHR. However, it was recommended that archaeological and Native American monitors be present during any ground disturbance within the recorded boundary of the site.

In 2019, Helix Environmental Planning and the Rincon Band of Luiseño Indians conducted monitoring of construction within the recorded boundary of the site. Several more prehistoric artifacts were observed during monitoring, including three granitic manos, three cobbles that were possibly ground, two metavolcanic flaked tools, three metavolcanic debitage fragments, one quartz debitage fragment, and six fire-affected granitic rocks.

*P-37-005584*

Recorded in 1977 by Randy Franklin, resource P-37-005584 consists of one grinding slick in a boulder outcrop on a small knoll with an adjacent artifact scatter comprised of felsite flakes, hammerstone, and core fragments. The resource is located approximately 500 feet northeast of the project site.

*P-37-005633*

Located approximately 500 feet east of the current project site and directly south of the North County Transit District Sprinter Rail Line, resource P-37-005633 was first recorded by Randy Franklin in 1977 as seven milling slicks spread along 25 square meters of bedrock outcrop. In 1990, Gallegos

and Pigniolo tested the site and encountered a historic component consisting of early domestic refuse.

In 2002, Gallegos & Associates conducted a data recovery program that consisted of 67 hand dug units and 11 mechanically excavated trenches. The 67 units produced 93 biface/projectile points, two battered implements, two cores, 13,360 debitage, 15 manos, 5 metate fragments, 14 groundstone fragments, two shaped stones, one steatite pendant, 59 ceramic fragments, one baked clay object, one *Olivella* shell bead, five bone tools, 264 grams of faunal, 125 grams of shell and 201 historic artifacts. The 11 trenches produced one projectile point, two manos, two metate fragments, and one milling implement. Overall, 14 milling features with 35 elements (22 slicks, 9 saucers, and 4 cupules) were identified. Gallegos characterized P-37-005633 as a habitation site also employed as a stone tool production and food processing center.

Site chronology was addressed through the radiocarbon dating of five samples of shell, which placed occupation of the site from between 850 to 330 BP. Human remains were recovered at the site and were given to Mark Mojado of the San Luis Rey Band of Mission Indians for reburial. The site was recommended as eligible for nomination for listing in the NRHP.

#### *P-37-008815*

Recorded in 1981 by Linda Roth, resource P-37-008815 consists of a flake scatter comprised of five basalt and quartzite flakes located on a low knoll approximately 0.5-mile northeast of the project site.

## 3.2 Historical Imagery Review

Rincon also reviewed available historical aerial photographs and topographic maps to determine past land use within the project area (NETRonline 2020). Aerial imagery from 1938 and 1947 depict the project area as undeveloped with patches of grass and a stand of trees along the northern border of the project site. Aerial photographs from 1953 indicate the trees were cleared and a building was constructed in their former location between 1947 and 1953. Historical newspaper advertisements establish that the building was used as an auction house during the 1970s (Newspapers.com 2020). No further development of the project area is evident from aerial imagery until 1980, when aerial photographs depict the addition of a paved lot south of the building within the project site. Aerial imagery from 1993 through 1996 indicate the southern portion of the lot was used to store several shipping containers, trailers, and/or other small structures. The building, paved lot, and various other structures are no longer evident in aerial imagery from 2005. Aerial imagery from 2005 through 2016 depict the project site as vacant with elements of the property's previous development no longer present.

## 3.3 Native American Outreach

Rincon contacted the Native American Heritage Commission (NAHC) on September 18, 2020, to request a Sacred Lands File search of the project site and a 0.5-mile radius surrounding it. As part of this request, Rincon asked the NAHC to provide a list of Native American groups and/or individuals culturally affiliated with the area who may have knowledge of cultural resources within the project site. These letters are for information gathering purposes only and do not constitute formal consultation under SB 18 of 2005 or AB 52 of 2015. The City will conduct separate consultation under SB 18 and AB 52.

The NAHC responded on September 30, 2020 stating negative results and provided a list of Native American tribes who may have knowledge of cultural resources in the project area. 30 Native American contacts were provided by the NAHC as possibly having information regarding the project site. Rincon prepared letters to each of the NAHC-listed contacts, requesting they contact Rincon if they know of any Native American cultural resources within or immediately adjacent to the project area. Due to the COVID-19 epidemic and statewide closure of offices, the letters were sent via email on October 1, 2020.

On October 4, 2020, Clint Linton responded on behalf of the Iipay Nation of Santa Isabel, stating that he is not aware of any cultural resources within the project site and defers consultation to the San Luis Rey Band of Mission Indians. On October 12, 2020, Shasta Gaughen responded on behalf of the Pala Band of Mission Indians, stating that the project site is outside of the boundaries of what the tribe considers its Traditional Use Area (TUA). Because of the project site's proximity to the tribe's TUA, Ms. Gaughen requests that any documentation of newly identified cultural resources be provided to the tribe. On October 16, 2020, Cheryl Madrigal responded on behalf of the Rincon Band of Luiseño Indians (Band), stating that the project site is within Luiseño territory, within the Band's specific area of historic interest, and that the Band has knowledge of cultural resources within 1.0 mile of the project area. Furthermore, the Band requests formal government-to-government consultation with the lead agency to further learn about the project and potential impacts to cultural resources.

Rincon forwarded the response letters from the Rincon Band of Luiseño Indians and the Pala Band of Mission Indians to A & S to be sent to the City. As of the submission of the report, no other responses have been received from Rincon's letters sent on October 1, 2020.

## 4 Field Survey

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### 4.1 Methods

On September 30, 2020, Rincon Archaeologist Rachel Bilchak performed a field survey of the project site. Ms. Bilchak carefully examined areas for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, ceramics, fire-affected rock), ecofacts (marine shell and bone), soil discoloration potentially indicative of the presence of a cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, postholes, foundations) or historic debris (e.g., metal, glass, ceramics). Ground disturbances such as burrows and drainages were also visually inspected. Transect spacing throughout the exposed surfaces of the project site was no more than 15 meters. Ms. Bilchak documented the field survey using field notes and digital photographs. Copies of both are maintained at Rincon's Carlsbad office.

### 4.2 Results

There was low ground visibility (approximately 10 percent) during the survey due to ankle high grass throughout most of the project area (Figure 3). The south, west, and north borders of the project site contain waist high weeds and vegetation (Figure 4 and Figure 5). Modern trash was also scattered throughout. Ground disturbance, likely from ground squirrels, is evident in the southwest quadrant of the project site. Here, and elsewhere on the project site, exposed soil consists of medium brown sandy loam, typically intermixed with gravel (Figure 6). The south and west borders of the project area slope downward at an approximately 60-degree angle (Figure 7). Aside from sparse scatters of brick fragments, no sign of the property's previous development was evident. No cultural resources were identified during the survey.

**Figure 3 Southeastern Portion of Project Site, View Northwest**





Figure 4 Northern Border of Project Site, View West



Figure 5 Western Border of Project Site, View Northwest



**Figure 6 Southwest Portion of Project Site, Close Up View of Burrow and Exposed Soils**



**Figure 7 Southern Edge of Project Site, View Southwest**



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## 5 Findings and Recommendations

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The current study included a cultural resources records search, Native American outreach, and field survey. The background research and field survey concluded no known prehistoric archaeological resources or built environment resources are within the project site. However, four prehistoric resources are located within 0.5-mile of the project site. Two of these resources, P-37-005581 (located approximately 0.25-mile north of the project site) and P-37-005633 (located approximately 500 feet east of the project site) are prehistoric village sites with dense artifact deposits, and the latter site contains human remains. A review of soils studies and historical aerial imagery indicate the presence of alluvial soils and minimal past ground disturbance within the project site. Both factors increase the likelihood of encountering intact buried archaeological deposits during project-related ground disturbance. Based on the results of the cultural resources assessment, Rincon recommends a finding of ***less than significant impact to historical and archaeological resources with mitigation incorporated*** under CEQA.

Due to the overall sensitivity of the project area, Rincon recommends completion of Worker's Environmental Awareness Program (WEAP) training prior to the start of ground disturbance for the project and archaeological and Native American monitoring take place during initial project related ground disturbance. Additional recommendations have been made in the event an unanticipated discovery is made or human remains are encountered during the project.

Additional recommendations have been made in the event an unanticipated discovery of cultural resources during project development as a best management practice. The project is also required to adhere to regulations regarding the unanticipated discovery of human remains, detailed below.

### 5.1 Worker's Environmental Awareness Training

A qualified archaeologist should be retained to conduct WEAP training on archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. The archaeologist should meet or exceed the Secretary of Interior's Professional Qualification Standards for archaeology (NPS 1983). Archaeological sensitivity training should include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper protocol for treatment of the materials in the event of a find.

### 5.2 Archaeological and Native American Monitoring

Rincon recommends archaeological and Native American monitoring during initial project-related, ground-disturbing activities (e.g., grubbing and grading). A qualified archaeologist and Native American consultant should conduct this monitoring. Archaeological monitoring should be performed under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (NPS 1983). A locally affiliated tribal member should provide Native American monitoring. Monitors will have the authority to halt and redirect work should any archaeological resources be identified during project-related activities. If archaeological resources are encountered during ground-disturbing activities, work in the immediate area must halt and the find should be evaluated for listing in the California Register of Historical Resources (CRHR) and National Register of Historic Places (NRHP). Once initial project-related, ground disturbing activities are completed, archaeological or Native American monitoring

or both may be reduced or halted at the discretion of the monitors, in consultation with the lead agency, as warranted by conditions that merit such reduction or suspension.

### 5.3 Unanticipated Discovery of Cultural Resources

If archaeological resources are encountered during ground-disturbing activities, work in the immediate area should be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR. If the discovery proves to be CRHR eligible and cannot be avoided by the project, additional work, such as data recovery excavation, may be warranted to mitigate any significant impacts to historical resources.

### 5.4 Human Remains

The discovery of human remains is always a possibility during ground-disturbing activities. If human remains are found, the state of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner makes a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the county coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant, who shall complete the inspection of the site and provide recommendations for treatment to the landowner within 48 hours of being granted access.

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# Appendix A

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SCIC Records Search Results

## Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SD-00224	NADB-R - 1120224; Voided - CARRICO38	1977	Carrico, Richard	Archaeological Survey of the San Marcos General College Community Plan Area San Marcos, California.	WESTEC Services, Inc.	37-000560, 37-000598, 37-000749
SD-00591	NADB-R - 1120591; Voided - CHEEVER29	1988	Cheever, Dayle	Archaeological resources survey of the Santalina Hills property	Recon	
SD-00696	NADB-R - 1120696; Other - IM3060; Voided - FINK 37	1974	Fink, Gary R.	Archaeological Survey for the Proposed Widening of South Santa Fe Avenue, Vista, California	San Diego County Engineer Department	
SD-00710	NADB-R - 1120710; Voided - CHEEVER28	1989	Cheever, Dayle	Cultural Resource Significance Testing at SDI- 8813 The Palomar Heights Project City of San Marcos, California	RECON	37-008813
SD-01031	NADB-R - 1121031; Voided - GALLEGO 17	1983	Gallegos, Dennis	Archaeological Report for Business/Industrial, Richmar, Lake San Marcos and Barham/Discovery Community Plan, San Marcos, California	WESTEC Services, Inc.	37-000560, 37-004667, 37-004668, 37-005080, 37-005081, 37-005082, 37-005541, 37-005542, 37-005543, 37-005632, 37-005633, 37-008328, 37-008329, 37-008386, 37-008462, 37-008720
SD-02043	NADB-R - 1122043; Voided - BRANDMAN 2	1989	Micheal Brandman Associates, Inc.	Draft Environmental Impact Report San Marco Flood Control Channel San Marcos Creek/Las Posas Reach SCH #88061505	Micheal Brandman Associates, Inc.	
SD-02322	NADB-R - 1122322; Voided - HUEY 03	1992	HUEY, DANIELLE	HISTORICAL - ARCHAEOLOGICAL SURVEY REPORT FOR FOUR LAND PARCELS NEAR HIGH- WAY 78, SAN MARCOS, CA	GALLEGOS AND ASSOCIATES	37-012510, 37-012592, 37-012593, 37-012594, 37-012595, 37-012596

## Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SD-02916	NADB-R - 1122916; Other - 89-90; Voided - PEAK 01	1990	PEAK & ASSOCIATES, INC	CULTURAL RESOURCES ASSESSMENT OF AT&T'S PROPOSED SAN BERNARDINO TO SAN DIEGO FIBER OPTIC CABLE, SAN BERNARDINO, RIVERSIDE AND SAN DIEGO COUNTIES, CALIFORNIA	PEAK & ASSOCIATES, INC	37-000239, 37-000564, 37-000565, 37-000572, 37-000573, 37-000584, 37-000648, 37-000649, 37-000650, 37-000651, 37-000652, 37-000653, 37-000655, 37-000656, 37-000657, 37-000673, 37-000674, 37-000676, 37-000679, 37-000680, 37-000749, 37-000782, 37-001090, 37-001250, 37-001251, 37-001281, 37-004960, 37-004961, 37-004962, 37-005380, 37-005381, 37-005382, 37-005383, 37-005387, 37-005426, 37-005427, 37-005428, 37-005429, 37-005490, 37-005583, 37-005584, 37-005632, 37-005633, 37-005641, 37-005642, 37-005647, 37-006001, 37-006002, 37-006003, 37-006079, 37-006080, 37-006081, 37-006722, 37-007121, 37-007245, 37-007310, 37-007311, 37-007312, 37-007313, 37-007314, 37-007315, 37-007316, 37-008084, 37-008085, 37-008099, 37-008100, 37-008663, 37-009129, 37-009593, 37-010116, 37-010549, 37-010674, 37-010675, 37-010676, 37-010677, 37-010678, 37-010679, 37-010680, 37-010681, 37-010682, 37-010745, 37-010785, 37-010879, 37-011033, 37-011055, 37-011236
SD-04117	NADB-R - 1124117; Voided - GALLEGO82	1990	Dennis Gallegos	The Copley Project, San Marcos, California Cultural Resources Survey and Testing Program at SDI-5633	ERCE	37-005633
SD-04526	NADB-R - 1124526; Voided - CASEN 02	1992	CASEN, GEORGE and DANIEL M. SAUNDERS	STATE ROUTE 78 INTERCHANGE IMPROVEMENTS AT LAS POSAS ROAD AND SAN MARCOS BOULEVARD	PARSONS BRINKERHOFF QUADE & DOUGLAS, INC.	37-000366, 37-008720
SD-04652	NADB-R - 1124652; Voided - GALLEGO257	2001	GALLEGOS AND ASSOCIATES	CULTURAL RESOURCE TEST REPORT FOR OCEANSIDE - ESCONDIDO RAIL PROJECT OCEANSIDE, CALIFORNIA	GALLEGOS & ASSOCIATES	37-005633, 37-008386, 37-012095, 37-012096, 37-012097, 37-013212, 37-015576, 37-015595
SD-05918	NADB-R - 1125918; Voided - CITYSD 286	1996	CITY OF SAN DIEGO	PROPOSED MITIGATED NEGATIVE DECLARATION FOR SEWER GROUP JOB. NO. 610	CITY OF SAN DIEGO	
SD-06178	NADB-R - 1126178; Voided - NIGHA 03	2000	NIGHABHLAIN, SINEAD	CULTURAL RESOURCES SURVEY REPORT FOR THE BRANDES PROPERTY	GALLEGOS & ASSOC.	

## Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SD-07114	NADB-R - 1127114; Voided - MCCORKLE21	1976	McCORKLE-APPLE, REBECCA	SAN MARCOS SURVEY INTRODUCTION TO ARCHAEOLOGICAL SURVEYING	R. C. McCORKLE	
SD-07986	NADB-R - 1127986; Voided - DUKEC223	2000	Duke, Curt	Cultural Resource Assessment for Pacific Bell Wireless Facility SD 444-02 County of San Diego, CA	LSA	
SD-09546	NADB-R - 1129546; Voided - GUERREM06	2001	Guerrero, Monica, Gallegos, Dennis, Stropes, Tracy, Bouscaren, Steve, Bugbee, Susan, and Cerreto, Richard	Cultural Resource Test Report for Oceanside- Escondido Rail Project Oceanside, California	Gallegos & Associates	
SD-09551	NADB-R - 1129551; Voided - GALLEGO305	2002	Gallegos, Dennis	Data Recovery Program for Pacbell Site CA- SDI-5633 San Marcos, California	Gallegos & Associates	37-005633
SD-09582	NADB-R - 1129582; Other - 28-03; Voided - GUERREM 29	2003	GUERRERO, MONICA C. and DENNIS R. GALLEGOS	CULTURAL RESOURCE SURVEY FOR THE PALOMAR STATION PROJECT	GALLEGOS & ASSOCIATES	37-005633
SD-10164	NADB-R - 1130164; Voided - DEBARP22	2005	de Barros, Philip and Palomar College Students	Data Recovery Excavations at CA-SDI-5581 Palomar Community College Campus, San Marcos, San Diego County, California	Dept. Behavioral Sciences of Palomar College	37-005581
SD-10551	NADB-R - 1130551; Voided - ARRINGT01	2006	ARRINGTON, CINDY	CULTURAL RESOURCES FINAL REPORT OF MONITORING AND FINDINGS FOR THE QWEST NETWORK CONSTRUCTION PROJECT, STATE OF CALIFORNIA	SWCA ENVIRONMENTAL CONSULTANTS	
SD-11743	NADB-R - 1131743; Voided - WRIGHT138	2004	WRIGHT, GAIL	CULTURAL RESOURCES SURVEY REPORT FOR: TPM 20800, LOG NO. 04-02- 002 - CROSSROADS - NEGATIVE FINDINGS	COUNTY OF SAN DIEGO - DEPARTMENT OF PLANNING AND LAND USE	
SD-12039	NADB-R - 1132039; Voided - GALLEGO341	2007	GUERRERO, MONICA and DENNIS R. GALLEGOS	CULTURAL RESOURCES MONITORING REPORT FOR THE NORTH COUNTY TRANSIT DISTRICT (NCTD) SPRINTER RAIL PROJECT OCEANSIDE TO ESCONDIDO, CALIFORNIA	GALLEGOS & ASSOCIATES	37-012095, 37-012096, 37-012097, 37-015576, 37-015595
SD-14140	NADB-R - 1134140; Voided - ROBBINS385	2003	ROBBINS-WADE, MARY	ARCHAEOLOGICAL RECORDS SEARCH AND LITERATURE REVIEW, VALLECITOS WATER DISTRICT MASTER PLAN UPDATE SAN DIEGO COUNTY, CALIFORNIA	AFFINIS	

## Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SD-14702	NADB-R - 1134702; Voided - COMEAU01	2012	COMEAU, BRAD and MICAHA HALE	CULTURAL RESOURCES SURVEY REPORT FOR THE PALOMAR STATION PROJECT, SAN MARCOS, SAN DIEGO COUNTY, CALIFORNIA	ASM AFFILIATES, INC.	37-005633
SD-14859	NADB-R - 1134859; Voided - LOFTUSS116	2013	LOFTUS, SHANNON	CULTURAL RESOURCE RECORDS SEARCH AND SITE SURVEY AT&T SITE SD0749 MISSION SPORTS PARK 931 BAILEY COURT "A" SAN MARCOS, SAN DIEGO COUNTY, CALIFORNIA 92069	ACE ENVIRONMENTAL, LLC	
SD-17121	NADB-R - 1137121	2017	SMITH, BRIAN F.	CULTURAL RESOURCES MONITORING REPORT FOR THE NORTH COUNTY SHOOTING CENTER PROJECT, CITY OF SAN MARCOS, CALIFORNIA (APN 219-122- 11)	Brian F. Smith & Associates	
SD-17165	NADB-R - 1137165	2013	COMEAU, BRAD	CULTURAL RESOURCES SURVEY LETTER REPORT FOR THE PIPELINE 4 PORTION OF THE CONSTRUCTION MONITORING FOR THE PIPELINE 3 DESALINATION RELINING AND PIPELINE 4 VERT MODIFICATIONS PROJECT	DUDEK	
SD-18207	NADB-R - 1138207; Other - PROJECT NO: 19-07416	2019	CLARK, TIFFANY and CHRISTOPHER DURAN	CULTURAL RESOURCES MONITORING REPORT FOR THE LOS POSAS CREEK AND GRAND AVENUE CAPITAL IMPROVEMENT PROJECT, CITY OF SAN MARCOS, SAN DIEGO COUNTY, CALIFORNIA	RINCON CONSULTANTS, INC.	
SD-18210	NADB-R - 1138210; Other - PROJECT NO: 18-06261	2018	CAMPBELL-KING, BREANA and JOE POWER	CULTURAL RESOURCES DUE DILIGENCE STUDY FOR THE CVS PROJECT, CITY OF SAN MARCOS, SAN DIEGO COUNTY, CALIFORNIA	RINCON CONSULTANTS, INC.	

## Resource List

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-37-005581	CA-SDI-005581	Resource Name - PC-5	Site	Prehistoric	AP04 (Bedrock milling feature); AP11 (Hearths/pits) - hearths; AP15 (Habitation debris)	1978 (Gary R. Varner); 2005 (Philip de Barros, Palomar College); 2020 (Mary Robbins-Wade, Helix Environmental Planning)	SD-04103, SD-10164, SD-13012, SD-18325
P-37-005584	CA-SDI-005584	Resource Name - SDM-W-1575	Site	Prehistoric	AP02 (Lithic scatter); AP04 (Bedrock milling feature)	1977	SD-02916
P-37-005633	CA-SDI-005633	Resource Name - SDM-W-1573	Site	Prehistoric	AP02 (Lithic scatter); AP03 (Ceramic scatter); AP04 (Bedrock milling feature); AP09 (Burials); AP15 (Habitation debris); AP16 (Other) - shell	(Delman James, Rich Bark, Brian Glenn, Jerry Sabio, Ted Cooley, Ogden Environmental Services, Inc.); 1977 (Randy Franklin); 2002; 2007	SD-01031, SD-02916, SD-03902, SD-04117, SD-04652, SD-05517, SD-09551, SD-09582, SD-14702
P-37-008814	CA-SDI-008814	Other - SM2	Site	Historic	AH04 (Privies/dumps/trash scatters) - round nails, aluminum roof nails; AH16 (Other) - burned residence	1981 (Linda Roth)	
P-37-008815	CA-SDI-008815	Other - SM3	Site	Prehistoric	AP02 (Lithic scatter)	1981 (Linda Roth)	
P-37-033557		Other - SXPQ 13 Pomerado Road; Resource Name - Highway 395; Other - SXPQ-13 Historic road	Object, Site	Historic	AH07 (Roads/trails/railroad grades); HP37 (Highway/trail)	2013 (Larry Tift, ASM Affiliates, Inc.); 2015 (Kent Manchen, Matt DeCarlo, ASM Affiliates, Inc.); 2017 (Haley Chateene, PanGIS); 2017 (A. Foglia, K. Keckeisen, PanGIS, Inc.); 2018 (Sarah Stringer-Bowsher, ASM Affiliates, Inc.)	SD-17576

# Appendix B

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Native American Outreach



## NATIVE AMERICAN HERITAGE COMMISSION

September 30, 2020

Mark Strother  
Rincon Consultants

Via Email to: [mstrother@rinconconsultants.com](mailto:mstrother@rinconconsultants.com)

**Re: 200 N Las Posas Road Project, San Diego County**

Dear Mr. Strother:

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: [steven.quinn@nahc.ca.gov](mailto:steven.quinn@nahc.ca.gov).

Sincerely,



Steven Quinn  
Cultural Resources Analyst

Attachment



CHAIRPERSON  
**Laura Miranda**  
*Luiseño*

VICE CHAIRPERSON  
**Reginald Pagaling**  
*Chumash*

SECRETARY  
**Merri Lopez-Keifer**  
*Luiseño*

PARLIAMENTARIAN  
**Russell Attebery**  
*Karuk*

COMMISSIONER  
**Marshall McKay**  
*Wintun*

COMMISSIONER  
**William Mungary**  
*Paiute/White Mountain Apache*

COMMISSIONER  
[Vacant]

COMMISSIONER  
**Julie Tumamait-Stenslie**  
*Chumash*

COMMISSIONER  
[Vacant]

EXECUTIVE SECRETARY  
**Christina Snider**  
*Pomo*

**NAHC HEADQUARTERS**  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

**Native American Heritage Commission  
Native American Contact List  
San Diego County  
9/30/2020**

**Barona Group of the Capitan Grande**

Edwin Romero, Chairperson  
1095 Barona Road Diegueno  
Lakeside, CA, 92040  
Phone: (619) 443 - 6612  
Fax: (619) 443-0681  
cloyd@barona-nsn.gov

**Campo Band of Diegueno Mission Indians**

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

**Ewiiapaayp Band of Kumeyaay Indians**

Michael Garcia, Vice Chairperson  
4054 Willows Road Diegueno  
Alpine, CA, 91901  
Phone: (619) 445 - 6315  
Fax: (619) 445-9126  
michaelg@leaningrock.net

**Ewiiapaayp Band of Kumeyaay Indians**

Robert Pinto, Chairperson  
4054 Willows Road Diegueno  
Alpine, CA, 91901  
Phone: (619) 445 - 6315  
Fax: (619) 445-9126  
wmicklin@leaningrock.net

**Iipay Nation of Santa Ysabel**

Clint Linton, Director of Cultural Resources  
P.O. Box 507 Diegueno  
Santa Ysabel, CA, 92070  
Phone: (760) 803 - 5694  
cjlinton73@aol.com

**Iipay Nation of Santa Ysabel**

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

**Inaja-Cosmit Band of Indians**

Rebecca Osuna, Chairperson  
2005 S. Escondido Blvd. Diegueno  
Escondido, CA, 92025  
Phone: (760) 737 - 7628  
Fax: (760) 747-8568

**Jamul Indian Village**

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

**Jamul Indian Village**

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

**Kwaaymii Laguna Band of Mission Indians**

Carmen Lucas,  
P.O. Box 775 Kwaaymii  
Pine Valley, CA, 91962 Diegueno  
Phone: (619) 709 - 4207

**La Jolla Band of Luiseno Indians**

Fred Nelson, Chairperson  
22000 Highway 76 Luiseno  
Pauma Valley, CA, 92061  
Phone: (760) 742 - 3771

**La Posta Band of Diegueno Mission Indians**

Gwendolyn Parada, Chairperson  
8 Crestwood Road Diegueno  
Boulevard, CA, 91905  
Phone: (619) 478 - 2113  
Fax: (619) 478-2125  
LP13boots@aol.com

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

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed 200 N Las Posas Road Project, San Diego County.

**Native American Heritage Commission  
Native American Contact List  
San Diego County  
9/30/2020**

**La Posta Band of Diegueno  
Mission Indians**

Javaughn Miller, Tribal  
Administrator  
8 Crestwood Road Diegueno  
Boulevard, CA, 91905  
Phone: (619) 478 - 2113  
Fax: (619) 478-2125  
jmiller@LPtribe.net

**Pechanga Band of Luiseno  
Indians**

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

**Manzanita Band of Kumeyaay  
Nation**

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

**Pechanga Band of Luiseno  
Indians**

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

**Mesa Grande Band of Diegueno  
Mission Indians**

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

**Rincon Band of Luiseno Indians**

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

**Pala Band of Mission Indians**

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

**Rincon Band of Luiseno Indians**

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

**San Luis Rey Band of Mission  
Indians**

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

**Pauma Band of Luiseno Indians**

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

**San Luis Rey Band of Mission  
Indians**

1889 Sunset Drive Luiseno  
Vista, CA, 92081  
Phone: (760) 724 - 8505  
Fax: (760) 724-2172  
cjmojado@slrmissionindians.org

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**Native American Heritage Commission  
Native American Contact List  
San Diego County  
9/30/2020**

**San Pasqual Band of Diegueno  
Mission Indians**

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

**Sycuan Band of the Kumeyaay  
Nation**

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

**San Pasqual Band of Diegueno  
Mission Indians**

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

**Viejas Band of Kumeyaay  
Indians**

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

**Soboba Band of Luiseno  
Indians**

Scott Cozart, Chairperson  
P. O. Box 487 Cahuilla  
San Jacinto, CA, 92583 Luiseno  
Phone: (951) 654 - 2765  
Fax: (951) 654-4198  
jontiveros@soboba-nsn.gov

**Viejas Band of Kumeyaay  
Indians**

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

**Soboba Band of Luiseno  
Indians**

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

**Sycuan Band of the Kumeyaay  
Nation**

Kristie Orosco, Kumeyaay  
Resource Specialist  
1 Kwaaypaay Court Kumeyaay  
El Cajon, CA, 92019  
Phone: (619) 445 - 6917

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This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed 200 N Las Posas Road Project, San Diego County.



**Rincon Consultants, Inc.**

2215 Faraday Avenue, Suite A  
Carlsbad, California 92008

760 918 9444 OFFICE AND FAX

info@rinconconsultants.com  
www.rinconconsultants.com

October 1, 2020

[NAHC-provided contact information]

**SAMPLE LETTER**

**Subject:** Cultural Resources Study for the 200 North Las Posas Road Project, San Marcos, California

**Dear XX:**

Rincon Consultants, Inc. (Rincon) has been retained to conduct a cultural resources study for the 200 North Las Posas Road Project (project) in San Marcos, California. The project proposes to develop the vacant lot at 200 North Las Posas Road into a 5,000 square foot food mart, 2,000 square foot car wash, and 6,232 square foot gas station canopy with nine fuel dispensing pumps. The proposed project is subject to the California Environmental Quality Act (CEQA), and the lead agency under CEQA is the City of San Marcos. The City will be conducting separate consultation under Assembly Bill 52 of 2014.

As part of the process of identifying cultural resources for the project, Rincon contacted the Native American Heritage Commission (NAHC) and requested a Sacred Lands File (SLF) search and a list of Native American tribal organizations and individuals who may have knowledge of sensitive cultural resources in or near the project site. The NAHC responded on September 30, 2020, stating that the SLF search was completed with negative results. A survey of the project site conducted by Rincon on September 30, 2020, also yielded negative results.

This letter serves to inquire about your knowledge of potential cultural resources within or near the project site. Note, due to the circumstances surrounding COVID-19, we are submitting this letter digitally and will not be sending hard copies via U.S. mail. If you have knowledge of cultural resources that may exist in or near the project site, please contact me at 619-359-8632, or at mstrother@rinconconsultants.com. A project location map depicting the project site is enclosed with this letter for your reference. Thank you for your assistance.

Sincerely,

**Rincon Consultants, Inc.**

A handwritten signature in black ink that reads "M Strother".

Mark Strother, MA, RPA  
Archaeologist

*Enclosed: Project Location Map*



TRIBAL HISTORIC PRESERVATION OFFICE  
PALA BAND OF MISSION INDIANS  
PMB 50, 35008 Pala Temecula Road | Pala, CA 92059  
Phone 760-891-3510 | [www.palatribe.com](http://www.palatribe.com)

October 12, 2020

Mark Strother  
Rincon Consultants, Inc.  
2215 Faraday Ave, Suite A  
Carlsbad, CA 92008

Re: 200 North Las Posas Road Project

Dear Mark Strother:

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). It is, however, situated in close proximity to the Reservation and information generated would likely be useful in better understanding regional culture and history. Therefore, we request as a courtesy to be kept in the information loop as the project progresses and would appreciate being maintained on the receiving list for project updates, reports of investigations, and/or any documentation that might be generated regarding previously reported or newly discovered sites. Further, if the project boundaries are modified to extend beyond the currently proposed limits, we do request updated information and the opportunity to respond to your changes.

Finally, we recommend that Approved Cultural Monitors be present on-site during all survey and all ground-disturbing activities. If you do not have access to an Approved Cultural Resource Monitor, contact us and we will work with you to identify appropriately trained individuals.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact Alexis Wallick by telephone at 760-891-3537 or by e-mail at [awallick@palatribe.com](mailto:awallick@palatribe.com). Pala is now offering tribal monitoring services. To arrange for Pala's cultural monitoring services, please contact Arthur Ayala by telephone at 760-891-3511 or by e-mail at [aayala@palatribe.com](mailto:aayala@palatribe.com).

Sincerely,

A handwritten signature in black ink that reads "Shasta Gaughen". The signature is written in a cursive, flowing style.

Shasta C. Gaughen, Ph.D.  
Tribal Historic Preservation Officer  
Pala Band of Mission Indians

# Rincon Band of Luiseño Indians

## CULTURAL RESOURCES DEPARTMENT

---

One Government Center Lane | Valley Center | CA 92082  
(760) 749-1051 | Fax: (760) 749-8901 | rincon-nsn.gov



October 16, 2020

**Sent via email to: [mstrother@rinconconsultants.com](mailto:mstrother@rinconconsultants.com)**

Rincon Consultants, Inc.

Mark Strother

2215 Faraday Avenue, Suite A

Carlsbad, CA 92008

**Re: 200 North Las Posas Road Project San Marcos**

Dear Mr. Strother,

This letter is written on behalf of the Rincon Band of Luiseño Indians (“Rincon Band” or “Band”), a federally recognized Indian Tribe and sovereign government. We have received your notification regarding the above referenced project and we thank you for the opportunity to provide information pertaining to cultural resources. The identified location is within the Territory of the Luiseño people, and is also within Rincon’s specific area of Historic interest.

Embedded in the Luiseño territory are Rincon’s history, culture and identity. We have knowledge of cultural resources with less than a mile to the project area. We recommend that an archaeological record search be conducted and ask that a copy of the results be provided to the Rincon Band. Additionally, the Band asks that if a Cultural Resources Assessment will be conducted, a field survey should be done in presence of a Rincon Tribal Monitor.

Furthermore, the Band requests government-to-government consultation with the lead agency to further learn about the project and potential impacts to cultural resources. While it is not the responsibility of the consultant to facilitate State-mandated consultation, the request is included in this letter so the lead agency is aware of the Band’s interest to consult on this project. If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 297-2635 or via electronic mail at [cmadrigal@rincon-nsn.gov](mailto:cmadrigal@rincon-nsn.gov). We look forward to working together to protect and preserve our cultural assets.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cheryl Madrigal", is written over a light blue horizontal line.

Cheryl Madrigal  
Tribal Historic Preservation Officer  
Cultural Resources Manager