

Appendix F

Cultural Resource Inventory Report for the Harmon Ranch Project

October 23, 2023

14452

David Shepherd
Lennar Homes
16465 Via Esprillo, Suite 150
San Diego, California 92127

Subject: Cultural Resource Inventory Report for the Harmon Ranch Project, City of Poway, California

Dear Mr. Shepherd,

This letter documents the positive cultural resources inventory conducted by Dudek for the Harmon Ranch Project (Project), located in the City of Poway, San Diego County, California (Figure 1, Project Location). The City of Poway (City) is the Lead Agency for compliance with the California Environmental Quality Act (CEQA). This report was prepared by Dudek Archaeologist Matthew DeCarlo, MA, who meets the Secretary of the Interior's standards for archaeology.

Dudek previously completed a cultural resources constraints analysis for the Project (DeCarlo et al. 2021), the results of which were used to construct this cultural resources inventory. A South Coastal Information Center records search (June 2021) identified that two previously recorded cultural resources have been recorded within the Project's area of potential effect (APE). The records search revealed that both resources within the Project APE have been previously evaluated and found not significant under CEQA. Neither a Native American Heritage Commission (NAHC) Sacred Lands File search nor Native American outreach letters indicate the presence of any specific tribal cultural resources (TCRs) or sacred sites within the Project APE. An intensive pedestrian survey in April 2022 did not identify any archaeological resources within the Project APE; however, four historic age buildings constructed over 45 years ago are within or directly adjacent to the Project APE. Due to the age of the four identified buildings, they are potentially historical resources and will be evaluated in a separate built environment report.

Though the Project APE has been highly disturbed and the NAHC and pedestrian survey were negative for archaeological resources or TCRs, the records search revealed that two resources intersect the Project APE: P-37-008245 and P-37-016042. Both resources were archaeologically tested and found to be not significant under CEQA within the Project APE. Though recommended not significant with the Project APE, there is an increased potential that ground disturbance will encounter buried cultural resources. As such, Dudek recommends cultural monitoring during initial ground disturbing activities.

Project Description and Location

The Project proposes the development of a 11.5-acre property into a residential development with 64 single-family detached homes (Figure 2, Project Site). The Proposed Project also includes 40 guest parking spaces along the private streets, approximately 0.9 acres of Open Space Recreation areas, approximately 2.2 acres of natural Open Space areas and a segment of the General Plan Community trail (approximately 1,000 feet) connecting the

Project Site to the adjacent retail area located to the north. The “Overlook” area located in the south portion of the Project Site is planned to provide public access and will be privately maintained. Primary access to the Project Site is planned via existing Oak Knoll Road and emergency access is planned via the extension of existing Roca Grande Drive. Sixty of the homes are proposed to front newly constructed private streets, while four homes and an open space/overlook area front existing Oak Knoll Road. The Applicant is proposing a Specific Plan and Tentative Map to facilitate development of a 64 single family homes. The Harmon Ranch Specific Plan will establish three land use districts within the Project Site: Residential Single Family (R-S); Open Space (OS); and Open Space Recreation (OS-R). The Specific Plan will also provide development regulations and permitted uses for each land use district.

The current property owner is Harmon Family Trust. The majority of the site has been cleared for several years and was previously used as a construction staging yard for an SDG&E gas line project. The site includes four existing single-family residences. One of the existing homes is a locally designated historic building located at 12702 Oak Knoll Road (APN 317-500-14-00). The historic building was built in 1933 and is constructed of cobblestones. The building is presently designated as City of Poway Historical Site 113 and is documented and known as the “Harmon House.” The historic building will be retained in place outside of the Specific Plan Area. Because the historic home is currently within the legal parcel proposed as part of the Specific Plan, the Applicant and Property Owner will concurrently process a Lot Line Adjustment Plat with the Specific Plan and Tentative Map to separate the 0.25-acre historic home site from the Specific Plan Area boundary.

The Project APE is located in the City of Poway, San Diego County, and is located on Oak Knoll Road between Pomerado Road and Carriage Road. The 10.72-acre Project APE is divided into two parts; the larger parcel is located north of Oak Knoll Road and the smaller parcel is located south of Oak Knoll Road. The Project APE is mapped within Section 14 of Township 14 South, Range 2 West on the U.S. Geological Survey 7.5-minute Poway Quadrangle.

Regulatory Background

The City is the Lead Agency for compliance with CEQA. This study is compliant with cultural resource regulations that apply to the Project APE including provisions for the California Register of Historic Resources (CRHR), the California Native American Graves Protection and Repatriation Act, CEQA, California Health and Safety Code Section 7050.5, Senate Bill 18 (SB 18), Assembly Bill 52 (AB 52), and the City’s General Plan.

State Level Regulations

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

In California, the term “historical resource” includes but is not limited to “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public Resources Code Section 5020.1[j]). In 1992, the California legislature established CRHR “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (California Public Resources Code Section 5024.1[a]). A resource is eligible for

listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following National Register of Historic Places (NRHP) criteria (California Public Resources Code Section 5024.1[c]):

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

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

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

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

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

California Environmental Quality Act

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

1. California Public Resources Code Section 21083.2(g): Defines "unique archaeological resource."
California Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5(a) define historical resources. In addition, CEQA Guidelines Section 15064.5(b) defines the phrase "substantial adverse change in the significance of an historical resource;" it also defines the circumstances when a project would materially impair the significance of a historical resource.
2. California Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.

3. California Public Resources Code Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4: Provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

Under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (California Public Resources Code Section 21084.1; 14 CCR 15064.5[b]). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of California Public Resources Code Section 5024.1[q]), it is a “historical resource” and is presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code Section 21084.1; 14 CCR 15064.5[a]). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public Resources Code Section 21084.1; 14 CCR 15064.5[a]).

A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (14 CCR 15064.5[b][1]; California Public Resources Code Section 5020.1[q]). In turn, the significance of a historical resource is materially impaired when a project:

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

California Health and Safety Code Section 7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (Section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (Section 7050.5c). The NAHC will notify the most likely descendant. With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 24 hours of notification of the most likely descendant by the NAHC. The most likely descendant may

recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Senate Bill 18

Senate Bill 18 amended Section 65351 of the Government Code and dictates the following:

During the preparation or amendment of the general plan, the planning agency shall provide opportunities for the involvement of citizens California Native American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups, through public hearings and any other means the city or county deems appropriate.

Assembly Bill 52

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

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

Traditional Cultural Properties

Native American Heritage Values

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

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

1. A location associated with the traditional beliefs of a Native American group about its origins, its cultural history, or the nature of the world;
2. A rural community whose organization, buildings and structures, or patterns of land use reflect the cultural traditions valued by its long-term residents;
3. An urban neighborhood that is the traditional home of a particular cultural group, and that reflects its beliefs and practices;

4. A location where Native American religious practitioners have historically gone, and are known or thought to go today, to perform ceremonial activities in accordance with traditional cultural rules of practice; and
5. A location where a community has traditionally carried out economic, artistic, or other cultural practices important in maintaining its historic identity.

Guidelines for Determining Significance

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

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

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

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

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

- When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subsection (a).
- If a lead agency determines that the archaeological site is a historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
- If an archaeological site does not meet the criteria defined in subsection (a), but does meet the definition of a unique archaeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c-f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.

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

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

When an initial study identifies the existence of, or the probable likelihood of, Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code SS5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:

1. The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5); and
2. The requirement of CEQA and the Coastal Act.

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

An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

An impact to a non-unique archaeological resource is not considered a significant environmental impact and such non-unique resources need not be further addressed in the EIR (California Public Resources Code Section 21083.2[a]; 14 CCR 15064.5[c][4]).

As stated above, CEQA contains rules for mitigation of “unique archaeological resources.” For example:

if it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Examples of that treatment, in no order of

preference, may include, but are not limited to, any of the following (California Public Resources Code Section 21083.2[b][1]-[4]):

1. Planning construction to avoid archaeological sites.
2. Deeding archaeological sites into permanent conservation easements.
3. Capping or covering archaeological sites with a layer of soil before building on the sites.
4. Planning parks, greenspace, or other open space to incorporate archaeological sites.

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

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

- A. Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.
- B. Preservation in place may be accomplished by, but is not limited to, the following:
 1. Planning construction to avoid archaeological sites;
 2. Incorporation of sites within parks, greenspace, or other open space;
 3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site[; and]
 4. Deeding the site into a permanent conservation easement.”

Thus, although Section 21083.2 of the California Public Resources Code, in addressing “unique archaeological sites,” provides for specific mitigation options “in no order of preference,” CEQA Guidelines Section 15126.4(b), in addressing “historical resources of an archaeological nature,” provides that “preservation in place is the preferred manner of mitigating impacts to archaeological sites.”

Under CEQA, “when data recovery through excavation is the only feasible mitigation,” the lead agency may cause to be prepared and adopt a “data recovery plan” prior to any excavation being undertaken. The data recovery plan must make “provision for adequately recovering the scientifically consequential information from and about the historic resource” (14 CCR 15126.4[b][3][C]). The data recovery plan also “must be deposited with the California Historical Resources Regional Information Center” (14 CCR 15126.4[b][3][C]). Further, “if an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation” (14 CCR 15126.4[b][3][C]). However, “data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historic resource, provided that determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center” (14 CCR 15126.4[b][3][D]).

City of Poway Cultural Resources Guidelines

Poway General Plan

Goal IV of the City of Poway's General Plan (City of Poway 1991) is to preserve the City's cultural resources for the future benefit and enjoyment of its residents. Policy D states that "Archaeological resources are an important part of our heritage and should be preserved and protected." Strategies include the following (City of Poway 1991):

1. Archaeological guidelines for the treatment of archaeological resources discovered during the environmental review process shall be implemented. These guidelines are on file at the City of Poway.
2. The City shall require that all artifacts recovered from sites within Poway during environmental impact studies be presented to the City for permanent curation. This is also recommended for the sphere of influence. The City shall designate a repository for the artifacts or direct that a suitable structure be built or converted within the City boundaries to house the collections. The City shall ensure the proper treatment of the artifacts by selecting an archaeologist/historian to define the necessary elements for curation of specimens as outlined by the National Park Service. If the City cannot designate a facility to curate the artifacts, then an agreement could be reached with the Poway Historical Society or the San Diego Archaeological Society to temporarily curate the artifacts.
3. Consider mitigation alternatives which include "in kind" measures that provide unusual or more beneficial results than the mitigation measures listed in the City archaeological/historical guidelines.
4. Maintain a listing of significant prehistoric sites and document the locations of all open space easements that include archaeological sites. These easements have been granted to protect resources however without acknowledging the locations of such easements the success of the use of such easements for resource protection cannot be assured. The City should conduct a research effort to determine where easements for archaeological sites are located especially those easements which were inherited from the County of San Diego when the city was incorporated.

Municipal Code

Chapter 17.45 of the City's Municipal Code describes the City's cultural resources regulatory framework (City of Poway 2022). The City's planning goals and policies aim to "protect, enhance and perpetuate historic/cultural resources, sites, and districts that represent or reflect elements of the City's cultural, social, economic, political and architectural history for the public health, safety and welfare of the people of the City" and to "permit historic sites to be identified, documented, and recorded by written and photographic means and allow an opportunity for voluntary preservation of historic sites, all without infringing on the ability and right of a property owner to control the use of property or structures" (City of Poway 2022).

South Coastal Information Center Records Search

Dudek requested a records search of data on file at the South Coastal Information Center for the Project APE and a 1-mile buffer on June 8, 2021. The purpose of the records search is to identify any previously recorded cultural resources that may be located within the property. In addition to a review of previously prepared EIRs, permit application packages, site records, and reports, the records search also reviewed historical maps of the Project APE and vicinity, ethnographies, the NRHP, the CRHR, the Built Environment Resources Directory, and the lists of

California State Historical Landmarks, California Points of Historical Interest, and Archaeological Determinations of Eligibility. Dudek received the results of the records search on June 10, 2021. The results of the records search are included in Confidential Appendix A.

Previously Recorded Cultural Resources

The records search identified 16 cultural resources within 1 mile of the Project APE, two of which intersect the current Project APE. Brief discussions of these two intersecting resources, P-37-008245 and P-37-016042, are included below. Table 1 summarizes the cultural resources within 1 mile of the Project APE.

Table 1. Cultural Resources Previously Identified within 1 Mile of Project APE

Primary No	Trinomial	Era	Description
Intersects Project APE			
P-37-008245	CA-SDI-8245	Prehistoric	Milling station and campsite
P-37-016042	CA-SDI-14605/H	Historic	Cistern filled with refuse
Within 1-Mile of Project APE			
P-37-000012	CA-SDI-2	Prehistoric	Bedrock milling and artifact scatter
P-37-000592	CA-SDI-592	Prehistoric	Bedrock milling, petroglyphs, and artifact scatter
P-37-004512	CA-SDI-4512	Prehistoric	Bedrock milling, hearths, and artifact scatter
P-37-004633	CA-SDI-4633	Prehistoric	Bedrock milling, hearths, and artifact scatter
P-37-006083	CA-SDI-6083	Prehistoric	Bedrock milling and artifact scatter
P-37-006665	CA-SDI-6665	Prehistoric	Artifact scatter
P-37-006666	CA-SDI-6666	Prehistoric	Bedrock milling and lithic scatter
P-37-011481	CA-SDI-11481	Prehistoric	Bedrock milling feature and lithic scatter
P-37-018285	CA-SDI-15547	Prehistoric	Habitation site
P-37-027171	—	Historic	Water tank
P-37-033470	—	Historic	Dirt road
P-37-033481	CA-SDI-21057	Prehistoric	Bedrock milling
P-37-033557	—	Historic	Old Highway 395
P-37-035873	—	Historic	Structure refuse

P-37-008245/CA-SDI-8245

This site was originally recorded by Gary Fink in 1975 as a “knoll top milling station and campsite.” Fink (1975) recorded extensive midden concentrated near the top of the east side of the knoll but noted “midden scatter” on parts of the knoll’s slopes. The original record identified seven mortar holes, three slicks, two basins, one “mini-mortar, and scattered flakes and tools. A portion of the site was tested by Affinis in 1990 by excavating an undisclosed number of shovel test pits, which found archaeological deposits extending below 60 centimeters (Affinis 1990). Affinis noted that the portion of the resource that is now within the current Project APE was previously farmed and highly disturbed.

In 1991, Brian F. Smith and Associates evaluated P-37-008245 with a series of excavated trenches. Finding the resource significant, a data recovery program was initiated that included excavation of two 3 x 3 meter block units

and four 1 x 1 meter units within the current Project APE. Brian F. Smith and Associates reported that the data recovery program resulted in the successful excavation of a representative sample of the site, determined the site function, curated nearly 3,000 artifacts for future study, and “generally exhausted the research potential” of the portion of the resource within the current Project APE. Brian F. Smith and Associates recommended that a cultural resource monitoring program be implemented during construction grading.

Though P-37-008245 is considered significant under CEQA and intersects the current Project APE, the portion of the resource that intersects the APE has previously undergone data recovery to mitigate potentially adverse impacts to the periphery of the resource mitigation. The portion of P-37-008245 that intersects the Project APE lacks research potential and is unlikely to pose any substantial archaeological constraint to the Project.

P-37-016042/CA-SDI-14605/H

This resource was identified in 1998 during the grading of an empty lot and consists of a historic cistern filled with refuse (Kirkish 1998). The refuse included household goods, automobile items, building materials, and personal items. A few prehistoric artifacts were also identified on the lot but appeared to have been displaced from fill soils used during the construction of the previous residence. The systematic recovery of cultural material from the feature and trash scatter exhausted the data potential of the site and avoidance of the resource is not necessary. This resource was identified within the current Project APE.

Previous Cultural Resource Studies

The records search identified 72 previous studies that have been performed within 1 mile of the Project APE. Five of these studies have addressed at least a portion of the Project APE; however, the entire Project APE has not been previously surveyed. These previous studies were conducted between 1990 and 2000 and are not considered current. One study, SD-2207, encompasses all of the Project APE north of Oak Knoll Road, the findings of which are discussed below. Table 2 in Confidential Appendix A summarizes all 72 previous cultural resources studies within 1 mile of the Project APE.

SD-02207

Brian F. Smith and Associates (1991) conducted evaluation testing and a data recovery program for portions of archaeological site P-37-008245/CA-SDI-8245. As described above, P-37-008245 consists of prehistoric bedrock milling, artifact scatter, and rich midden soil located primarily on a knoll top. This data recovery program was conducted to mitigate potentially adverse impacts to the periphery of the resource. The portions of P-37-008245 that were tested by Brian F. Smith and Associates are the same portions of the resource that are within the current Project APE.

Brian F. Smith and Associates’ (1991) site testing included the excavation of a series of subsurface trenches to assess the size and depth of the archaeological deposit. This testing determined that the site was “important,” but that the portions of the site within the current Project APE were a small element of the main occupation. The testing also revealed that the integrity of P-37-008245 within the current Project APE is poor due to modern disturbances.

After the testing phase, a data recovery program for the portions of P-33-008245 with poor integrity (within the current Project APE) was carried out and consisted of two block units measuring 3 x 3 meters and four additional 1 x 1 meter test units. Brian F. Smith and Associates proclaimed that the data recovery program resulted in the

successful excavation of a representative sample of the site, determined the site function, curated nearly 3,000 artifacts for future study, and “generally exhausted the research potential” of the portion of the resource within the current Project APE. Brian F. Smith and Associates (1991) recommended that a cultural resource monitoring program be implemented during construction grading.

Archival Research

Historic topographic maps and aerial photographs of the Project APE were reviewed at historicaerials.com (NETR 2021) in order to assess land use and development changes over time, particularly related to historical resources and the known archaeological sites. Historic photographs are available since 1953. The 1953 aerial photograph shows that the property was undeveloped except for the stone house located in the southeastern corner of the Project APE at 12702 Oak Knoll Road. By 1964, two more residences were constructed in the southern portion of the Project APE, one north and one south of Oak Knoll Street. By 1978, a residential development was constructed along the eastern boundary of the Project APE and several dirt paths or roads were established within the northern Project APE. The aerial photograph from 1990 appears to show grading or mowing of the northern portion of the Project APE. Additional grading occurred in the central portion of the Project APE in 2010 and a San Diego Gas and Electric staging yard now occupies the northern portion of the Project APE. The historic aerial photographs show that the Project APE has been surrounded by development since the late 1950s or early 1960s and was subject to repeated, though not complete, disturbances in the form of grading and dirt roads. Any surface cultural resources that may have been present are likely disturbed but intact archaeological deposits are possible.

Native American Heritage Commission and Native American outreach letters

Dudek requested an NAHC search of the Sacred Lands File on April 15, 2022, for the proposed Project APE and a 1-mile buffer. The Sacred Lands File consists of a database of known Native American resources. These resources may not be included in the South Coastal Information Center database. The NAHC replied on May 19, 2022, and reported that the Sacred Lands File did not identify any known Native American cultural resources within the Project APE or the surrounding 1-mile buffer (Appendix B, Tribal Correspondence). The NAHC additionally provided a list of Native American tribes and individuals/organizations with traditional geographic associations that might have knowledge of cultural resources in this area.

Outreach letters were mailed on May 27, 2022, to all Native American group representatives included on the NAHC contact list (Appendix B). These letters attempted to solicit additional information relating to Native American resources that may be impacted by the Project. Native American representatives were requested to define a general area where known resources intersect the Project APE. Four responses to these requests have been received.

Barona Band of Mission Indians stated that because the Project is astride a creek and ethnographic village of Paqui, there is an increased cultural sensitivity. Barona recommended an intensive pedestrian survey and construction monitoring. Jamul Indian Village stated that they consulted their database and have concerns that the Project area is sensitive for cultural resources. They stated that they would consult with the City. Likewise, San Pasqual Band of Mission Indians stated that the Project is in their Traditional Use Area, and they would like to

engage in formation government to government consultation. Viejas Band of Kumeyaay Indians stated that the Project area was significant to Viejas, and they requested that a Kumeyaay Cultural Monitor be on site during any ground disturbing activities.

Senate Bill 18 and Assembly Bill 52 Consultation

In compliance with Senate Bill (SB 18) and Assembly Bill 52 (AB 52), the City, as lead agency, is responsible for conducting government to government consultation with pertinent tribal entities. The City requested a Tribal Consultation List from the Native American Heritage Commission (NAHC) and received a list of 16 tribal representative from the NAHC. The City mailed separate SB 18 and AB 52 letters to the 16 tribal representatives on November 8, 2022. These notification letters included a description of the Project, lead agency contact information, and a statement that the tribe had 90 days to request consultation under SB 18 and 30 days to request consultation under AB 52.

Four tribal entities responded to the SB 18 and AB 52 notification letters. Barona Band of Mission Indians, Jamul Indian Village, and Viejas Band of Kumeyaay Indians requested that a Kumeyaay Native American monitor be present during ground disturbing construction activities. San Pasqual Band of Mission Indians requested a Project site visit, after which they would make recommendations. Consultation with San Pasqual Band of Mission Indians is considered ongoing. Consultation with all other tribes is considered concluded.

Intensive Pedestrian Survey

Dudek Archaeologist Javier Hernandez conducted a survey of the Project APE on April 22, 2022. Native American monitor Logovii Sialo from Saving Sacred Sites Inc., a Luiseño owned company, participated in the pedestrian survey. The Project APE consists of two vacant lots bisected by Oak Knoll Road that border existing residential neighborhoods. The larger parcel north of Oak Knoll Road has been previously disturbed as evidenced by two residences with outbuildings, trimmed vegetation, heavy machinery grading, and the presence of a construction staging yard. The staging yard has been heavily disturbed by commercial equipment and vehicle storage. It occupies the majority of parcel, leaving an unfenced area approximately 160 by 60 meters on the north half of the parcel. This area was densely vegetated with a row of trees aligning a drainage on the western APE boundary. The thick grass made surface visibility poor on the southwest facing knoll. The second smaller parcel south of Oak Knoll Road has also been heavily disturbed as evidenced by road gravels and trimmed grass. The southernmost extent of the APE bordering Poway Creek was heavily vegetated by trees and brush and the northern bank of Poway Creek was too steep to access for surveying. The northern portion of the southern lot was heavily vegetated by grass making surface visibility poor. Though currently undeveloped, the Project is immediately adjacent to residential and commercial development. Pedestrian survey was conducted utilizing formal transects at 15-meter intervals, except as noted above. Deviations from transects also occurred to inspect animal burrows and other locations of exposed sediments and rock outcrops. No cultural resources were identified within the Project.

Summary and Management Considerations

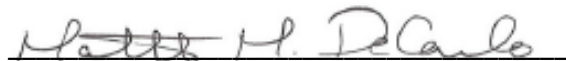
Though the Project APE has been highly disturbed and the NAHC Sacred Lands File search, Native American outreach, and pedestrian survey were negative for archaeological resources and TCRs, the records search

revealed that two resources intersect the Project APE: P-37-008245 and P-37-016042. Both resources were archaeologically tested and found to be not significant under CEQA within the Project APE. Though recommended not significant with the Project APE, there is an increased potential that ground disturbance will encounter buried cultural resources associated with these resources. As such, Dudek recommends cultural monitoring during initial ground disturbing activities.

Should human remains be discovered, work will halt in that area and procedures set forth in the California Public Resources Code (Section 5097.98) and California Health and Safety Code (Section 7050.5) will be followed, beginning with notification of the County Coroner. If Native American remains are present, the County Coroner will contact the NAHC to designate a most likely descendant, who will provide recommendations for the dignified disposition and treatment of the remains.

Should you have any questions relating to this report and its findings please do not hesitate to contact Dudek directly.

Respectfully Submitted,



Matthew DeCarlo, MA
Archaeologist
Office: 760.479.4831
Email: mdecarlo@dudek.com

cc: *Vanessa Scheidel, Dudek*

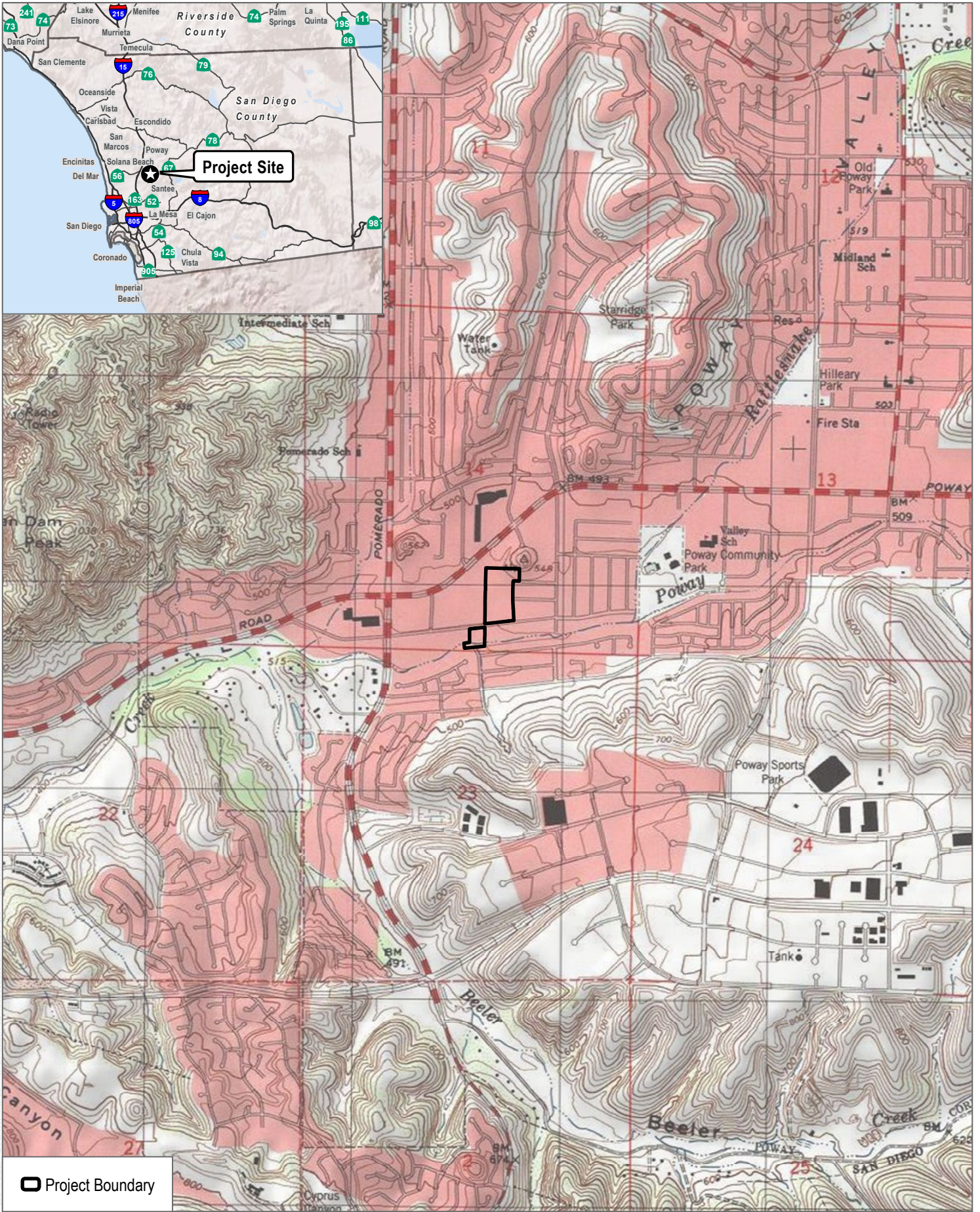
Att: *Figures 1-2*

Confidential Appendix A: South Coastal Information Center Records Search Results

Appendix B: Native American Correspondence

References

- Assembly Bill 52. California Legislative Information Website. Electronic document, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52.
- Affinis. 1990. *Archaeological Site Record for CA-SDI-8245*. On file at South Coastal Information Center, San Diego State University.
- Brian F. Smith and Associates. 1991. *Results of a Data Recovery Program for Historic and Prehistoric Elements at SDI-8245; The Harman Subdivision Project*. South Coastal Information Center, San Diego State University.
- CEQA Guidelines. California Natural Resources Agency Website. Electronic documents, <http://resources.ca.gov/ceqa/guidelines/>.
- City of Poway. 1991. *Poway Comprehensive Plan*.
- City of Poway. 2022. *Poway Municipal Code*.
- DeCarlo, M., N. Frank, and A. Lyons. 2021. *Cultural Resources Due Diligence Analysis for the Oak Knoll Property, City of Poway, California*
- Fink, G.R. 1975. *Archaeological Site Record for CA-SDI-8245*. On file at South Coastal Information Center, San Diego State University.
- Kirkish, A.N. 1998. *Archaeological Site Record for CA-SDI-14605H*. On file at South Coastal Information Center, San Diego State University.
- NETR (Nationwide Environmental Title Research). 2021. Historic Aerial Imagery Website by the Nationwide Environmental Title Search, LLC., Search title "San Marcos, California". <https://www.historicaerials.com/viewer>. Accessed June 15, 2021.
- Parker, P. L. and T. F. King. 1998. National Register Bulletin 38: Guidelines for the Evaluation and Documentation of Traditional Cultural Properties. National Register of Historic Places, U.S. National Park Service



SOURCE: SAN GIS 2017

DUDEK

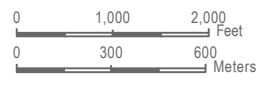


FIGURE 1
Project Location
 Harmon Ranch



SOURCE: SAN GIS 2017



FIGURE 2
Project Site
 Harmon Ranch

Appendix A

(Confidential)

South Coastal Information Center Records
Search Results

Appendix B

Native American Correspondence

Sacred Lands File & Native American Contacts List Request

NATIVE AMERICAN HERITAGE COMMISSION

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

Information Below is Required for a Sacred Lands File Search

Project: _____

County: _____

USGS Quadrangle

Name: _____

Township: _____ Range: _____ Section(s): _____

Company/Firm/Agency:

Contact Person: _____

Street Address: _____

City: _____ Zip: _____

Phone: _____ Extension: _____

Fax: _____

Email: _____

Project Description:

____ Project Location Map is attached

NATIVE AMERICAN HERITAGE COMMISSION

May 19, 2022

Matthew DeCarlo
DudekVia Email to: mdecarlo@dudek.com**Re: Lennar Oak Knoll Project, San Diego County**

Dear Mr. DeCarlo:

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: Andrew.Green@nahc.ca.gov.

Sincerely,

Andrew Green
Cultural Resources Analyst

Attachment

CHAIRPERSON
Laura Miranda
LuiseñoVICE CHAIRPERSON
Reginald Pagaling
ChumashPARLIAMENTARIAN
Russell Atebery
KarukSECRETARY
Sara Dutschke
MiwokCOMMISSIONER
William Mungary
Paiute/White Mountain
ApacheCOMMISSIONER
Isaac Bojorquez
Ohlone-CostanoanCOMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki,
NomlakiCOMMISSIONER
Wayne Nelson
LuiseñoCOMMISSIONER
Stanley Rodriguez
KumeyaayEXECUTIVE SECRETARY
Raymond C.
Hitchcock
Miwok/Nisenan**NAHC HEADQUARTERS**
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

**Native American Heritage Commission
Native American Contact List
San Diego County
5/19/2022**

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) 933 - 2200
Fax: (619) 445-9126
michaelg@leaningrock.net

Ewiiapaayp Band of Kumeyaay Indians

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

Iipay Nation of Santa Ysabel

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

Iipay Nation of Santa Ysabel

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

Inaja-Cosmit Band of Indians

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

Jamul Indian Village

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

Jamul Indian Village

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

Kwaaymii Laguna Band of Mission Indians

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

La 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

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

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 Lennar Oak Knoll Project, San Diego County.

**Native American Heritage Commission
Native American Contact List
San Diego County
5/19/2022**

**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

**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

**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

**Viejas Band of Kumeyaay
Indians**

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

**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

**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

**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

**Sycuan Band of the Kumeyaay
Nation**

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

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 Lennar Oak Knoll Project, San Diego County.

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

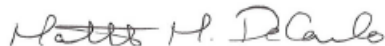
Dear Mr. Christman,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

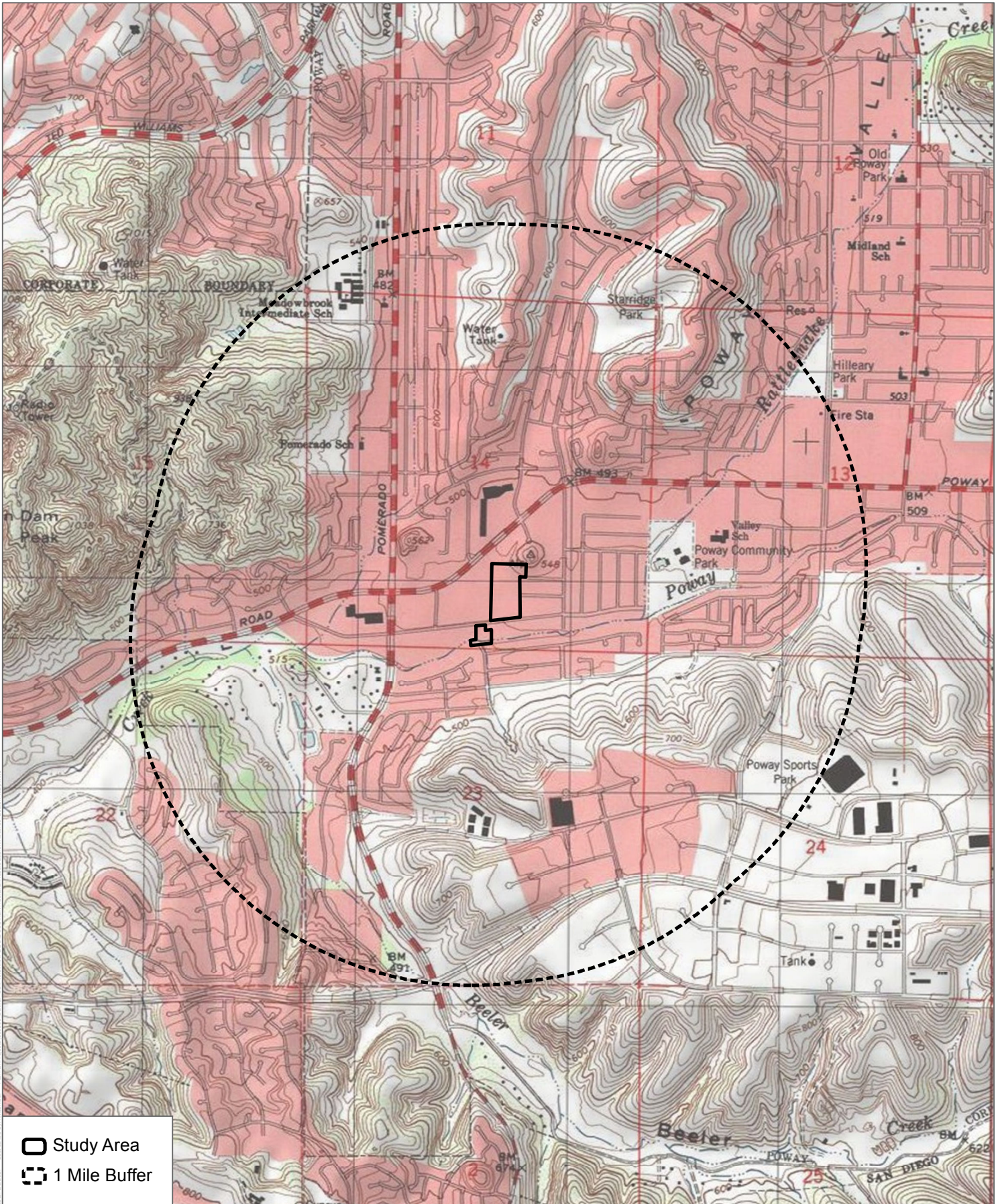
The Native American Heritage Commission conducted a Sacred Lands file search. The results were negative for Native American cultural resources within or adjacent to the project area. I am writing as part of the cultural inventory process in order find out if you, or your tribal community, have any knowledge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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com



DUDEK

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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Ms. Cumper,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Mr. Flores,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

DUDEK

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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Mr. Garcia,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

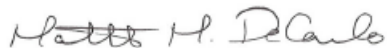
Dear Mr. Goff,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

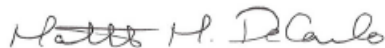
Dear Mr. Lawson,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Mr. Linton,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

DUDEK

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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Mr. Linton,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

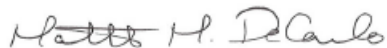
Dear Ms. Lucas,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com



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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Mr. Martinez,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,

Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com



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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Ms. Miller,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,

Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

DUDEK

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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Ms. Orosco,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

DUDEK

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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Ms. Osuna,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com



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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Ms. Parada,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,

Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

DUDEK

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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Mr. Perez,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

DUDEK

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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Mr. Pingleton,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

DUDEK

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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Mr. Pinto,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com



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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Ms. Pinto,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,

Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

May 27, 2022

14452

Mr. Edwin (Thorpe) Romero, Chairperson
Barona Group of the Capitan Grande
1095 Barona Road
Lakeside, CA 92040

Subject: Information Request for the Oak Knoll Project, City of Poway, California

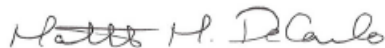
Dear Mr. Romero,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,



Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com



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

May 27, 2022

14452

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

Subject: Information Request for the Oak Knoll Project, City of Poway, California

Dear Ms. Santos,

A private developer has proposed the development of a vacant lot into residential development in the City of Poway, California. The project area is located within an existing residential development on Oak Knoll Road. The area falls within Section 14 within Township 14S/ Range 2W of the Poway, CA 1:24,000 USGS map (Figure 1).

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

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

Respectfully,

Matthew DeCarlo, M.A.
Archaeologist
DUDEK
Phone: (760) 479-4831
Email: mdecarlo@dudek.com

From: buncelaw@aol.com

Sent: Friday, June 17, 2022 3:07 PM

To: Matthew DeCarlo

Subject: Oak Knoll Project, City of Poway

Dear Mr. DeCarlo,

In response to your letter of May 27, 2022 concerning the above project, I am responding on behalf of the Barona Band of Mission Indians, which is a small federally-recognized Indian tribe whose federal Indian reservation is a bit to the east of Poway. I serve as the Tribe's Tribal Attorney and respond to many cultural resource issues under the direction of Chairman Raymond Welch and the Tribal Council.

The site of this project is astride a creek and in the vicinity of the village of Paqui. It is also relatively flat. Therefore, there is an increased likelihood that known or unknown cultural resources are on or buried on the property, despite the negative cultural resources records search. Therefore, the Barona Band requests that the City conduct at least a walk-over of the parcel by a qualified archaeologist to see if any signs of cultural resources are present, and to view any earth-disturbing activities, with the ability to stop them if such resources are discovered, until they can be properly evaluated.

Thank you for your attention to this request.

Sincerely,

Art Bunce

Tribal Attorney

From: Lisa Cumper <lcumper@jiv-nsn.gov>

Sent: Monday, June 27, 2022 4:04 PM

To: Matthew DeCarlo

Cc: Jewel Tellow

Subject: Information Request for the Oak Knoll Project, City of Poway

Hi Matt,

I hope that this email finds you well! The Jamul Indian Village of California has researched our database and we have concerns about this location as it is a sensitive site for us.

Thanks Matt!

Kindest Regards,

Lisa K. Cumper, THPO

Tribal Historic Preservation Officer

Cultural Resources Manager,

The Jamul Indian Village of California

Secretary, KCRC, Kumeyaay Nation

Secretary, KHPC, Kumeyaay Nation

P.O. Box 612, Jamul CA 91935

desk: 619.669.4855

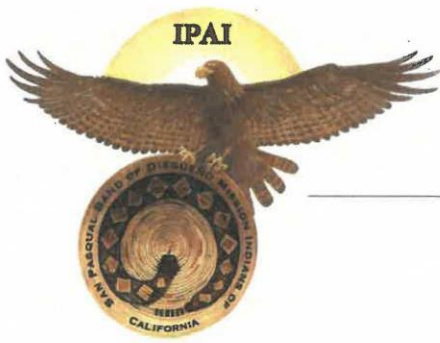
cell: 619.928.8689

fax: 619.669.4817

email: lcumper@jiv-nsn.gov

web: www.jamulindianvillage.com

The ground on which we stand is sacred ground, it is the blood of our ancestors. Chief Plenty Coups,
Crow



SAN PASQUAL BAND OF MISSION INDIANS

SAN PASQUAL RESERVATION

June 17, 2022

TRIBAL COUNCIL

Stephen W. Cope
Chairman

Justin Quis Quis
Vice Chairman

Jenny Alto
Secretary-Treasurer

Roberta Cameron
Councilman

Melody S. Arviso
Councilman

DUDEK
Matthew DeCarlo M.A.
Archaeologist
605 Third Street
Encinitas CA. 92024

RE: Oak Knoll Project

Dear Mr. DeCarlo,

The San Pasqual 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 Desiree M. Whitman THPO Officer and San Pasqual Band of Mission Indians.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized San Pasqual Indian Reservation. It is, however, within the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Furthermore, we would like to engage in formal government to government consultation so that San Pasqual can have a voice in developing the measures that will be taken to protect these sites and mitigate any adverse impacts. We would appreciate being given access to any cultural resource reports that have been or will be generated during the environmental review process so we can contribute most effectively to the consultation process.

We appreciate your 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 me by telephone at 760-803-5648 or by e-mail at Angelinag@sanpasqualtribe.org

Respectfully,

Angelina Gutierrez
Tribal Historic Preservation Office, Monitor
Supervisor
San Pasqual Band of Mission Indians

From: Ray Teran <rteran@viejas-nsn.gov>

Sent: Thursday, June 9, 2022 9:42 AM

To: Matthew DeCarlo

Cc: Ernest Pingleton

Subject: Oak Knoll Project

The Viejas Band of Kumeyaay Indians ("Viejas") has reviewed the proposed project and at this time we have determined that the project site has cultural significance or ties to Viejas. Cultural resources have been located within or adjacent to the APE-DE of the proposed project.

Viejas Band request that a Kumeyaay Cultural Monitor be on site for ground disturbing activities and to inform us of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains.

If you wish to utilize Viejas cultural monitors (Viejas rate is \$54.15/hr. plus GSA mileage), please call Ernest Pingleton at 619-655-0410 or email, epingleton@viejas-nsn.gov, for contracting and scheduling. Thank you.

Ray Teran

Viejas Tribal Government

Resource Management Director

619-659-2312

rteran@viejas-nsn.gov