

3.4 Cultural Resources

This section provides an assessment of potential impacts related to cultural resources that could result from implementation of the Oceanside Coast Highway Corridor Study Project (proposed project, or project). Potential impacts addressed in this section are related to historical, archaeological and tribal, and paleontological resources and human remains. The analysis in this section is based on the Phase I Cultural Resources Assessment (CRA) (ESA 2016) that was prepared for the proposed project, which is included in Appendix D of this EIR.

3.4.1 Environmental Setting

Existing Cultural Setting

The following cultural setting is summarized from the Environmental Setting section of the CRA. Refer to Appendix D for a full description of each time period.

Prehistoric Setting

The chronology of coastal Southern California is typically divided into three general periods: the Early Holocene (11,000 to 8,000 before present [B.P.]), the Middle Holocene (8,000 to 4,000 B.P.), and the Late Holocene (4,000 B.P. to A.D. 1769). The primary Early Holocene cultural complex in coastal Southern California was the San Dieguito Complex, which is characterized by leaf-shaped and large-stemmed projectile points (Moratto 1984). The Middle Holocene La Jolla Complex is essentially a continuation of the San Dieguito Complex and is characterized by large, coarse stone tools, as well as well-made projectile points and milling slabs, indicative of plant processing (Horne and McDougall 2003). During the Late Holocene, the environment became drier and populations settled nearer to permanent freshwater resources becoming less mobile and more sedentary as a result (Gallegos 2002). Technological developments included the introduction of the bow and arrow.

Ethnographic Setting

Native Americans living in the project area at the time of Spanish contact are now known as the Luiseño, after the Mission San Luis Rey to which many of them were relocated. The language of the Luiseño people has been identified as belonging to the Cupan group of the Takic subfamily, which is part of the larger Uto-Aztecan language family (Bean and Shipek 1978). Luiseño territory includes portions of northern San Diego, southern Orange, and Riverside Counties. Today, there are six federally recognized tribes in California who share Luiseño tribal affiliation, language, and culture, including the La Jolla Band of Luiseño Indians (La Jolla), Rincon Band of Luiseño Indians (Rincon), Pauma Yuima Band of Mission Indians (Pauma), Pechanga Band of Luiseño Indians (Pechanga), Pala Band of Mission Indians (Pala), and Soboba Band of Luiseño Indians (Soboba).

The greater San Diego area was inhabited by a group of people known generally as the Kumeyaay, who occupied an area that encompassed roughly southern present-day San Diego County, southern Imperial County, and northern Baja California (Kroeber 1925). The Kumeyaay language belonged to the Yuman language family, Hokan stock (Luomala 1978). Today,

Kumeyaay tribal members within the United States are divided into 12 federally recognized bands: Barona, Campo, Ewiiapaayp, Inaja-Cosmit, Jamul, La Posta, Manzanita, Mesa Grande, San Pasqual, Santa Ysabel, Sycuan, and Viejas. An additional San Diego County band, the Kwaaymii Laguna Band of Indians, is not currently federally recognized. Several more Kumeyaay communities are present in Mexico.

Historic Setting

In 1883, the California Southern Railway, a branch of the Santa Fe Railroad that linked San Diego to San Bernardino, was constructed through what is present-day Oceanside (City of Oceanside n.d.). That same year, Andrew Jackson Myers was the first occupant of what would soon become the City of Oceanside (Oceanside Chamber of Commerce 2015). Five years later July 3, 1888, the city was incorporated with a population of 1,000 (City of Oceanside n.d.). In 1915, a paved highway connecting San Diego and Los Angeles was constructed through Oceanside, spurring expansion of the city throughout the 1920s. The construction of Camp Pendleton in 1942 triggered rapid population growth in the city as servicemen and their families moved into the region and the city's population increased from 4,652 in 1940 to 12,888 in 1950 (City of Oceanside n.d.). Today, Oceanside is the third-largest city in San Diego County, with a population of 167,086, and is serviced by Interstate 5 and State Route 76.

Previously Identified Archaeological Resources

Archival Research

A records search for the proposed project was conducted on July 10, 2016, by staff at the South Coastal Information Center (SCIC), housed at San Diego State University. The records search included a review of all recorded cultural resources within a 0.5-mile radius of the Complete Streets improvements and the Incentive District.

Archaeological Resources

The SCIC records search indicates that a total of 33 archaeological resources have been previously recorded within 0.5 mile of the Complete Streets improvements and Incentive District (**Table 3.4-1**). Of the 33 previously recorded archaeological resources, 19 (CA-SDI-626, -627, -628, -8455, -12600, -13211, -14058, -114059, 15870, -17672, -18348, -19441, -19944, -19946, -19947, 19948, -20692, -21274, and -33331) are prehistoric archaeological sites, six (CA-SDI-14145, -17245, -17796, -17907, -20845, and -21704) are historic-period archaeological sites, three (P-37-13212, -13212, and -21274) are multicomponent archaeological sites, and six (P-37-18810, -18811, -18812, -18813, -33869, and -33873) are prehistoric isolates.

Of the 33 previously documented archaeological resources, 2 (CA-SDI-14058 and -15870) are located solely within or immediately adjacent to (within 100 feet of) the Complete Streets improvements, and three (CA-SDI-14059 and -17796, and P-36-033869) are located solely within or immediately adjacent to the Incentive District. None has been evaluated for listing in the California Register of Historical Resources (CRHR).

**TABLE 3.4-1
PREVIOUSLY RECORDED ARCHAEOLOGICAL RESOURCES WITHIN 0.5 MILE OF THE PROJECT AREA**

| Primary # (P-37-) | Trinomial (CA-SDI-) | Description | Date(s) Recorded | Distance from Project Area |
|------------------------------|--------------------------------|---|---------------------------------|---|
| 000626 | 626 | Prehistoric archaeological site: campsite | 1972; 2014 | 0.35 mile |
| 000627 | 627 | Prehistoric archaeological site: campsite | 1958 | 0.35 mile |
| 000628 | 628 | Prehistoric archaeological site: shell midden | 1994; 2003 | 0.53 mile |
| 008455 | 845 | Prehistoric archaeological site: shell scatter | 1981; 2014 | 0.47 mile |
| 012600 | 12600 | Prehistoric archaeological site: lithic scatter | 1992 | 0.19 mile |
| 013211 | 13211 | Prehistoric archaeological site: shell scatter | 1993 | 0.17 mile |
| 013212 | 13212 | Multicomponent archaeological site: shell scatter and historic-period refuse scatter | 1993 | 0.13 mile |
| 014266* | 14058 | Prehistoric archaeological site: shell scatter | 1994; 2001 | Within Complete Streets improvements |
| 014277** | 14059 | Prehistoric archaeological site: shell scatter | 1994 | 33 feet from Incentive District |
| 014369 | 14145 | Historic-period archaeological site: refuse scatter | 1995 | 0.47 mile |
| 018810 | - | Prehistoric isolate: shell | 2000 | 0.50 mile |
| 018811 | - | Prehistoric isolate: shell | 2000 | 0.50 mile |
| 018812 | - | Prehistoric isolate: shell | 2000 | 0.29 mile |
| 018813 | - | Prehistoric isolate: shell | 2000 | 0.26 mile |
| 019165* | 15870 | Prehistoric archaeological site: shell scatter | 2001 | 100 feet from Complete Streets improvements |
| 025937 | 17245 | Historic-period archaeological site: refuse scatter | Brian F. Smith Associates, 2004 | 0.18 mile |
| 027036 | 17672 | Prehistoric archaeological site: shell midden | ASM Affiliates, 2005 | 0.39 mile |
| 027207** | 17796 | Multicomponent archaeological site: prehistoric shell midden; historic-period railroad maintenance yard and associated refuse | 2006 | Within Incentive District |
| 027452 | 17907 | Historic-period cemetery | 2006 | 265 feet |
| 028351 | 18348 | Prehistoric archaeological site: shell scatter | 2007 | 265 feet |
| 030591 | 19441 | Prehistoric archaeological site: shell and lithic scatter | 2009 | 0.19 mile |
| 031408 | 19944 | Prehistoric archaeological site: shell scatter | 2010 | 0.45 mile |
| 031410 | 19946 | Prehistoric archaeological site: shell scatter | 2010 | 0.38 mile |
| 031411 | 19947 | Prehistoric archaeological site: shell scatter | 2010 | 0.33 mile |
| 031412 | 19948 | Prehistoric archaeological site: shell scatter | 2010 | 0.29 mile |
| 032654 | 20692 | Prehistoric archaeological site: shell scatter | 2012; 2014 | 0.43 mile |

**TABLE 3.4-1
 PREVIOUSLY RECORDED ARCHAEOLOGICAL RESOURCES WITHIN 0.5 MILE OF THE PROJECT AREA**

| Primary # (P-37-) | Trinomial (CA-SDI-) | Description | Date(s) Recorded | Distance from Project Area |
|------------------------------|--------------------------------|--|-----------------------------|---------------------------------------|
| 033105 | 20845 | Historic-period archaeological site: refuse scatter | 2013 | 0.19 mile |
| 033331 | - | Prehistoric isolate: mano | 2013 | 0.10 mile |
| 033869** | - | Prehistoric isolate: mano | 2014 | 65 feet from Incentive District |
| 033873 | - | Prehistoric isolate: flake | 2014 | 0.28 mile |
| 033874 | 21274 | Multicomponent archaeological site: prehistoric shell midden; historic-period railroad grade | 2014 | 0.29 mile |
| 033928 | 21313 | Prehistoric archaeological site: shell scatter | 2014 | 0.35 mile |
| 034887 | 21704 | Historic-period archaeological site: refuse scatter | 2015 | 0.44 mile |

*Indicates archaeological resource within or immediately adjacent to Complete Streets improvements
 **Indicates archaeological resource within or immediately adjacent to Incentive District

SOURCE: ESA 2016

Built Environment Resources

The SCIC records search indicates that 259 historic-period built environment resources have been previously recorded within 0.5 mile of the Complete Streets improvements and the Incentive District. Of these 259 resources, 27 are located within or immediately adjacent (within 100 feet) to the Complete Streets improvements and the Incentive District (**Table 3.4-2**). Of these 27 resources, 19 are located immediately adjacent to the Complete Streets improvements and eight are located solely within or immediately adjacent to the Incentive District. Of the 19 built environment resources located within the Complete Streets improvements, 11 are also located within the Incentive District. One additional resource, the San Luis Rey River Bridge (Bridge# CA 57 C-322), is not on file at the SCIC, but was identified within the Complete Streets improvements upon review of the California Department of Transportation historic bridge inventory.

**TABLE 3.4-2
HISTORIC-PERIOD BUILT ENVIRONMENT RESOURCES WITHIN 100 FEET OF THE PROJECT AREA**

| Primary # (P-37-) | Address | Other Identifier | Description | Within/Adjacent to Complete Streets Improvements | Within/Adjacent to Incentive District | NRHP/CRHR/City Historical Site Eligibility |
|-------------------|--------------------------|------------------|---|--|---------------------------------------|--|
| 035464 | 1151 South Coast Highway | | Goodyear Express Tire Building | X | X | Ineligible for NRHP/CRHR/City Historical Site |
| - | 123 Coast Highway | - | Craftsman-style single-family residence constructed in 1908 | X | X | Ineligible for NRHP; City Historical Site; not evaluated for CRHR |
| - | 133 Coast Highway | - | Keisker Hotel Building constructed in 1927 | X | X | Eligible for NRHP and CRHR |
| - | 201 Coast Highway | - | First National Bank of Oceanside Building constructed in 1925 | X | - | Ineligible for listing in the NRHP; City Historical Site; not evaluated for CRHR |
| - | 202 Coast Highway | - | Bank of Italy Building constructed in 1925 | X | - | Ineligible for listing in the NRHP; eligible as a City Historical Site; not evaluated for CRHR |
| - | 216 South Tremont Street | - | Single-family residence constructed in 1908 | - | X | Ineligible for listing in the NRHP; eligible as a City Historical Site; not evaluated for CRHR |
| - | 217 Coast Highway | - | Theater constructed in 1936 | X | - | Not evaluated |
| - | 232 Coast Highway | - | Commercial building constructed in 1929 | X | X | Ineligible for NRHP and City Historical Site |
| - | 301 Coast Highway | - | B.A. and Marian Mason Building constructed in 1932 | X | X | Ineligible for NRHP and City Historical Site; not evaluated for CRHR |
| - | 308 Missouri Avenue | - | Railroad trestles and culverts | - | X | Not evaluated |
| - | 309 Coast Highway | - | D.G. Harrington Building constructed in 1908 | X | X | Ineligible for NRHP and City Historical Site; not evaluated for CRHR |
| - | 321 South Tremont Street | - | Railroad trestles and culverts | - | X | Not evaluated |
| - | 327 South Tremont Street | - | Railroad trestles and culverts | - | X | Not evaluated |
| - | 401 Seagaze Drive | - | Blade Tribune Building constructed in 1936 | - | X | Ineligible for NRHP; City Historical Site; not evaluated for CRHR |
| - | 402 Coast Highway | - | Star Theater constructed in 1956 | X | - | Ineligible for listing in NRHP; City Historical Site; not evaluated for CRHR |
| - | 405 South Tremont Street | - | California Bungalow-style single-family residence constructed in 1926 | - | X | Ineligible for listing in NRHP; City Historical Site; not evaluated for CRHR |

**TABLE 3.4-2
 HISTORIC-PERIOD BUILT ENVIRONMENT RESOURCES WITHIN 100 FEET OF THE PROJECT AREA**

| Primary # (P-37-) | Address | Other Identifier | Description | Within/Adjacent to Complete Streets Improvements | Within/Adjacent to Incentive District | NRHP/CRHR/City Historical Site Eligibility |
|-------------------|--------------------------|----------------------------|---|--|---------------------------------------|---|
| - | 501 Mission Avenue | - | J.E. Jones Hardware Building constructed in 1912 | X | - | Ineligible for NRHP; not evaluated for CRHR or as a City Historical Site |
| - | 505 Mission Avenue | - | JCPenny Company Building constructed in 1924 | X | - | Ineligible for listing in NRHP; City Historical Site; not evaluated for CRHR |
| - | 510 Kelley Street | - | Apartment building constructed in 1930 | - | X | Ineligible for NRHP and as a City Historical Site; not evaluated for CRHR |
| - | 510 Sportfisher Way | - | Victorian-style single-family residence constructed in 1891 | X | - | Ineligible for listing in NRHP; City Historical Site; not evaluated for CRHR |
| - | 517 Michigan Avenue | - | Ancillary structure constructed in 1890 | - | X | Ineligible for NRHP and as a City Historical Site; not evaluated for CRHR |
| - | 524 Coast Highway | - | Victorian-style single-family residence (Weitzel Residence) constructed in 1888 | X | X | Ineligible for listing in NRHP; City Historical Site; not evaluated for CRHR |
| - | 600 Coast Highway | - | Landscape feature consisting of palm trees | X | X | Ineligible for NRHP and as a City Historical Site; not evaluated for CRHR |
| - | 631 Coast Highway | - | Commercial building constructed in 1928 | X | X | Ineligible for NRHP and as a City Historical Site; not evaluated for CRHR |
| - | 1310 Coast Highway | - | I.O.O.F. Cemetery | X | X | Ineligible for NRHP; not evaluated for CRHR or as a City Historical Site |
| - | 2002 South Coast Highway | - | Commercial building constructed in 1947 | X | X | Not evaluated |
| - | Pier View Way | - | Landscape feature consisting of the Melchoir Pieper Gardens | X | - | Not evaluated |
| - | - | San Luis Rey River Bridge* | Steel-framed bridge constructed in 1929 | X | - | Ineligible for listing in NRHP; not evaluated for CRHR or as a City Historical Site |

*Indicates resource is not on file at SCIC
 NRHP = National Register of Historic Places; CRHR = California Register of Historical Resources

SOURCE: ESA 2016

Of the 28 historic-period built environment resources located within or immediately adjacent to the Complete Streets improvements and the Incentive District:

- One has been recommended as eligible for listing in the National Register of Historic Places (NRHP) and is thus eligible for listing in the CRHR (133 Coast Highway).
- Seven are listed as City Historical Sites (123 Coast Highway, 201 Coast Highway, 402 Coast Highway, 405 South Tremont Street, 505 Mission Avenue, 510 Sportfisher Way, and 524 Coast Highway).
- Two are eligible for listing as City Historical Sites (202 Coast Highway and 216 South Tremont Street).
- Eight have been determined ineligible for listing as City Historical Sites (232 Coast Highway, 301 Coast Highway, 309 Coast Highway, 510 Kelley Street, 517 Michigan Avenue, 600 Coast Highway, 631 Coast Highway, and 1151 South Coast Highway).
- Ten have not been evaluated for listing in either the CRHR or as a City Historical Site (217 Coast Highway, 308 Missouri Avenue, 321 South Tremont Street, 327 South Tremont Street, 401 Seagaze Drive [P-37-035464], 501 Mission Avenue, 1310 Coast Highway, 2002 South Coast Highway, Pier View Way, and the San Luis Rey River Bridge).

None of the resources are currently listed in the NRHP or the CRHR.

Historical Map and Aerial Review

Historic maps and aerial photographs were examined to provide historical information about the project area and to contribute to an assessment of the project area's archaeological sensitivity. Available maps include: the 1870 U.S. Surveyor General's survey plat of Township 11 South, Range 5 West; the 1893 and 1898 Oceanside 15-minute topographic quadrangles; the 1901 San Luis Rey 30-minute topographic quadrangle; and the 1948 and 1968 San Luis Rey 7.5-minute topographic quadrangles. Historic aerial photographs of the project area from 1938, 1947, 1953, 1964, 1967, 1980, 2005, and 2012 were also examined (historicaerials.com 2016). In sum, the historic topographic map and aerial photograph review indicates that the central portion of the project area has been subject to residential and commercial development since the late 19th century, with the northern and southern portions being used for agricultural purposes. However, by the 1950s the entire length of the project area appears to have been completely bounded by development.

Native American Consultation

A Sacred Lands File (SLF) search for the proposed project was requested from the California Native American Heritage Commission (NAHC) on June 2, 2016. The results provided by the NAHC on June 6, 2016, did not indicate the presence of Native American cultural resources within the project area.

Pursuant to the requirements of Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18), requiring government-to-government consultation, the City sent consultation notification letters via certified mail to Native American groups affiliated with the project area (**Table 3.4-3**). The letters

included a description of the proposed project, the project location, and a notification of the type of consultation that the City was initiating. To date, the City has received responses from four groups, including the San Luis Rey Band of Mission Indians, the Pechanga Band of Mission Indians, the Rincon Band of Luiseño Indians, and the Pala Band of Mission Indians. In letters dated June 20, 2016, Merri Lopez-Keifer, Chief Legal Counsel for the San Luis Rey Band of Mission Indians, formally requested that consultation with the City regarding AB 52 and SB 18 be initiated. On August 11, the City conducted formal consultation with Ms. Lopez-Keifer pursuant to AB 52. Ms. Lopez-Keifer requested that eight mitigation measures (**MM Complete Streets CR-1 through CR-8**) addressing tribal cultural resources be recommended to the City’s decision-making body. The City agreed to incorporate the mitigation measures recommended by Ms. Lopez-Keifer, thus concluding consultation between the City and the San Luis Rey Band of Mission Indians.

**TABLE 3.4-3
 NATIVE AMERICAN CONSULTATION**

| Contact | Tribe/ Organization | Consultation Type | Date Letter Mailed | Response Received | Consultation Results |
|--|---|----------------------|-----------------------|--|---|
| Shasta Gaughen, Tribal Historic Preservation Officer | Pala Band of Mission Indians | AB 52 | 5/24/2016 | In a letter dated June 16, 2016, Ms. Gaughen formally requested that AB 52 consultation be initiated | - |
| | | SB 18 | 5/24/2016 | No response regarding SB 18 consultation | |
| Mark Macarro, Chairperson | Pechanga Band of Mission Indians | AB 52 | 5/24/2016 | In a letter dated June 10, 2016, the Pechanga formally requested that AB 52 consultation be initiated | - |
| | | SB 18 | 5/24/2016 | In a letter dated June 14, 2016, the Pechanga formally requested that SB 18 consultation be initiated | |
| Randall Majel, Chairperson | Pauma and Yuima Reservation | AB 52 | 5/24/2016 | No response regarding AB 52 consultation | - |
| | | SB 18 | 5/24/2016 | No response regarding SB 18 consultation | |
| Lavonne Peck, Chairwoman | La Jolla Band of Mission Indians | AB 52 | 5/24/2016 | No response regarding AB 52 consultation | - |
| | | SB 18 | 5/24/2016 | No response regarding SB 18 consultation | |
| Rosemary Morillo, Chairperson | Soboba Band of Mission Indians | AB 52 | 5/24/2016 | No response regarding AB 52 or SB 18 consultation | - |
| | | SB 18 | 5/24/2016 | No response regarding SB 18 consultation | |
| Bo Mazzetti, Chairperson | Rincon Band of Mission Indians | AB 52 | 5/24/2016 | In a letter dated June 23, 2016, Rincon’s Cultural Resources Manager Vincent Whipple recommended that a Native American monitor be present during project-related ground-disturbing activities | - |
| | | SB 18 | 5/24/2016 | | |
| Tribal Council | San Luis Rey Band of Mission Indians | AB 52 | 5/24/2016 | In a letter dated June 20, 2016, the San Luis Rey formally requested that AB 52 consultation be initiated | The City will incorporate Mitigation Measures Complete Streets CR-1 through CR -8 |
| | | SB 18 | 5/24/2016 | In a letter dated June 20, 2016, the San Luis Rey formally requested that SB 18 consultation be initiated | |

| Contact | Tribe/ Organization | Consultation Type | Date Letter Mailed | Response Received | Consultation Results |
|--|---|----------------------|-----------------------|--|-------------------------|
| - | Torres Martinez Desert Cahuilla Indians | AB 52 | 5/24/2016 | No response regarding AB 52 consultation | - |
| | | SB 18 | 5/24/2016 | No response regarding SB 18 consultation | |
| Jim McPherson, Cultural Resources Department | Rincon Band of Luiseño Indians | AB 52 | 5/24/2016 | In a letter dated June 23, 2016, Rincon's Cultural Resources Manager Vincent Whipple recommended that a Native American monitor be present during project-related ground-disturbing activities | - |
| | | SB 18 | 5/24/2016 | | |

In letters dated June 10, 2016, and June 14, 2016, Anna Hoover, cultural analyst for the Pechanga Band of Mission Indians, stated that the project area falls within the Pechanga's aboriginal territory and requested AB 52 and SB 18 consultation with the City.

In a letter dated June 23, 2015, Vincent Whipple, cultural resources manager for the Rincon Band of Luiseño Indians, stated that the proposed project is located within Rincon's specific area of cultural interest. Mr. Whipple expressed concern that project implementation could result in the inadvertent discovery of cultural resources and recommended that a Native American monitor be present during all project-related ground-disturbing activities. To date, the Rincon Band of Luiseño Indians has not formally requested AB 52 or SB 18 consultation with the City.

In a letter dated June 16, 2016, Shasta Gaughen, Tribal Historic Preservation Officer for the Pala Band Mission Indians, stated that the proposed project is located within Pala's Traditional Use Area and formally requested AB 52 consultation with the City be initiated. To date, Pala has not requested SB 18 consultation with the City.

Geoarchaeological Review

A desktop geoarchaeological review was conducted to characterize the potential for the presence of subsurface archaeological deposits within the project area. Late Pleistocene to Early Holocene archaeological sites (if present) are likely to be oriented toward terrestrial subsistence resources, given the substantial distance to the coast and marine resources during that period. As sea level continued to rise, however, marine and estuary resources would have become more prevalent. Areas containing late Pleistocene to Holocene alluvial deposits (i.e., in the vicinity of the San Luis Rey River, Loma Alta Creek, and Buena Vista Lagoon) are considered sensitive for buried archaeological sites. Other portions of the project area are considered to have a lower potential for intact buried archaeological resources due to the age of the natural surface deposits.

Cultural Resources Survey Results

Given that the project area is almost entirely developed, with buildings, landscaping, and pavement throughout, a reconnaissance-level cultural resources survey was employed for most of the project area. The minimal areas of exposed ground within the project area were subject to an intensive pedestrian survey. The street addresses of all previously recorded built environment resources located within the Complete Streets improvements, as indicated by the SCIC, were revisited and photographed. The single archaeological resource (CA-SDI-14058) overlapping the

Complete Streets improvements was revisited, intensively inspected, and photographed. Because the Incentive District is being analyzed at a programmatic level, it was not included as part of the reconnaissance-level survey conducted for the proposed project.

As a result of the cultural resources survey, the one archaeological resource (CA-SDI-14058) overlapping the Complete Streets improvements was revisited and 17 of the 20 previously documented built environment resources were identified (**Table 3.4-4**). Resource CA-SDI-15870, a prehistoric archaeological site located immediately adjacent to the Complete Streets improvements, was not revisited because its mapped location is within the San Luis Rey River.

The San Diego Natural History Museum (SDNHM) records search reveals that the project area is underlain by the Bay Point Formation, considered to be of high paleontological sensitivity, and additional deposits as exposed in major drainages that bisect the project area, including the San Luis Rey River, Loma Alta Creek, and Buena Vista Lagoon (McComas 2016). These include Holocene-age (generally younger than 10,000 years old) alluvial flood plain and wash deposits, the middle Miocene-age (approximately 14 to 16 million years old) San Onofre Breccia, and the middle Eocene-age (approximately 40 to 49 million years old) Santiago Formation. The San Onofre Breccia has produced fossilized remains of marine invertebrates and mammals, and is assigned a moderate paleontological sensitivity (McComas 2016). The Santiago formation has produced significant terrestrial vertebrate fossils and is considered to have high paleontological sensitivity.

3.4.2 Regulatory Framework

The following regulatory setting is summarized from the CRA; refer to Appendix D for a full description of the regulatory setting for cultural resources.

State

California Environmental Quality Act

The California Environmental Quality Act (CEQA) is the principal statute governing environmental review of projects occurring in the State and is codified at Public Resources Code (PRC) Section 21000 et seq. CEQA requires lead agencies to determine whether a proposed project would have a significant effect on the environment, including significant effects on historical or archaeological resources. Under CEQA (Section 21084.1), a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

California Register of Historical Resources

The CRHR is “an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change” (PRC Section 5024.1[a]). Certain resources are determined by the statute to be automatically included in the CRHR, including California properties formally determined eligible for, or listed in, the NRHP.

**TABLE 3.4-4
SURVEY RESULTS**

| Primary # (P-37-) | Permanent Trinomial (CA-SDI-) | Other Identifier | Description | Relocated |
|------------------------------------|-------------------------------------|---------------------------|---|---------------|
| Archaeological Resources | | | | |
| 014266 | 14058 | - | Prehistoric archaeological site: shell scatter | Not relocated |
| 019165 | 15870 | - | Prehistoric archaeological site: shell scatter | Not relocated |
| Built Environment Resources | | | | |
| 035464 | - | 1151 South Coast Highway | Goodyear Express Tire Building | Relocated |
| - | - | 123 Coast Highway | Craftsman-style single-family residence constructed in 1908 | Not relocated |
| - | - | 133 Coast Highway | Keisker Hotel Building constructed in 1927 | Relocated |
| - | - | 201 Coast Highway | First National Bank of Oceanside Building constructed in 1925 | Relocated |
| - | - | 202 Coast Highway | Bank of Italy Building constructed in 1925 | Relocated |
| - | - | 217 Coast Highway | Theater constructed in 1936 | Relocated |
| - | - | 232 Coast Highway | Commercial building constructed in 1929 | Relocated |
| - | - | 301 Coast Highway | B.A. and Marian Mason Building constructed in 1932 | Relocated |
| - | - | 309 Coast Highway | D.G. Harrington Building constructed in 1908 | Relocated |
| - | - | 402 Coast Highway | Star Theater constructed in 1956 | Relocated |
| - | - | 501 Mission Avenue | J.E. Jones Hardware Building constructed in 1912 | Relocated |
| - | - | 505 Mission Avenue | JCPenny Company Building constructed in 1924 | Relocated |
| - | - | 510 Sportfisher Way | Victorian-style single-family residence constructed in 1891 | Not relocated |
| - | - | 524 Coast Highway | Victorian-style single-family residence (Weitzel Residence) constructed in 1888 | Relocated |
| - | - | 600 Coast Highway | Landscape feature consisting of palm trees | Relocated |
| - | - | 631 Coast Highway | Commercial building constructed in 1928 | Relocated |
| - | - | 1310 Coast Highway | I.O.O.F. Cemetery | Relocated |
| - | - | 2002 South Coast Highway | Commercial building constructed in 1947 | Relocated |
| - | - | Pier View Way | Landscape feature consisting of the Melchoir Pieper Gardens | Not relocated |
| - | - | San Luis Rey River Bridge | Steel-framed bridge constructed in 1929 | Relocated |

SOURCE: ESA 2016

To be eligible for the CRHR, a resource must be significant at the local, state, and/or federal level under one or more of the following four 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 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.

A resource eligible for the CRHR must meet one of the criteria of significance described above, and retain enough of its historic character or appearance (integrity) to be recognizable as a historical resource and to convey the reason for its significance.

California Health and Safety Code Section 7050.5

California Health and Safety Code Section 7050.5 requires that, in the event human remains are discovered, the County Coroner be contacted to determine the nature of the remains. If the remains are determined to be Native American in origin, the Coroner is required to contact the California NAHC within 24 hours to relinquish jurisdiction.

California Public Resources Code Section 5097.98

California PRC Section 5097.98, as amended by Assembly Bill 2641, provides procedures in the event human remains of Native American origin are discovered during project implementation. PRC Section 5097.98 requires that no further disturbances occur in the immediate vicinity of the discovery, that the discovery is adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. PRC Section 5097.98 further requires the NAHC, upon notification by a County Coroner, designate and notify a Most Likely Descendant (MLD) regarding the discovery of Native American human remains. Once the MLD has been granted access to the site by the landowner and inspected the discovery, the MLD then has 48 hours to provide recommendations to the landowner for the treatment of the human remains and any associated grave goods.

Senate Bill 18

SB 18 (Statutes of 2004, Chapter 905) requires local governments (city and county) to consult with Native American tribes before making certain planning decisions and to provide notice to tribes at certain key points in the planning process. The intent is to “provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places” (Governor’s Office of Planning and Research, 2005).

Assembly Bill 52

AB 52 (Chapter 532, Statutes of 2014) requires lead agencies to consider the effects of projects on tribal cultural resources and to conduct consultation with federally and non-federally recognized Native American tribes early in the environmental planning process. AB 52 applies specifically to projects for which a Notice of Preparation or a notice of Negative Declaration or Mitigated Negative Declaration will be filed on or after July 1, 2015.

Local

City of Oceanside General Plan

The City’s General Plan, Land Use Element (2002), contains the following cultural resources policies relevant to the proposed project:

3.2 Cultural Resources

Policy A: The City shall encourage open space land use designations and open space zoning or open space easements for the preservation of cultural resources.

Policy B: The City shall encourage the acquisition, restoration and/or maintenance of significant cultural resources by private organizations.

Policy C: Cultural resources that must remain in-situ to preserve their significance shall be preserved intact and interpretive signage and protection shall be provided by project developers.

Policy D: An archaeological survey report shall be prepared by a Society of Professional Archaeologists¹ (SOPA) certified archaeologist for a project proposed for grading or development if any of the following conditions are met:

- 1) The site is completely or largely in a natural state;
- 2) There are recorded sites on nearby properties;
- 3) The project site is near or overlooks a water body (creek, stream, lake, freshwater lagoon);
- 4) The project site includes large boulder and/or oak trees; or
- 5) The project site is located within 0.5-mile of Mission San Luis Rey.

Policy E: The presence of agriculture on a potential project site shall not preclude the requirement for an archaeological survey report if any of the above listed conditions are established.

Oceanside City Code Chapter 14A: Historical Preservation Ordinance

The City Code has established policies for the preservation of historical resources. The policies are included in Sections 14A.2, 14A.6, and 14A.7 and provide guidance on the purpose of preservation, and the criteria and procedure to be used for designating a historical area or site within the city.

3.4.3 Impacts and Mitigation Measures

Significance Criteria

Based on Appendix G of the CEQA Guidelines, the project would result in a significant impact on cultural resources if it would:

1. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

¹ Note: The Society of Professional Archaeologists has been replaced by the Register of Archaeologists (RPA), which provides the same certification.

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
4. Disturb any human remains, including those interred outside of formal cemeteries.
5. Cause a substantial adverse change in the significance of a tribal cultural resource as defined in PRC Section 21074.

Impact Analysis

Issue 1: Would the proposed project cause a substantial adverse change in the significance of a historical resource, as defined in CEQA Guidelines Section 15064.5?

Complete Streets Improvements

The SCIC records search identified two archaeological sites (CA-SDI-14058 and -15870) within or adjacent to the Complete Streets improvements. No additional archaeological resources were identified during the pedestrian survey. The mapped location of CA-SDI-14058, a prehistoric archaeological site, was revisited during the survey, but no indication of the site was detected. The mapped location of CA-SDI-15870 is within the San Luis Rey River approximately 150 feet beneath the bridge that passes over the river and was not revisited during the survey.

Project-related activities in the vicinity of CA-SDI-14058 do not include any ground-disturbing activity. As such, the Complete Streets improvements would not have an impact on the resource. Moreover, as no construction activity is planned for the riverbed below the bridge, CA-SDI-15870 would not be impacted by project-related ground disturbance associated with the Complete Streets improvements. As such, no archaeological resources that could qualify as a historical resource pursuant to CEQA will be impacted as a result of project implementation.

The SCIC records search identified 27 built environment resources within or immediately adjacent to the Complete Streets improvements. Of these, 19 are located immediately adjacent to the Complete Streets improvements. One additional resource, the San Luis Rey River Bridge (Bridge# CA 57 C-322), is not on file at the SCIC, but has been identified within the Complete Streets improvements. Of the 20 built environment resources located within or immediately adjacent to the Complete Streets improvements (including the bridge), 17 were relocated as a result of the survey. The buildings that could not be relocated are presumed to have been relocated or demolished since originally recorded.

The San Luis Rey River Bridge is the only built environment resource located within the Complete Streets improvements; the others are located adjacent to the Complete Streets improvements. The San Luis Rey River Bridge but has not been evaluated for inclusion in the CRHR or as a City Historical Site. However, the only proposed alteration to the bridge would be restriping to provide a Class II bicycle lane in both directions. Proposed project-level activities for the bridge do not include any ground disturbance or modification to the structure itself. As such, no physical or visual alterations to the bridge are proposed and the resource would not be significantly impacted by the Complete Streets improvements.

The remaining built environment resources consist largely of commercial buildings and landscape features located on the margins of the Complete Streets improvements. As such, these resources would not be directly impacted by the Complete Streets improvements. However, there is the potential that they could be indirectly (e.g., visually) impacted. Of these resources, only one (the Keisker Hotel Building at 133 Coast Highway) has been found eligible for the CRHR (as well as the NRHP), though some are listed as City Historical Sites, and others have been evaluated for the NRHP and for listing as City Historical Sites but have been found not eligible. Regardless, aside from the Keisker Hotel Building, none has been evaluated for listing in the CRHR. The proposed project alterations to the Coast Highway corridor would not physically impact any of the built environment resources located immediately adjacent to the Complete Streets improvements. Moreover, given that the improvements would not drastically alter the visual characteristics of the Coast Highway and would not introduce any new visually intrusive elements, visual impacts to the built environment resources are not anticipated. As such, no built environment resources that would qualify as historical resources pursuant to CEQA would be significantly impacted, either directly or indirectly, as result of the Complete Streets improvements.

Although the Complete Streets improvements area is largely developed, it is possible that subsurface prehistoric and historic-period archaeological resources have been paved over and are obscured. The SCIC records search indicates that 33 previously recorded archaeological resources have been documented within a 0.5-mile radius of the Complete Streets improvements. Furthermore, the geoarchaeological review indicates that portions of the Complete Streets improvements in the vicinity of the San Luis Rey River, Loma Alta Creek, and Buena Vista Lagoon are sensitive for the presence of prehistoric archaeological resources. Thus, the Complete Streets improvements area should be considered sensitive for the presence of archaeological resources and it should be noted that the project has the potential to significantly impact undocumented subsurface archaeological deposits that may qualify as historical resources.

Incentive District

Three archaeological resources and 19 built environment resources were identified within the Incentive District study area. The three archaeological resources include one prehistoric archaeological site (CA-SDI-14059), one historic-period archaeological site (CA-SDI-17796), and one multicomponent archaeological site (P-36-033869). None of the three archaeological resources have been previously evaluated for inclusion CRHR, or as a City Historical Site. Of the 19 built resources, 8 (216 South Tremont Street, 308 Missouri Avenue, 321 South Tremont Street, 327 South Tremont Street, 401 Seagaze Drive, 405 South Tremont Street, 510 Kelley Street, and 517 Michigan Avenue) are located solely within the Incentive District, and 11 are located both within the Complete Streets improvements area and the Incentive District (123 Coast Highway, 133 Coast Highway, 232 Coast Highway, 301 Coast Highway, 309 Coast Highway, 524 Coast Highway, 600 Coast Highway, 631 Coast Highway, 1151 South Coast Highway, 1310 Coast Highway, and 2002 South Coast Highway). Of the 19 built environment resources within the Incentive District, 1 (133 Coast Highway) is eligible for the CRHR and qualifies as a historical resource. The other 18 have not been evaluated for inclusion in the CRHR.

As noted above, the project area is considered sensitive for the presence of archaeological resources and future projects within the Incentive District area may significantly impact previously undocumented subsurface archaeological resources that may qualify as historical pursuant to CEQA. Furthermore, the Incentive District area contains one built environment resource that qualifies as a historical resource and 18 unevaluated built environment resources that may qualify as historical resources. As such, future projects within the Incentive District area have the potential to significantly impact historical resources.

Mitigation Measures:

MM Complete Streets CR-1: Prior to the issuance of a grading permit, the City of Oceanside shall enter into a pre-excavation agreement with a representative of the San Luis Rey Band of Mission Indians, otherwise known as a Tribal Cultural Resources Treatment and Tribal Monitoring Agreement. A copy of the agreement shall be included in the grading plan submittals for the grading permit. The purpose of this agreement shall be to formalize protocols and procedures between the applicant/owner and the San Luis Rey Band for the protection and treatment of, including but not limited to, Native American human remains, funerary objects, cultural and religious landscapes, ceremonial items, traditional gathering areas, and cultural items located and/or discovered through a monitoring program in conjunction with the construction of the Complete Streets improvements, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities, such as the installation and/or removal of infrastructure and existing foundations, that may impact the native soils subsurface to the existing road bed.

MM Complete Streets CR-2: Prior to the issuance of a grading permit, the grading contractor shall provide a written and signed letter to the City Planner stating that a qualified archaeologist and Luiseño Native American Monitor have been retained at the grading contractor's expense to implement the monitoring program, as described in the pre-excavation agreement.

MM Complete Streets CR-3: Prior to the release of the grading bond, a monitoring report and/or evaluation report, if appropriate, which describes the results, analyses, and conclusions of the archaeological monitoring program (e.g., data recovery plan) shall be submitted by the qualified archaeologist, along with the Luiseño Native American monitor's notes and comments, to the City Planner for approval.

MM Complete Streets CR-4: The qualified archaeologist shall maintain ongoing collaborative consultation with the Luiseño Native American monitor during all ground-disturbing activities that may impact subsurface native soils. The requirement for the monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The grading contractor shall notify the City Planner of the start and end of all ground-disturbing activities.

MM Complete Streets CR-5: The qualified archaeologist and Luiseño Native American monitor shall attend all applicable pre-construction meetings with the general contractor

and/or associated subcontractors to present the archaeological monitoring program. The qualified archaeologist and Luiseño Native American monitor shall be present onsite during any ground-disturbing activities that may impact subsurface native soils.

MM Complete Streets CR-6: The qualified archaeologist or the Luiseño Native American monitor may halt ground-disturbing activities if unknown archaeological artifact deposits or cultural features are discovered. Ground-disturbing activities shall be directed away from these deposits to allow a determination of potential importance. Isolates and clearly non-significant deposits will be minimally documented in the field, and, before grading proceeds, these items shall be given to the San Luis Rey Band so that they may be repatriated at the site on a later date. If a determination is made that the unearthed artifact deposits or cultural features are considered potentially significant, the San Luis Rey Band shall be notified and consulted with in regard to the respectful and dignified treatment of those resources.

The avoidance and protection of the significant cultural resource and/or unique archaeological resource is the preferable mitigation. If, however, a data recovery plan is authorized by the City as the lead agency under CEQA, the San Luis Rey Band shall be notified and consulted regarding the drafting and finalization of any such recovery plan. For significant artifact deposits or cultural features that are part of a data recovery plan, an adequate artifact sample to address research avenues previously identified for sites in the project area will be collected using professional archaeological collection methods. If the qualified archaeologist collects such resources, the Luiseño Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the qualified archaeologist does not collect the cultural resources that are unearthed during the ground-disturbing activities, the Luiseño Native American monitor may, at their discretion, collect said resources and provide them to the San Luis Rey Band for respectful and dignified treatment in accordance with the Tribe's cultural and spiritual traditions.

MM Complete Streets CR-7: Any and all uncovered tribal cultural resources of Native American importance shall be returned to the San Luis Rey Band of Mission Indians, and/or the Most Likely Descendant, if applicable, and not be curated.

MM Complete Streets CR-8: As specified by California Health and Safety Code Section 7050.5, if human remains are found in the project area during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office by telephone. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to PRC 5097.98. If such a discovery occurs, a temporary construction exclusion zone shall be established, surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. By law, the Coroner will determine within 2 working days of being notified if the remains are subject to his or her

authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will make a determination as to the Most Likely Descendant. If Native American remains are discovered, the remains shall be kept in situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall occur only on-site in the presence of a Luiseño Native American monitor.

MM Complete Streets CR-9: The qualified archeologist, or an archaeologist working under the direction of the qualified archaeologist, and the Luiseño Native American monitor shall conduct pre-construction cultural resources sensitivity training to inform construction personnel of the types of cultural resources that may be encountered, and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The applicant/owner shall ensure that construction personnel are made available for and attend the training and shall retain documentation demonstrating attendance.

MM Incentive District CR-1: Individual development projects implemented under the Incentive District shall be subject to a Phase I cultural resources inventory (cultural resources inventory) prior to the City's approval of project plans. This requirement shall be implemented for all projects for which the Incentive District is employed (Administrative Approval, Development Plan Review, and Conditional Use Permit processing requirements as specified in Section 1203 of the Coast Highway Incentive District). The cultural resources inventory would consist of: a cultural resources records search to be conducted at the South Coastal Information Center; scoping with the California Native American Heritage Commission (NAHC); a pedestrian archaeological survey if visible ground surface is present; and recordation of all identified archaeological resources on California Department of Parks and Recreation 523 forms. The cultural resources inventory shall be carried out by a qualified archaeologist, defined as an archaeologist meeting the Secretary of the Interior's Standards for professional archaeology, and shall be conducted in consultation with the appropriate Native American groups as identified through outreach to the NAHC and through consultation.

If potentially significant cultural resources are encountered during the survey, and if the project has the potential to impact those resources, the City shall require that the resources be evaluated for their eligibility for listing in the California Register of Historical Resources (CRHR) and for significance as unique archaeological resource. Recommendations shall be made for the treatment of unique archaeological resources or resources found eligible for the CRHR should the development project have the potential to adversely impact the resources. These studies shall be conducted in consultation with the City and the appropriate Native American groups as identified through consultation. Project redesign and preservation in place shall be the preferred means of mitigation to avoid impacts to significant cultural resources, including prehistoric and historic archaeological sites, locations of importance to Native Americans, human remains, historical buildings, structures, and landscapes. Methods of avoidance may include, but shall not be limited to, project redesign or identification of protection measures such as

capping or fencing. If it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, which may include data recovery or other appropriate measures, in consultation with the City and appropriate Native American groups as identified through consultation.

In addition, the project proponent shall retain archaeological monitors and Native American monitors during ground-disturbing activities that have the potential to impact significant cultural resources as determined by a qualified archaeologist in consultation with the City and the appropriate Native American groups.

During project-level construction, should prehistoric or historic subsurface cultural resources be discovered, all activity in the vicinity of the find shall stop and a qualified archaeologist shall be contacted to assess the significance of the find. If any find is determined to be significant, meaning it qualifies as a unique archaeological resource or is determined eligible for the CRHR, the archaeologist shall determine, in consultation with the City and the appropriate Native American groups, suitable avoidance measures, data recovery measures, or other appropriate mitigation, such as capping.

All significant cultural materials recovered, either prior to or during construction, shall be, as necessary and at the discretion of the consulting archaeologist and in consultation with the appropriate Native American groups, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. If materials need to be recovered, protocols for proper removal and treatment shall be implemented. The specific protocols for proper removal shall be detailed in a monitoring or data recovery plan prior to recovery of the materials.

MM Incentive District CR-2: Project-level development on individual properties containing structures at least 50 years old shall be subject to a historic built environment survey, which will include an evaluating of the potential historic significance of the structures, prior to the City's approval of project plans. This requirement shall be implemented for all projects on properties for which the Incentive District is employed and that contain existing structures (Administrative Approval, Development Plan Review, and Conditional Use Permit processing requirements as specified in Section 1203 of the Coast Highway Incentive District). The survey shall be carried out by a qualified historian or architectural historian meeting the Secretary of the Interior's Standards for Architectural History. If potentially significant historic resources are encountered during the survey, demolition or substantial alteration of such resources identified shall be avoided, as specified by the qualified historian or architectural historian.

Significance after Mitigation: Less than significant with mitigation

Issue 2: Would the proposed project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Complete Streets Improvements

As noted above, the SCIC records search identified two archaeological sites (CA-SDI-14058 and -15870) within or adjacent to the Complete Streets improvements, and both could qualify as unique archaeological resources pursuant to Section 15064.5. No additional archaeological resources were identified during the pedestrian survey. Also noted above, neither of these resources will be impacted by the Complete Streets improvements. As such, no known archaeological resources that would qualify as unique archaeological resources pursuant to CEQA will be impacted as a result of project implementation. However, it is possible that subsurface prehistoric and historic-period archaeological resources that could qualify under Section 15064.5 underlie the Complete Streets improvements, and thus the area is considered sensitive for the presence of archaeological resources. Therefore, the Complete Streets improvements have the potential to impact undocumented subsurface archaeological deposits that may qualify as unique archaeological resources.

Incentive District

As noted above, the Incentive District contains three known archaeological resources, and is considered sensitive for the presence of archaeological resource that could qualify as unique archaeological resources under Section 15064.5. As such, future projects within the Incentive District could significantly impact previously undocumented subsurface archaeological resources that may qualify as unique archaeological resources.

Mitigation Measures:

Implementation of **MM Complete Streets CR-1 through CR-9** and **MM Incentive District CR-1 and CR-2** shall be required to reduce project-related significant impacts to previously unidentified archaeological resources with the Complete Streets improvements and Incentive District project areas.

Significance after Mitigation: Less than significant with mitigation

Issue 3: Would the proposed project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Complete Streets Improvements

The SDNHM records search indicates that no previously recorded fossil localities have been documented in the Complete Streets improvements; however, the records search indicates that the project area is underlain by the Bay Point Formation and Santiago Formation, which are both considered of high sensitivity for the presence of fossiliferous deposits. However, while the Complete Streets improvements are underlain by paleontologically sensitive formations, the proposed project would include enhancements to the existing roadway infrastructure as well as bicycle, pedestrian, and transit facilities. As such, ground disturbance would not penetrate to the

depths at which the deposits would be found. Given this, the Complete Streets improvements would not significantly impact unique paleontological resources or unique geological features. No impact is anticipated and no mitigation is required.

Incentive District

The SDNHM records search indicates that no previously record fossil localities have been previously documented in the Incentive District; however, the records search indicates that the project area is underlain by the Bay Point Formation and Santiago Formation, which are both considered of high sensitivity for the presence of fossiliferous deposits. Given that the Incentive District is underlain by paleontologically sensitive formations and that the depths of ground disturbance associated with future projects in the Incentive District are unknown, there exists the possibility that unique paleontological resources or unique geologic features may be impacted by future projects.

Mitigation Measures:

MM Incentive District CR-3: For project-level development in the Incentive District involving ground disturbance, a qualified paleontologist shall be retained to determine the necessity of conducting a study of the project area(s) based on the potential sensitivity of the project for paleontological resources, and the potential for the project to impact paleontologically sensitive geological deposits. If deemed necessary, the paleontologist shall conduct a paleontological resources inventory designed to identify potentially significant resources. The paleontological resources inventory would consist of a paleontological resources records search to be conducted at the SDNHM; a field survey, if deemed appropriate by the paleontologist; and recordation of all identified paleontological resources. The paleontologist shall provide recommendations regarding additional work for the project. Impacts to significant paleontological resources, if identified, shall be avoided.

In addition, the project proponent shall retain paleontological monitors during construction for ground-disturbing activities that have the potential to impact significant paleontological resources as determined by a qualified paleontologist.

In the event that paleontological resources are discovered, the project proponent will notify a qualified paleontologist. The paleontologist will document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. If fossil or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find will be temporarily halted or diverted until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist will notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If avoidance is determined to be infeasible, the qualified paleontologist shall implement a paleontological mitigation program. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections shall be measured, appropriate

sediment samples shall be collected and submitted for analysis, and any other activities necessary for the timely and professional documentation and removal of fossils shall be conducted. Any fossils encountered and recovered shall be prepared to the point of identification, catalogued, and donated to a public, nonprofit institution with a research interest in the materials. Accompanying notes, maps, and photographs shall also be filed at the repository.

Significance after Mitigation: Less than significant with mitigation

Issue 4: Would the proposed project disturb any human remains, including those interred outside of formal cemeteries?

Complete Streets Improvements

No known human remains exist within the Complete Streets improvements. However, since the nature of the proposed project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb previously unknown human remains.

Incentive District

No known human remains exist within the complete Incentive District. However, since the nature of the proposed project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb previously unknown human remains.

Mitigation Measures:

MM Complete Streets CR-1 through CR-9 and MM Incentive District CR-1 and CR-2 shall be required to reduce project related significant impacts to previously unidentified archaeological resources.

Significance after Mitigation: Less than significant with mitigation

Issue 5: Would the proposed project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?

Complete Streets Improvements

Both the SLF search conducted by the NAHC and AB 52/SB 18 consultation conducted by the City have not identified any tribal cultural resources within the Complete Streets improvements area. However, this does not preclude the possibility that tribal cultural resources may be encountered as a result of further consultation or during proposed project ground disturbance. As such, it is possible that project implementation may impact tribal cultural resources.

Incentive District

Both the SLF search conducted by the NAHC and AB 52/SB 18 consultation conducted by the City have not identified any tribal cultural resources within the Incentive District project area. However, this does not preclude the possibility that tribal cultural resources may be encountered during the implementation of future projects within the Incentive District project area. As such, it is possible that future projects may impact tribal cultural resources.

Mitigation Measures:

MM Complete Streets CR-1 through CR-9 and MM Incentive District CR-1 and CR-2 shall be required to reduce project related significant impacts to previously unidentified tribal cultural resources.

Significance after Mitigation: Less than significant with mitigation
