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**Cultural Resources Technical Report for the  
SDSU Mission Valley Campus Master Plan Project**

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# Summary of Findings

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This report presents the results of Dudek’s cultural resources study for the San Diego State University (SDSU) Mission Valley Campus Master Plan Project (proposed project). The proposed project entails the acquisition, planning, construction, and operation of a new SDSU Mission Valley mixed-use campus, research park, and Stadium in the City of San Diego, California. The proposed approximately 172-acre project would be located in the northeast Mission Valley Community within unsectioned land of the La Jolla and La Mesa, California 1:24,000 U.S. Geological Survey quadrangle.

Dudek conducted a records search at the South Coastal Information Center for the proposed project area and a surrounding 1-mile buffer on February 8, 2019. The records search identified one previously recorded resource, San Diego County Credit Union Stadium (SDCCU Stadium; P-37-035171), within the proposed project’s area of potential effect (APE) and 51 other previously recorded cultural resources within 1-mile of the APE. The search identified 159 cultural resource studies conducted within 1-mile of the proposed project APE, 23 of which included portions of the APE (Confidential Appendix A). The Viejas Band of Kumeyaay Indians responded stating that the “project site has cultural significance or ties to Viejas” and requested a Kumeyaay Cultural Monitor be on site during ground-disturbing activities.

In compliance with Assembly Bill (AB) 52, SDSU attempted to notify all Native American representatives included on the consultation list provided by the Native American Heritage Commission (NAHC; Appendix B). SDSU’s efforts resulted in responses from six tribal representatives requesting consultation. Three of these consultations request have been settled and three are ongoing.

Dudek archaeologist and Kumeyaay Native American monitors conducted an intensive pedestrian cultural survey of the proposed project APE. The only portion of the APE that is not fully developed is the southwestern corner. This section, though undeveloped, has been heavily disturbed and sculpted by the adjacent construction of the sports field, trolley stop, and river flood plain. Besides the SDCCU Stadium (P-37-000035; CA-SDI-35), no cultural resources were observed during intensive pedestrian survey of the proposed project APE.

The proposed project APE has substantially disturbed and is unlikely to contain intact archaeological deposits. However, through NAHC outreach letters and AB 52 consultation, Kumeyaay tribal representatives expressed concern that tribal cultural resources could be buried within the proposed project area. The proximity of the proposed project to a permanent water source, an ethnographic village site, and the identification of the Kumeyaay trail system throughout Mission Valley suggest that the proposed project would result in potentially significant impact to previously undiscovered resource. Dudek recommends mitigation measures to mitigate any such potential impacts to **less than significant**.

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# 1 Introduction

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San Diego State University (SDSU) Mission Valley Campus Master Plan Project (proposed project) entails the acquisition, planning, construction, and operation of a SDSU Mission Valley campus, research park, and Stadium in the City of San Diego, California. SDSU contracted Dudek to initiate the processing of an environmental impact report (EIR) in preparation for the proposed project. The Board of Trustees of the California State University (CSU), which is the State of California acting in its higher education capacity, on behalf of SDSU, is the lead agency responsible for certifying the adequacy and completeness of this EIR. As a requirement of the EIR, Dudek has completed this cultural resources inventory for the proposed project. This inventory reviewed all archaeological, built environment, and tribal cultural resources (TCR) except for the San Diego County Credit Union (SDCCU) Stadium (formerly, “Qualcomm Stadium” and “Jack Murphy Stadium”). Dudek completed a separate analysis of SDCCU Stadium’s historical significance in a complementary report (Dotter 2019).

## 1.1 Regional and Local Setting

The property comprising the proposed project is located in the northeast portion of the Mission Valley community within the City of San Diego (Figure 1, Project Location). Specifically, the proposed project site is situated south of Friars Road, west of Interstate (I) 15, north of Interstate 8 (I-8), and east of the existing Fenton Marketplace shopping center. It is approximately 5 miles from downtown San Diego and approximately 2.5 miles west of the existing SDSU main campus situated along I-8 within the College Area Community of the City of San Diego. The proposed project APE is located in unsectioned land of the La Jolla and La Mesa USGS 7.5-minute quadrangle.

The proposed project’s area of potential effect (APE) encompasses the existing SDCCU Stadium, its parking facilities, a recycling center, open athletic field, and undeveloped land (Figure 2, APE). The APE is largely developed and covered by buildings, asphalt, or landscaping; however the southwestern extent of the proposed project is undeveloped and overgrown with vegetation.

Regional access to and from the proposed project site is provided by four major freeways—I-15, I-8, I-805, and State Route 163—accessed via Friars Road. Further, the existing Metropolitan Transit System’s Trolley Station is situated on the proposed project site.

The proposed project site is in a developed area surrounded by major freeways, roadways, existing development, and the San Diego River. Higher density multifamily residential land uses are located to the northwest, southwest, and east, across I-15. Friars Road, Mission Village Road, and San Diego Mission Road are located to the north. The San Diego River, which flows east to west, is located south of the proposed project site; and south of the river are additional office uses and I-8. To the north of Friars Road is San Diego Fire Department Fire Station 45, undeveloped hillsides, and single-family residences situated atop the mesa. To the west are office and large commercial retail uses. I-15 is located east of the project site, east of Murphy Canyon Creek.

Regionally, the City of San Diego covers approximately 206,989 acres in southwestern San Diego County, is located approximately 17 miles north of the United States-Mexico border, and borders the cities of Del Mar, Poway, Santee, El Cajon, La Mesa, Lemon Grove, National City, Chula Vista and Coronado and unincorporated San Diego County. The Pacific Ocean forms the City’s western border and the U.S.-Mexico border is the City’s southern border.

The Mission Valley community is located in the central portion of the San Diego metropolitan area (see Figure 3, Mission Valley Community Plan). This community is located approximately 4 miles north of downtown San Diego and 7 miles east of the Pacific Ocean. The communities of Linda Vista, Serra Mesa, Kearney Mesa, and Tierrasanta

are located north of Mission Valley. Kensington-Talmadge, Normal Heights, Greater North Park, Uptown, and Old Town are located to the south of Mission Valley. Mission Bay Park is located west of Mission Valley, and the communities of Navajo and College Area are located east of Mission Valley.

## 1.2 Project Description

The proposed project would support SDSU's education, research, entrepreneurial, technology, and athletics programs. Specifically, the proposed project would include:

1. approximately 86 acres of parks, recreation, and open space, including a River Park, which includes the 34 acres identified pursuant to the framework set forth in SDMC Section 22.0908, which shall be built by SDSU/CSU, with shared SDSU/community active and passive parks and recreation fields and open space; and pedestrian, hiking, and biking trails;<sup>1</sup>
2. approximately 1.6 million square feet of campus uses for education, research, entrepreneurial, and technology programs;
3. construction of a new, multipurpose 35,000-capacity Stadium and the corresponding demolition of the existing San Diego County Credit Union (SDCCU) Stadium (formerly, "Qualcomm Stadium");
4. approximately 4,600 residences including student, faculty, staff, workforce, and affordable housing, within a vibrant university village setting;
5. approximately 400 hotel rooms to support campus visitors and Stadium-related events, provide additional conference facilities, and serve as an incubator for graduate and undergraduate students in SDSU's hospitality and tourism management program;
6. approximately 95,000 square feet of community-serving retail space to support campus, Stadium, and related facilities;
7. enhanced use of the MTS Green Line Stadium Station, thereby minimizing vehicular traffic use and accommodating the planned Purple Line on the project site; and
8. associated on-site and off-site infrastructure, utilities, facilities, and other amenities.

As part of the proposed project, CSU would consider approval of the SDSU Mission Valley Campus Master Plan, which would guide the future development of CSU facilities, based on academic goals and projected student enrollment levels, for an established time horizon. At buildout, the SDSU Mission Valley Campus Master Plan would accommodate 15,000 full-time equivalent students (FTES), resulting in a total student headcount of approximately 20,000 students.<sup>2</sup> There would also be approximately 1,900 full time equivalent faculty (FTEF) and FTES associated with the proposed project.

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<sup>1</sup> The City of San Diego (City) would remain the owner of the approximate 34-acre River Park located immediately adjacent to and south of the project site and north of the San Diego River. As part of CSU's purchase of the property comprising the project site, CSU would revitalize and restore the River Park.

<sup>2</sup> One full-time equivalent student (FTES) is defined as one student taking 15 course units (which is considered to be a "full course load"). Two part-time students, each taking 7.5 course units, also would be considered one FTES; and, therefore, the total student headcount enrolled at the university is higher than the FTES enrollment. At buildout, SDSU estimates that when enrollment reaches 15,000 FTES at the SDSU Mission Valley campus, total students enrolled at that campus site would be approximately 20,000 students.

For further project-related information, please refer to Figure 4, Site Plan, which graphically depicts the proposed project and its components; and Table 1, Campus Land Use Summary Table, which provides a statistical breakdown of the components of the proposed project.

**Table 1. Campus Land Use Summary**

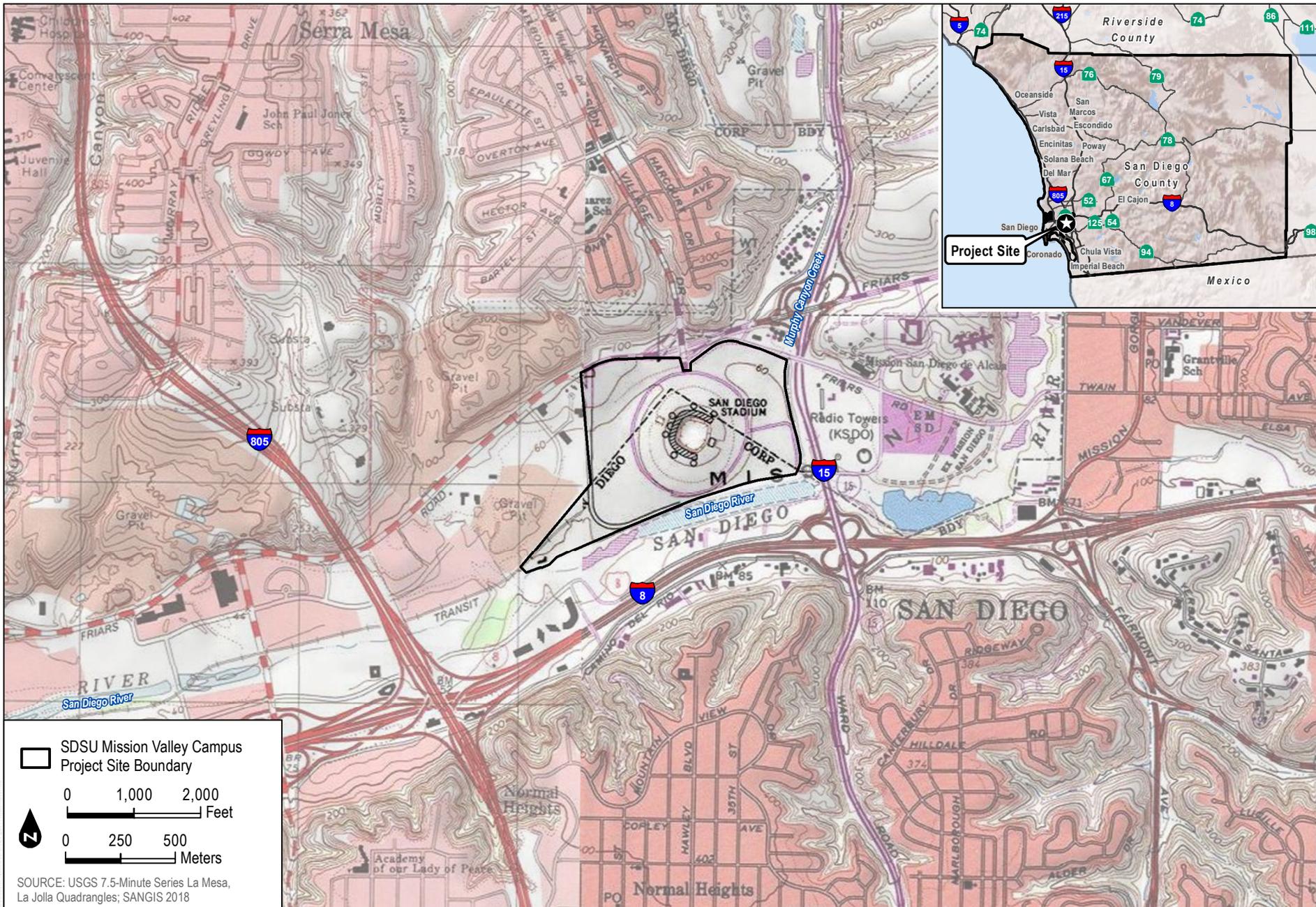
Proposed Campus Land Uses	Footprint (acres)	# of Buildings	Stories	Units	
				Homes	Hotel Rooms
Parks, Recreation, and Open Space <sup>a</sup>	86.1 <sup>b</sup>	— <sup>c</sup>	—	—	—
Mixed-use Campus (Including Stadium)	28.6	17	3-6	—	—
Campus Residential	24.6	16	3-24	4,600	
Campus Hospitality <sup>d</sup>	5.2	2	3-22		400
Circulation	27.4	—	—	—	
<b>Total<sup>e</sup></b>	<b>172.1</b>	<b>34</b>	<b>—</b>	<b>4,600</b>	<b>400</b>

**Notes:**

- <sup>a</sup> Includes trails.
- <sup>b</sup> Excludes 1.3-acre Metropolitan Transit System fee-title for San Diego Trolley Line; no development proposed within that area.
- <sup>c</sup> A dash (—) signifies that the information does not apply for a given category.
- <sup>d</sup> Hotel H1 includes both hotel and residential uses.
- <sup>e</sup> All values are approximate.

The proposed project is anticipated to be developed and built out over approximately 17 years beginning in 2020 and ending in approximately 2037.

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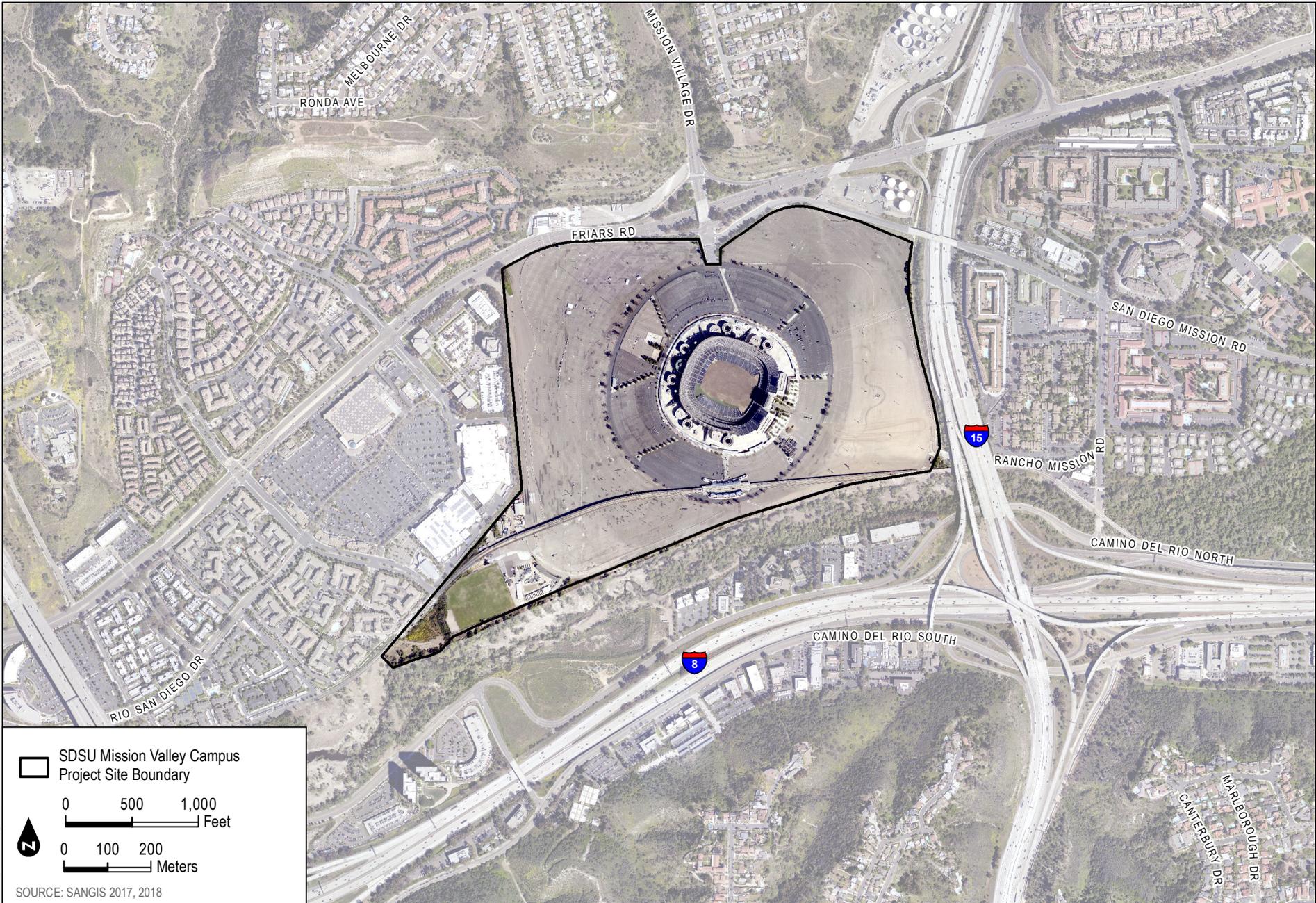


**SDSU Mission Valley Campus Master Plan Project**

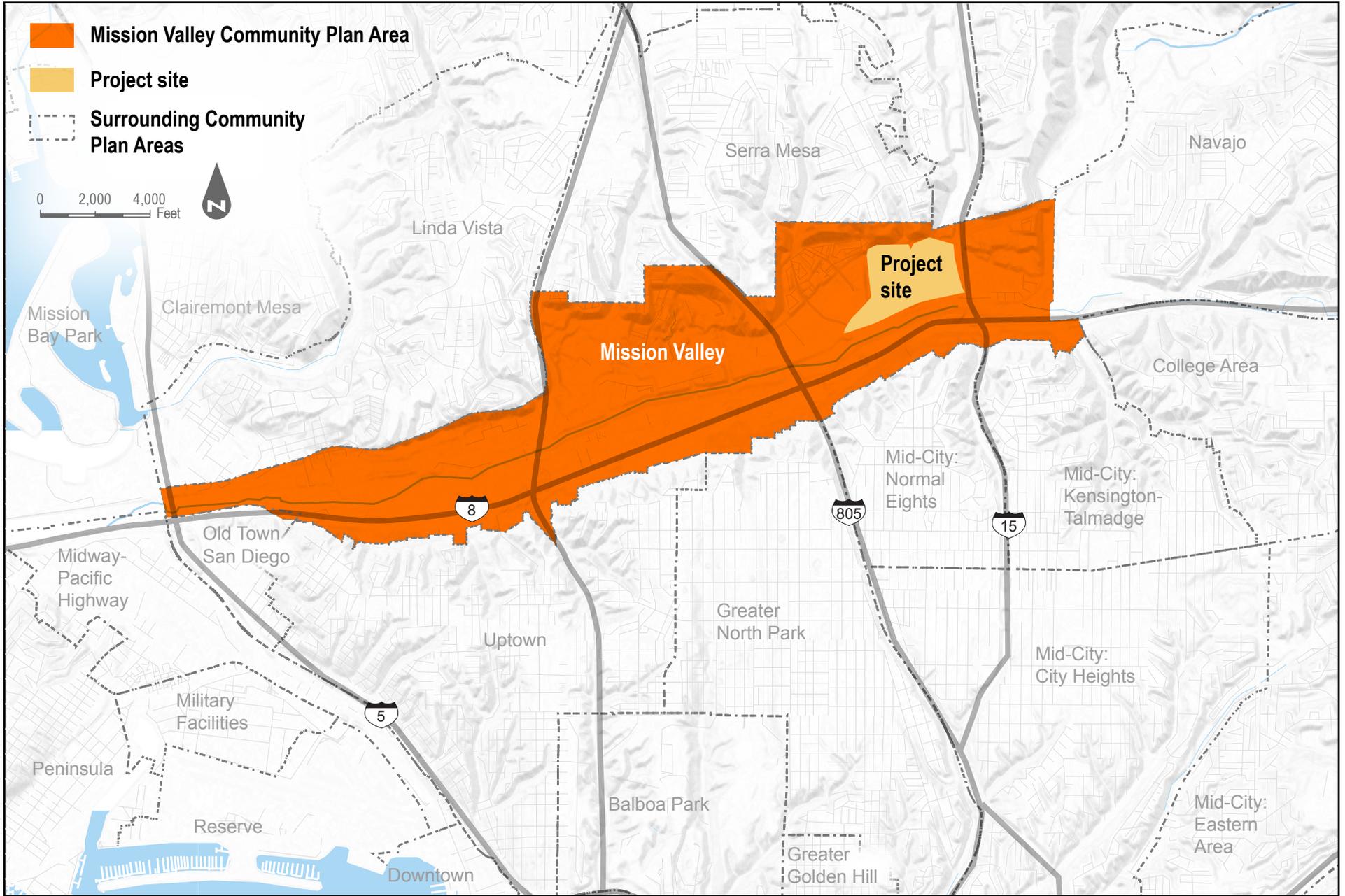


**Figure 1**  
**Project Location**

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SDSU Mission Valley Campus Master Plan Project



Figure 4  
Site Plan

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## 2 Methodology

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The following section provides a description of methods employed to conduct the current cultural inventory.

### 2.1 Records Search Methods

Dudek conducted a records search at the South Coastal Information Center (SCIC) for the proposed project area and a surrounding 1-mile radius on February 8, 2019. The records search included review of mapped prehistoric, historical and built-environment resources, Department of Parks and Recreation (DPR) Site Records, technical reports, archival resources, and ethnographic references. Additional consulted sources included the California Inventory of Historical Resources/California Register of Historical Resources (CRHR) and listed Office of Historic Preservation Archaeological Determinations of Eligibility, California Points of Historical Interest, California Historical Landmarks, and California Department of Transportation (Caltrans) Bridge Survey information. Geographic information system (GIS) maps were produced indicating the spatial relationship between known resources and possible project impacts. Historical aerial maps were also consulted using the internet database [Historicaerials.com](http://Historicaerials.com). These maps were used to determine the development history of the area and to indicate any possible development from the historic era.

### 2.2 Field Methods

Dudek archaeologist Matthew DeCarlo conducted an intensive pedestrian cultural survey of the proposed project area on March 7, 2019. Native American monitors Justin Linton from Redtail Environmental and Veronica Santos and Lisa Haws from Manzanita Band of Kumeyaay Nation participated in the pedestrian survey. The survey exceeded the applicable Secretary of Interior Professional Qualifications Standards for archaeological survey and evaluation.

Large portions of the proposed project APE are covered by buildings, asphalt, and landscaping. The survey team walked the periphery of the APE and viewed any undeveloped portion of the APE, including landscaped hillsides. The southwestern portion of the APE is less developed and was surveyed using transects spaced no more than 15 meters apart. The archaeologist used an Apple 3rd Generation iPad equipped with an 8 MP resolution camera, Global Positioning System (GPS) receiver, and georeferenced PDF maps of the proposed project area. Accuracy of this device ranged between 3 meters and 10 meters. The archaeologist inspected natural and artificial erosion exposures, as well as spoils from rodent burrows as a means to locate evidence for buried cultural deposits. No artifacts were collected during the survey.

It is noted that Murphy Canyon Creek, a partially-earthen and concrete-lined channel that conveys flow into the river, is located with the project site on the eastern edge because this area is shown in the boundary per SDMC Section 22.0908. However, the project is not proposing any improvement, facility, construction, or staging within any portion of Murphy Canyon Creek; therefore, while the existing creek is within the project boundary, no project element, component, improvement, or feature is contemplated within the creek. Therefore, no impacts are anticipated in Murphy Canyon Creek and this area was not included in the intensive pedestrian cultural survey.

### 2.3 Native American Participation/Consultation

In *EPIC v. Johnson* (1985) 170 Cal.App. 3rd 604, the Court of Appeal held that the Native American Heritage Commission (NAHC), as a state agency with special expertise on tribal history, has jurisdiction over Native American resources that may be affected by proposed projects, including Native American burial sites and archaeological places of religious

significance to Native Americans. On behalf of SDSU, Dudek requested a search of the NAHC Sacred Land File on December 19, 2018, to determine if any TCRs are present within 1 mile of the proposed project area. Steven Quinn, NAHC Associate Government Program Analyst, facilitated this search and returned the results on January 3, 2019. The results of the Sacred Lands File search are discussed in Section 3.5. As part of the consultation process, the NAHC provided a list of tribal governments and individuals that should be consulted. Dudek sent outreach letters via certified mail to all representatives listed on the NAHC list on February 4, 2019. Dudek collected all certified mail receipts indicating which representatives received and signed for the outreach letters. If a return receipt was not received, Dudek attempted to contact the representative via telephone or email.

Under the California Environmental Quality Act (CEQA), the lead agency must consult with Native American Tribes regarding a project's potential impacts on tribal resources. (Pub.Res.Code, § 21080.3.1. SDSU and its representatives sent letters to the Native American representatives included on the consultation list provided by the NAHC on December 21, 2018 via certified mail. SDSU tracked the certified mail return receipts and tried to establish contact with anyone from whom they did not receive a signed return receipt. The resulting consultations between SDSU and the Native American recipients are discussed in Section 3.5.

# 3 Existing Conditions

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This section describes the existing conditions in the proposed project area and identifies the resources that could be affected by the proposed project.

## 3.1 Existing Environmental Setting

The proposed project APE is dominated by the SDCCU Stadium, its associated paved parking lot, and the existing San Diego Trolley Station. Land uses adjacent to the proposed project site consist of the San Diego River, commercial development, and I-8 to the south; Friars Road, steep hillsides, and residential development to the north; retail/commercial development within Fenton Marketplace to the west; and Murphy Canyon Creek, I-15, and retail/residential development to the east.

The elevation ranges from approximately 35 feet above mean sea level to 300 feet above mean sea level. The majority of the proposed project site is relatively flat within the existing large parking area surrounding the Stadium structure. Along the southern boundary of the proposed project site there is a small berm beyond the parking lot, which descends into the lower floodplain of the San Diego River. Though ground surface is visible, there is evidence of earthmoving within the floodplain. In the western portion of the proposed project site, there is a flat training field, and beyond that a storm drain outlet channel that conveys water down into the San Diego River floodplain.

## 3.2 Regulatory Setting

This section describes the applicable regulatory plans, policies, and ordinances for the proposed project.

### 3.2.1 State

#### 3.2.1.1 California Environmental Quality Act

CEQA requires that all private and public activities not specifically exempted be evaluated for their potential to cause environmental impacts, including impacts to historical resources. Historical resources are recognized as part of the environment under CEQA, which defines historical resources as “any object, building, structure, site, area, or place that is historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (Division I, Public Resources Code, Section 5021.1[b]).

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

1. California Public Resources Code section 21083.2(g): Defines “unique archaeological resource.”
2. California Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5(a): Defines 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.
3. California Public Resources Code Section 21074 (a): defines “tribal cultural resources” and Section 21074(b): defines a “cultural landscape.”

4. California Public Resources Code section 5097.98 and CEQA Guidelines Section 15064.5(e): These statutes set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
5. California Public Resources Code Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4: These statutes and regulations provide information regarding the mitigation framework for archaeological and historic resources, including options of preservation-in-place mitigation measures; identifies preservation-in-place as the preferred manner of mitigating impacts to significant archaeological sites.

Under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5(b)). An “historical resource” is any site listed or eligible for listing in the CRHR. The CRHR listing criteria are intended to examine whether the resource in question: (a) is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage; (b) is associated with the lives of persons important in our past; (c) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (d) has yielded, or may be likely to yield, information important in pre-history or history.

The term “historical resource” also includes any site described 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)).

CEQA also applies to “unique archaeological resources.” California Public Resources Code Section 21083.2(g) defines a “unique archaeological resource” as any archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

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

In 2014, CEQA was amended to apply to “tribal culture resources” as well. Specifically, California Public Resources Code Section 21074 provides guidance for defining tribal cultural resources as either of the following:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following: (a) Included or determined to be eligible for inclusion in the California Register of Historical Resources. (b) Included in a local register of historical resources as defined in subdivision (k) of [Section] 5020.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of [Section] 5024.1. In applying the criteria set forth in subdivision (c) of [Section] 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. (b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

All historical resources and unique archaeological resources – as defined by statute – are presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code Section 21084.1; CEQA Guidelines Section 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; CEQA Guidelines Section 15064.5(a)). A site or resource that does not meet the definition of “historical resource” or “unique archaeological resource” is not considered significant under CEQA and need not be analyzed further (California Public Resources Code Section 21083.2(a); CEQA Guidelines Section 15064.5(c)(4)).

Under CEQA, a significant cultural impact results from a “substantial adverse change in the significance of an historical resource [including a unique archaeological resource]” due to the “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (CEQA Guidelines Section 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.

(CEQA Guidelines Section 15064.5(b)(2)).

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

When a project significantly affects a unique archeological resource, CEQA imposes special mitigation requirements. Specifically:

If it can be demonstrated that a project will cause damage to a unique archeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Examples of that treatment, in no order of preference, may include, but are not limited to, any of the following:

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

(California Public Resources Code Section 21083.2(b)(1)-(4).)

If these “preservation in place” options are not feasible, mitigation may be accomplished through data recovery (California Public Resources Code Section 21083.2(d); CEQA Guidelines Section 15126.4(b)(3)(C)). California Public Resources Code Section 21083.2(d) states that “[e]xcavation as mitigation shall be restricted to those parts of the unique archeological resource that would be damaged or destroyed by the project. Excavation as mitigation shall not be required for a unique archeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, if this determination is documented in the environmental impact report.”

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

- (A) Preservation in place is the preferred manner of mitigating impacts to archeological sites. Preservation in place maintains the relationship between artifacts and the archeological 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 archeological sites;
  2. Incorporation of sites within parks, greenspace, or other open space;
  3. Covering the archeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site; and]
  4. Deeding the site into a permanent conservation easement.
- (C) When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provision for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken.

Note that, when conducting data recovery, “[i]f an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation” (CEQA Guidelines Section 15126.4(b)(3)). However, “[d]ata 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 archeological 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” (CEQA Guidelines section 15126.4(b)(3)(D)).

Finally, CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. If Native American human remains or related cultural material are encountered, Section 15064.5(e) of the CEQA Guidelines (as incorporated from California Public Resources Code Section 5097.98 ) and Health and Safety Code Section 7050.5 define the subsequent protocol. In the event of the accidental discovery or recognition of any human remains, excavation or other disturbances shall be suspended of the site or any nearby area reasonably suspected to overlie adjacent human remains or related material. Protocol requires that a county-approved coroner be contacted in order to determine if the remains are of Native American origin. Should the coroner determine the remains to be Native American, the coroner must contact the NAHC within 24 hours. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98 (California Code of Regulations, Title 14; Chapter 3; Article 5; Section 15064.5(e)).

CEQA (California Public Resources Code Section 21000 et seq.) is the primary state environmental law protecting fossils. CEQA requires that public agencies and private interests identify the environmental consequences of their proposed projects on any object or site of significance to the scientific annals of California (Division I, California Public Resources Code, Section 5020.1 [b]). Administrative regulations for the implementation of CEQA are set forth in California Code of Regulations (CCR) Section 15000 et seq., commonly known as the “CEQA Guidelines.” The CEQA Guidelines define procedures, types of activities, persons, and public agencies required to comply with CEQA. Appendix G of the CEQA Guidelines contains an Environmental Checklist of questions that a lead agency should normally address if relevant to a project’s environmental impacts. Fossils are significant examples of the major periods of California prehistory. To comply with CEQA, environmental impact assessments, statements, and reports must answer this question in the Environmental Checklist to determine the potential impact to paleontological resources with and without mitigation.

The CEQA lead agency having jurisdiction over a project is responsible for ensuring that paleontological resources are protected in compliance with CEQA and other applicable statutes. CEQA Section 21081.6 requires that the lead agency demonstrate project compliance with mitigation measures developed during the environmental impact review process.

### 3.2.2 Local

As a state agency, CSU Board of Trustees (CSU) is not subject to local land use regulatory/planning documents, ordinances, regulations, policies, rules, fees, or exactions. However, in this particular case, CSU will be purchasing the project site pursuant to the framework set forth in Section 22.0908 to implement the overriding purpose of the proposed project. In addition, CSU will evaluate the proposed project’s consistency with adopted, applicable state and federal regulatory/planning documents; and though not required by law, CSU also will consider the proposed project’s consistency with adopted, applicable local regulatory/planning documents.

#### **City of San Diego**

Though not required to follow the City’s historical resources evaluation protocol – which are set forth in the City of San Diego Historical Resources Guidelines (2002) – CSU has elected to use the protocol due to its applicability to the San Diego built environment. The City of San Diego Historical Resources Guidelines establish a development review process to review projects in the City. This process is composed of two aspects: (i) implementation of the Historical Resources Regulations and (ii) determination of impacts and mitigation under CEQA. The Guidelines provide property owners, the development community, consultants, and the general public with explicit guidelines for the management of historical resources located within the jurisdiction of the City of San Diego.

These guidelines help to implement the City’s Historical Resources Regulations contained in the Land Development Code (Chapter 14, Division 3, Article 2) in compliance with applicable local, state and federal policies and mandates, including, but not limited to, the City’s General Plan, the California Environmental Quality Act of 1970, and Section 106 of the National Historic Preservation Act of 1966. The intent of the guidelines is to ensure consistency in the management of the City’s historical resources, including identification, evaluation, preservation/mitigation and development.

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

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

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

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

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

The City's General Plan PEIR (City of San Diego 2007) states the following:

The Historical Resources Regulations require that designated cultural resources and traditional cultural properties be preserved unless deviation findings can be made by the decision maker as part of a discretionary permit. Minor alterations consistent with the U.S. Secretary of the Interior's Standards are exempt from the requirement to obtain a separate permit but must comply with the regulations and associated cultural resources guidelines. Limited development may encroach into important archaeological sites if adequate mitigation measures are provided as a condition of approval.

Historical Resources Guidelines, located in the Land Development Manual, provide property owners, the development community, consultants and the general public explicit guidance for the management of cultural resources located within the City's jurisdiction. These guidelines are designed to implement the cultural resources regulations and guide the development review process from the need for a survey and how impacts are assessed to available mitigation strategies and report requirements and include appropriate methodologies for treating cultural resources located in the City.

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

## 3.3 Cultural Context

Available evidence indicates that continuous human occupation in the San Diego region spans the last 10,000 years. Various attempts to parse out variability in archaeological assemblages over this broad timeframe have led to the development of several cultural chronologies; some of these are based on geologic time, most are based on temporal trends in archaeological assemblages, and others are interpretive reconstructions. Each of these reconstructions describes essentially similar trends in assemblage composition in more or less detail. This research employs a common set of generalized terms used to describe chronological trends in assemblage composition: Paleoindian (pre-5500 BC), Archaic (8000 BC–AD 500), Late Prehistoric (AD 500–1750), and Ethnohistoric (post-AD 1750). It is important to note that Native American aboriginal lifeways did not cease at European contact. Protohistoric refers to the chronological trend of continued Native American aboriginal lifeways at the cusp of the recorded historic period in the Americas.

### 3.3.1 Paleoindian (pre-5500 BC)

Evidence for Paleoindian occupation in coastal Southern California is tenuous, especially considering the fact that the oldest dated archaeological assemblages look nothing like the Paleoindian artifacts from the Great Basin. One of the earliest dated archaeological assemblages in coastal Southern California (excluding the Channel Islands) derives from SDI-4669/W-12, in La Jolla. A human burial from SDI-4669 was radiocarbon dated to 9,590–9,920 years before present (95.4% probability) (Hector 1984). The burial is part of a larger site complex that contained more than 29 human burials associated with an assemblage that fits the Archaic profile (i.e., large amounts of groundstone, battered cobbles, and expedient flake tools). In contrast, typical Paleoindian assemblages include large-stemmed projectile points, high proportions of formal lithic tools, bifacial lithic reduction strategies, and relatively small proportions of groundstone tools. Prime examples of this pattern are sites that were studied by Davis (1978) on China Lake Naval Air Weapons Station near Ridgecrest, California. These sites contained fluted and unfluted stemmed points and large numbers of formal flake tools (e.g., shaped scrapers, blades). Other typical Paleoindian sites include the Komodo site (MNO-679)—a multicomponent fluted point site, and MNO-680—a single component Great Basined Stemmed point site (Basgall et al. 2002). At MNO-679 and MNO-680, groundstone tools were rare while finely made projectile points were common.

Turning back to coastal Southern California, the fact that some of the earliest dated assemblages are dominated by processing tools runs counter to traditional notions of mobile hunter–gatherers traversing the landscape for highly valued prey. Evidence for the latter—that is, typical Paleoindian assemblages—may have been located along the coastal margin at one time, prior to glacial desiccation and a rapid rise in sea level during the early Holocene (pre-7500 BP) that submerged as much as 1.8 kilometer of the San Diego coastline. If this were true, however, it would also be expected that such sites would be located on older landforms near the current coastline. Some sites, such as SDI-210 along Agua Hedionda Lagoon, contained stemmed points similar in form to Silver Lake and Lake Mojave projectile points (pre-8000 BP) that are commonly found at sites in California’s high desert (Basgall and Hall 1990). SDI-210 yielded one corrected radiocarbon date of 8520–9520 BP (Warren et al. 2004). However, sites of this nature are extremely rare and cannot be separated from large numbers of milling tools that intermingle with old projectile point forms.

Warren et al. (2004) claimed that a biface manufacturing tradition present at the Harris site complex (SDI-149) is representative of typical Paleoindian occupation in the San Diego region that possibly dates between 10,365 and 8200 BC (Warren et al. 2004, p. 26). Termed San Dieguito (Rogers 1945), assemblages at the Harris site are qualitatively distinct from most others in the San Diego region because the site has large numbers of finely made

bifaces (including projectile points), formal flake tools, a biface reduction trajectory, and relatively small amounts of processing tools (Warren 1964, 1968). Despite the unique assemblage composition, the definition of San Dieguito as a separate cultural tradition is hotly debated. Gallegos (1987) suggested that the San Dieguito pattern is simply an inland manifestation of a broader economic pattern. Gallegos' interpretation of San Dieguito has been widely accepted in recent years, in part because of the difficulty in distinguishing San Dieguito components from other assemblage constituents. In other words, it is easier to ignore San Dieguito as a distinct socioeconomic pattern than it is to draw it out of mixed assemblages.

The large number of finished bifaces (i.e., projectile points and non-projectile blades), along with large numbers of formal flake tools at the Harris site complex, is very different than nearly all other assemblages throughout the San Diego region, regardless of age. Warren et al. (2004) made this point, tabulating basic assemblage constituents for key early Holocene sites. Producing finely made bifaces and formal flake tools implies that relatively large amounts of time were spent for tool manufacture. Such a strategy contrasts with the expedient flake-based tools and cobble-core reduction strategy that typifies non-San Dieguito Archaic sites. It can be inferred from the uniquely high degree of San Dieguito assemblage formality that the Harris site complex represents a distinct economic strategy from non-San Dieguito assemblages.

If San Dieguito truly represents a distinct socioeconomic strategy from the non-San Dieguito Archaic processing regime, its rarity implies that it was not only short-lived, but that it was not as economically successful as the Archaic strategy. Such a conclusion would fit with other trends in Southern California deserts, wherein hunting-related tools are replaced by processing tools during the early Holocene (Basgall and Hall 1990).

### 3.3.2 Archaic (8000 BC–AD 500)

The more than 1,500-year overlap between the presumed age of Paleoindian occupations and the Archaic period highlights the difficulty in defining a cultural chronology in the San Diego region. If San Dieguito is the only recognized Paleoindian component in the San Diego region, then the dominance of hunting tools implies that it derives from Great Basin adaptive strategies and is not necessarily a local adaptation. Warren et al. (2004) admitted as much, citing strong desert connections with San Dieguito. Thus, the Archaic pattern is the earliest local socioeconomic adaptation in the San Diego region (Hale 2001, 2009).

The Archaic pattern is relatively easy to define with assemblages that consist primarily of processing tools: millingstones, handstones, battered cobbles, heavy crude scrapers, incipient flake-based tools, and cobble-core reduction. These assemblages occur in all environments across the San Diego region, with little variability in tool composition. Low assemblage variability over time and space among Archaic sites has been equated with cultural conservatism (Byrd and Reddy 2002; Warren 1968; Warren et al. 2004). Despite enormous amounts of archaeological work at Archaic sites, little change in assemblage composition occurs until the bow and arrow is adopted at around AD 500, as well as ceramics at approximately the same time (Griset 1996; Hale 2009). Even then, assemblage formality remains low. After the bow is adopted, small arrow points appear in large quantities and already low amounts of formal flake tools are replaced by increasing amounts of expedient flake tools. Similarly, shaped millingstones and handstones decrease in proportion relative to expedient, unshaped groundstone tools (Hale 2009). Thus, the terminus of the Archaic period is equally as hard to define as its beginning because basic assemblage constituents and patterns of manufacturing investment remain stable, complimented only by the addition of the bow and ceramics.

### 3.3.3 Late Prehistoric (AD 500–1750)

The period of time following the Archaic and prior to Ethnohistoric times (AD 1750) is commonly referred to as the Late Prehistoric (Rogers 1945; Wallace 1955; Warren et al. 2004). However, several other subdivisions continue to be used to describe various shifts in assemblage composition, including the addition of ceramics and cremation practices. In northern San Diego County, the post-AD 1450 period is called the San Luis Rey Complex (True 1980), while the same period in southern San Diego County is called the Cuyamaca Complex and is thought to extend from AD 500 until Ethnohistoric times (Meighan 1959). Rogers (1929) also subdivided the last 1,000 years into the Yuman II and III cultures, based on the distribution of ceramics. Despite these regional complexes, each is defined by the addition of arrow points and ceramics, and the widespread use of bedrock mortars. Variations in the appearance of the bow and arrow and ceramics make the temporal resolution of the San Luis Rey and Cuyamaca complexes difficult. For this reason, the term Late Prehistoric is well suited to describe the last 1,500 years of prehistory in the San Diego region.

Temporal trends in socioeconomic adaptations during the Late Prehistoric period are poorly understood. This is partly due to the fact that the fundamental Late Prehistoric assemblage is very similar to the Archaic pattern, but includes arrow points and large quantities of fine debitage from producing arrow points, ceramics, and cremations. The appearance of mortars and pestles is difficult to place in time because most mortars are on bedrock surfaces; bowl mortars are actually rare in the San Diego region. Some argue that the Ethnohistoric intensive acorn economy extends as far back as AD 500 (Bean and Shipek 1978). However, there is no substantial evidence that reliance on acorns, and the accompanying use of mortars and pestles, occurred prior to AD 1400. True (1980) argued that acorn processing and ceramic use in the northern San Diego region did not occur until the San Luis Rey pattern emerged after approximately AD 1450. For southern San Diego County, the picture is less clear. The Cuyamaca Complex is the southern counterpart to the San Luis Rey pattern, however, and is most recognizable after AD 1450 (Hector 1984). Similar to True (1980), Hale (2009) argued that an acorn economy did not appear in the southern San Diego region until just prior to Ethnohistoric times, and that when it did occur, a major shift in social organization followed.

### 3.3.4 Ethnohistoric (post-AD 1750)

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

Kroeber's 1925 assessment of the impacts of Spanish missionization on local Native American populations supported Kumeyaay traditional cultural continuity (Kroeber 1925, p. 711):

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

In some ways this interpretation led to the belief that many California Native American groups simply escaped the harmful effects of contact and colonization all together. This, of course, is untrue. Ethnographic research by Dubois, Kroeber, Harrington, Spier, and others during the early twentieth century seemed to indicate that traditional cultural practices and beliefs survived among local Native American communities. These accounts supported, and were supported by, previous governmental decisions, which made San Diego County the location of more federally recognized tribes than anywhere else in the United States: 18 tribes on 18 reservations that cover more than 116,000 acres (CSP 2009).

The traditional cultural boundaries between the Luiseño and Kumeyaay Native American tribal groups have been well defined by anthropologist Florence C. Shippek:

In 1769, the Kumeyaay national territory started at the coast about 100 miles south of the Mexican border (below Santo Tomas), thence north to the coast at the drainage divide south of the San Luis Rey River including its tributaries. Using the U.S. Geological Survey topographic maps, the boundary with the Luiseño then follows that divide inland. The boundary continues on the divide separating Valley Center from Escondido and then up along Bear Ridge to the 2240 contour line and then north across the divide between Valley Center and Woods Valley up to the 1880-foot peak, then curving around east along the divide above Woods Valley. [1993, as summarized by the San Diego County Board of Supervisors 2007:6]

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

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

Golla suggested that there are two language families associated with Native American groups who traditionally lived throughout the San Diego County region. The northern San Diego tribes have traditionally spoken Takic languages that

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

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

Areas or regions, identified by known physical landmarks, could be recognized as band-specific territories that may be violently defended against use by other members of the Kumeyaay. Other areas or resources, such as water sources and other locations that were rich in natural resources, were generally understood as communal land to be shared amongst all the Kumeyaay (Luomala 1978). The coastal Kumeyaay would have procured shellfish from three primary environments, including the sandy open coast, bay and lagoon, and rocky open coast (Luomala 1978). The availability of these marine resources changed with the rising sea levels, siltation of lagoon and bay environments, changing climatic conditions, and intensity of use by humans and animals (Gallegos and Kyle 1988; Pigniolo 2005; Warren and Pavesic 1963). Shellfish from sandy environments included *Donax*, *Saxidomas*, *Tivela*, and others. Rocky coast shellfish dietary contributions consisted of *Pseudochama*, *Megastraea*, *Saxidomus*, *Protothaca*, *Megathura*, and others. Lastly, the bay environment in the immediate vicinity of the project area would have provided *Argopecten*, *Chione*, *Ostrea*, *Neverita*, *Macoma*, *Tagelus*, and others. While marine resources were obviously consumed, terrestrial animals and other resources likely provided a large portion of sustenance. Game animals consisted of rabbits, hares (*Leporidae*), birds, ground squirrels, woodrats (*Neotoma*), deer, bears, mountain lions (*Puma concolor*), bobcats (*Lynx rufus*), coyotes (*Canus latrans*), and others. In lesser numbers, reptiles and amphibians may have been consumed.

A number of local plants were used for food and medicine. These were exploited seasonally, and were both traded between regional groups and gathered as a single triblet moved between habitation areas. Some of the more common of these that may have been procured locally or as higher elevation varieties would have included

buckwheat (*Eriogonum fasciculatum*), Agave, *Yucca*, lemonade berry (*Rhus integrifolia*), sugar brush (*Rhus ovata*), sage scrub (*Artemisia californica*), yerba santa (*Eriodictyon*), sage (*Salvia*), *Ephedra*, prickly pear (*Opuntia*), mulefat (*Baccharis salicifolia*), chamise (*Adenostoma fasciculatum*), elderberry (*Sambucus nigra*), oak (*Quercus*), willow (*Salix*), and *Juncus* grass among many others (Wilken 2012).

The Kumeyaay territory expanse over several distinct ecological zones and intra-tribal trade allowed the dispersal of goods and information. The Kumeyaay usually trade between bands more often than they traded with unrelated groups outside of their territory, however, larger trail systems crossed their land from the Lower Colorado River to the Southern Californian coast (Luomala 1978). The coastal Kumeyaay exchanged a number of local goods, such as seafood, coastal plants, and various types of shell for items including acorns, agave, mesquite beans, gourds, and other more interior plants of use (Luomala 1978). Trade routes were often along trails between villages, along waterways such as the San Diego River, or, in desert terrain, between springs and water catchments (Heizer 1978). Spaniards marveled at how quickly news and goods travelled between the Colorado River and the coast along the Kumeyaay trail system (Heizer 1978). The routes of the Kumeyaay trail system were followed by wagon routes and later became major thoroughfares (Davis 1961). Interstate 8 is today aptly named the “Kumeyaay Highway” as it follows the likely path of the prehistoric trail connecting coastal and inland Kumeyaay. The proposed project APE is located along the Kumeyaay Highway and the San Diego River between the prehistoric villages of *Kosoi* and *Nipawai*, the location of the now standing Old Town Presidio (4 miles west) and the Mission San Diego de Alcalá (.5 miles east), respectively (Kroeber 1925).

### 3.3.5 The Historic Period (post-AD 1542)

European activity in the region began as early as AD 1542, when Juan Rodríguez Cabrillo landed in San Diego Bay. Sebastián Vizcaíno returned in 1602, and it is possible that there were subsequent contacts that went unrecorded. These brief encounters made the local native people aware of the existence of other cultures that were technologically more complex than their own. Epidemic diseases may also have been introduced into the region at an early date, either by direct contacts with the infrequent European visitors or through waves of diffusion emanating from native peoples farther to the east or south (Preston 2002). It is possible, but as yet unproven, that the precipitous demographic decline of native peoples had already begun prior to the arrival of Gaspar de Portolá and Junípero Serra in 1769.

Spanish colonial settlement was initiated in 1769, when multiple expeditions arrived in San Diego by land and sea, and then continued northward through the coastal plain toward Monterey. A military presidio and a mission were soon firmly established at San Diego, despite violent resistance to them from a coalition of local Kumeyaay native communities in 1776. In 1773, the Spanish missionaries reestablished the San Diego Mission up the San Diego River to its current location in Mission Valley in order to be closer to a more reliable water source (Hill 2002). The proposed project APE is located a half mile west of the ethnohistoric Kumeyaay village of *Nipawai* and the San Diego Mission. Private ranchos subsequently established by Spanish and Mexican soldiers, as well as other non-natives, appropriated much of the remaining coastal or near-coastal locations (Pourade 1960–1967).

Mexico’s separation from the Spanish empire in 1821 and the secularization of the California missions in the 1830s caused further disruptions to native populations in western San Diego County. Some former mission neophytes were absorbed into the work forces on the ranchos, while others drifted toward the urban centers at San Diego and Los Angeles or moved to the eastern portions of the county where they were able to join still largely autonomous native communities. United States conquest and annexation, together with the gold rush in Northern California, brought many additional outsiders into the region. Development during the following decades was fitful, undergoing cycles of boom and bust. With rising populations in the nineteenth century throughout the Southern California region, there were increased demands for important commodities such as salt.

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

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

Alonzo Horton's development of a New San Diego (modern downtown) in 1867 began to swing the community focus away from Old Town and began the urbanization of San Diego. Expansion of trade brought an increase in the availability of building materials. Wood buildings gradually replaced adobe structures. Development spread from downtown based on a variety of factors, including the availability of potable water and transportation corridors. During the Victorian Era of the late 1800s and early 1900s, the areas of Golden Hill, Uptown, Banker's Hill, and Sherman Heights were developed.

San Diego State University was established in 1897 as a Normal school located on Normal Street. The institution moved to its current site in the college area in 1931. Development of the state college area began then and the development of the Navajo community was outgrowth from the college area and from the west. There was farming and ranching in Mission Valley until the middle portion of the twentieth century, when the uses were converted to commercial and residential. There were dairy farms and chicken ranches adjacent to the San Diego River where now there are motels, restaurants, office complexes and regional shopping malls. There was little development north of the San Diego River until Linda Vista was developed as military housing in the 1940s. The federal government improved public facilities and extended water and sewer pipelines to the area. From Linda Vista, development spread north of Mission Valley to the Clairemont Mesa and Kearny Mesa areas. Development in these communities was mixed use and residential on moderate size lots.

## 3.4 Archaeological Inventory

### 3.4.1 Previously Recorded Resources

The SCIC records search revealed that 159 cultural resource studies have been previously conducted within 1-mile of the proposed project APE (Confidential Appendix A). Of these previous studies, 23 included portions of the APE (Table 2). The studies included records searches, surveys, and monitoring reports for the San Diego River corridor and SDCCU Stadium grounds. Most relevant to this study is the San Diego Stadium Historic Resources Technical Report conducted by Heritage Architecture & Planning in 2015. Besides the SDCCU Stadium, these previous studies did not identify any resources within the APE.

The records search also identified one previously recorded resource, SDCCU Stadium (P-37-035171), within the proposed project APE. The records search also identified 51 other previously recorded cultural resources within 1-mile of the APE (Table 3). Historical resources include three historical trash deposits, an electric transmission line, an electric substation, and many historical buildings. Prehistoric resources include two artifact scatters, two isolates, and one unknown site. One multicomponent resource, the Mission of San Diego and the Kumeyaay village of *Nipawai* (P-37-000035; CA-SDI-35), is also located half a mile east of the APE. While identified above, *Kosoi* is 4 miles west of the project site, and outside of the APE (1-mile radius).

In addition to the SCIC records search, Dudek conducted an on-line review of historic aerial images of the Proposed project APE and general vicinity. The aerial photographs indicated that, besides SDCCU Stadium, no other structures within the APE are older than 45 years and no considered cultural resources (NETR 2019).

**Table 2. Previously Conducted Studies Within APE**

Label	Year	Publisher	Title
SD-00546	1975	SUE ANN CUPPLES	AN ARCHAEOLOGICAL SURVEY OF THE SAN DIEGO RIVER VALLEY
SD-00789	1988	WESTEC SERVICES, INC.	ARCHAEOLOGICAL SURVEY OF THE NORTH MISSION VALLEY INTERCEPTOR SEWER, STADIUM WAY TO FAIRMONT AVENUE
SD-02628	1990	ERCE	HISTORIC PROPERTIES INVENTORY REPORT FOR THE MISSION VALLEY WATER RECLAMATION PROJECT, SAN DIEGO CALIFORNIA
SD-02929	1993	BRIAN F. SMITH AND ASSOCIATED	RESULTS OF A CULTURAL RESOURCE EVALUATION STUDY FOR THE PADRE DAM MUNICIPAL WATER DISTRICT PHASE I RECLAIMED WATER SYSTEM PROJECT
SD-05770	1981	DONNA GOLDBERG	HISTORIC PROPERTY SURVEY FOR ROUTE 8/15 INTERCHANGE
SD-06221	2000	MCKENNA ETAL	A PHASE 1 CULTURAL RESOURCES INVESTIGATION OF THE VESTA TELECOMMUNICATIONS INC FIBER OPTIC ALIGNMENT, RIVER COUNTY TO SAN DIEGO COUNTY CALIFORNIA
SD-06499	1974	SDSU	A REPORT OF CULTURAL IMPACT SURVEY PHASE I
SD-11826	2008	AFFINIS	ARCHAEOLOGICAL RESOURCES ANALYSIS FOR THE MASTER STORMWATER SYSTEM MAINTENANCE PROGRAM, SAN DIEGO, CALIFORNIA PROJECT. NO. 42891
SD-12200	2009	CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT	DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MASTER STORM WATER SYSTEM MAINTENANCE PROGRAM (MSWSMP)
SD-12509	2009	AFFINIS	STADIUM CHANNEL (MURPHY CANYON) STORM WATER MAINTENANCE EMERGENCY CLEARING PROJECT - INDIVIDUAL HISTORIC ASSESSMENT
SD-13006	2011	AFFINIS	MASTER STORM WATER SYSTEM MAINTENANCE PROGRAM
SD-13202	2011	ICF INTERNATIONAL	CULTURAL RESOURCES TECHNICAL ASSESSMENT FOR THE PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE SAN DIEGO RIVER PARK MASTER PLAN, CITY OF SAN DIEGO, CALIFORNIA
SD-13918	2012	THE CITY OF SAN DIEGO	THE SAN DIEGO RIVER PARK MASTER PLAN
SD-15086	2014	ENVIRONMENTAL ASSESSMENT SPECIALISTS, INC.	DIRECT APE HISTORIC ARCHITECTURAL ASSESSMENT FOR T-MOBILE WEST, LLC CANDIDATE SD06193A (SD193 QUALCOMM STADIUM [JACK MURPHY STADIUM]) 9449 FRIARS ROAD, SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA

**Table 2. Previously Conducted Studies Within APE**

Label	Year	Publisher	Title
SD-15120	2014	ATKINS	HISTORICAL RESOURCE RESEARCH REPORT STADIUM WETLAND MITIGATION PROJECT (SAN DIEGO RIVER)
SD-15613	2014		CULTURAL RESOURCES RECORDS SEARCH AND SITE VISIT RESULTS FOR T-MOBILE WEST, LLC CANDIDATE SD06193A (SD193 QUALCOMM STADIUM [JACK MURPHY STADIUM]) 9449 FRIARS ROAD, SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA
SD-15710	2015	HERITAGE ARCHITECTURE & PLANNING	SAN DIEGO STADIUM 4994 FRIARS ROAD - SAN DIEGO, CA 92108 HISTORICAL RESOURCES TECHNICAL REPORT
SD-15756	2015	ACE ENVIRONMENTAL	HISTORIC ARCHITECTUREAL RESOURCE-INVENTORY AND ASSESSMENT, AT&T SITE SD0588, AT&T 3C CARRIER ADD, QUALCOMM STADIUM (DAS), 9949 FRIARS ROAD, SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA 92108
SD-15757	2015	ACE ENVIRONMENTAL	HISTORIC ARCHITECTUREAL RESOURCE-INVENTORY AND ASSESSMENT, AT&T SITE SSO112 (INCLUDES SPRINT SITE SD96XC003), QUALCOMM STADIUM (DAS), 9449 FRIARS ROAD, SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA 92108
SD-15758	2015	ACE ENVIRONMENTAL	CULTURAL RESOURCE RECORDS SEARCH AND SITE SURVEY, AT&T SITE SD0588, AT&T 3C CARRIER ADD, QUALCOMM STADIUM (DAS), 9949 FRIARS ROAD, SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA 92108
SD-15759	2015	ACE ENVIRONMENTAL	CULTURAL RESOURCE RECORDS SEARCH AND SITE SURVEY, AT&T SITE SSO112 (INCLUDES SPRINT SITE SD96XC003), QUALCOMM STADIUM (DAS), 9449 FRIARS ROAD, SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA 92108
SD-16405	2015	ACE ENVIRONMENTAL	HISTORIC ARCHITECTUREAL RESOURCE-INVENTORY AND ASSESSMENT QUALCOMM STADIUM VERIZON ANTENNA ADD VZW ODAS FINAL DESIGN ATT ASG SD RF 9449 FRIARS ROAD, SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA 92108
SD-16431	2015	ACE ENVIRONMENTAL	CULTURAL RESOURCE RECORDS SEARCH AND SITE SURVEY QUALCOMM STADIUM VERIZON ANTENNA ADD VZW ODAS FINAL DESIGN ATT ASG SD RF 9449 FRIARS ROAD, SAN DIEGO, SAN DIEGO COUNTY, CALIFORNIA 92108

**Table 3. Previously Identified Resources Within 1 Mile of APE**

Label	Trinomial	Era	Description	Intersects
P-37-000035	CA-SDI-000035	Multicomponent	Mission San Diego/Nipaguay Village	NO
P-37-000202	CA-SDI-000202	Historic	Mission San Diego - no info	NO
P-37-000239	CA-SDI-000239	Prehistoric	Artifact and shell scatter	NO
P-37-011056	CA-SDI-011056	Prehistoric	Unknown	NO
P-37-013954		Prehistoric	Isolate quartzite core	NO
P-37-014959		Prehistoric	Isolate metavolcanic flake	NO
P-37-015724		Historic	Historic building	NO
P-37-015725		Historic	Historic building	NO
P-37-015726		Historic	Historic building	NO

**Table 3. Previously Identified Resources Within 1 Mile of APE**

Label	Trinomial	Era	Description	Intersects
P-37-015727		Historic	Historic building	NO
P-37-015781		Historic	Historic cottages	NO
P-37-017509		Historic	Historic residence	NO
P-37-018407	CA-SDI-015600	Prehistoric	Five cores and five flakes	NO
P-37-018412		Historic	Historic residence	NO
P-37-018660		Historic	Historic residence	NO
P-37-024379		Historic	Household refuse scatter	NO
P-37-024380		Historic	Household refuse scatter	NO
P-37-027911		Historic	Army Reserve building	NO
P-37-028235		Historic	Academy of Our Lady of Peace	NO
P-37-029474		Historic	Historic building	NO
P-37-034761	CA-SDI-021623	Historic	Redeposited refuse scatter	NO
P-37-035165		Historic	Commercial building	NO
P-37-035171		Historic	San Diego Stadium	YES
P-37-035200		Historic	Historic building	NO
P-37-035206		Historic	Historic building	NO
P-37-035210		Historic	Historic building	NO
P-37-035213		Historic	Historic building	NO
P-37-035249		Historic	Historic building	NO
P-37-035460		Historic	Historic building	NO
P-37-035461		Historic	Historic building	NO
P-37-035522		Historic	Historic building	NO
P-37-035523		Historic	Historic building	NO
P-37-035555		Historic	Historic residence	NO
P-37-035600		Historic	Historic residence	NO
P-37-035618		Historic	Historic residence	NO
P-37-035632		Historic	Historic residence	NO
P-37-035902		Historic	Historic residence	NO
P-37-035995		Historic	Historic residence	NO
P-37-036305		Historic	Historic residence	NO
P-37-036318		Historic	Mission Substation	NO
P-37-036319		Historic	Electrical Transmission Line	NO
P-37-036977		Historic	Historic residence	NO
P-37-036989		Historic	Historic residence	NO
P-37-037025		Historic	Historic residence	NO
P-37-037119		Historic	Historic residence	NO
P-37-037346		Historic	Historic residence	NO
10818 San Diego Mission Road		Historic	Historic building	NO
4010 Wesleyan Place		Historic	Historic building	NO
4210 Hilldale Road		Historic	Historic building	NO
5007 Raymond Place		Historic	Historic building	NO
5141 Marlborough Drive		Historic	Historic building	NO
5158 Marlborough Drive		Historic	Historic building	NO

### 3.4.2 Intensive Pedestrian Survey Results

Besides the SDCCU Stadium (P-37-000035; CA-SDI-35), no cultural resources were observed during intensive pedestrian survey of the proposed project APE. The APE is largely covered by the SDCCU Stadium, other buildings, asphalt, and landscaping. The San Diego River corridor is located immediately outside of the APE. The land shows signs of previous earthmoving and is covered by vegetation (Exhibit 1). The only portion of the APE that is not fully developed is the southwestern corner. This section, though undeveloped, has been heavily disturbed and sculpted by the adjacent construction of the sports field, trolley stop, and river flood plain. All buildings outside of the SDCCU Stadium are not of significant age to be considered cultural resources.

**Exhibit 1. Dense vegetation in the western portion of the proposed project APE. View southwest.**



### 3.5 Native American Heritage Commission and Assembly Bill 52 Consultation

The results of the NAHC search of the Sacred Lands File were positive indicating that Native American resources have been reported within 1-mile of the APE. The NAHC advised Dudek to contact the Lipay Nation of Santa Ysabel and the Viejas Band of Kumeyaay Indians, and included a list of other tribal representatives who may possess tribal knowledge of the APE (Appendix B). Dudek sent outreach letters via certified mail to all representatives listed on the NAHC list on February 4, 2019. All representatives listed on the NAHC contact list received letters except Lisa Haws of the Sycuan Band of the Kumeyaay Nation. Dudek spoke with Ms. Haws and she indicated that she no longer represents Sycuan Band of the Kumeyaay Nation. Chairperson Cody J. Martinez of the Sycuan Band of the Kumeyaay Nation did receive an outreach letter, so the band has been properly notified.

To date, Dudek has received only one response from the NAHC outreach letters. Ray Teran, Resource Manager of the Viejas Band of Kumeyaay Indians, wrote a response letter to Dudek indicating that the “project site has cultural significance or ties to Viejas.” Mr. Teran requested that a Kumeyaay Cultural Monitor be on site during ground-disturbing activities and that the monitor inform Viejas of any inadvertent cultural discoveries. Mr. Teran did not indicate the presence of any known TCRs.

Under the California Environmental Quality Act (CEQA), the lead agency must consult with Native American Tribes. (Pub.Res.Code, § 21080.3.1.) Via certified mail, email, or telephone, SDSU attempted to notify all Native American representatives included on the consultation list provided by the NAHC (Appendix B). SDSU’s efforts resulted in responses from six tribal representatives requesting consultation.

Cody Martinez with Sycuan Band of Kumeyaay Nation requested consultation with SDSU on the proposed project on February 26, 2019. SDSU responded with a letter on April 10, 2019 suggesting dates and times for possible meetings but never received a response from Sycuan Band. SDSU also sent an email to the email provided on the NAHC contact list. Having not received a response to these outreach efforts, Dudek archaeologist, Matthew DeCarlo, sent a follow-up email and left a voice message with Sycuan’s office inquiring whether Sycuan Band still wanted to pursue consultation on June 20, 2019. Sycuan did not respond. On July 17, 2019, SDSU Director of Planning Laura Shinn emailed a letter to Sycuan Band informing them that SDSU understands that Sycuan Band is no longer seeking consultation with SDSU concerning the project. As such, SDSU considers AB 52 consultation closed with Sycuan Band.

Lisa Cumper, the Tribal Historic Preservation Officer for the Jamul Indian Village, requested consultation with SDSU on April 11, 2019. SDSU Director of Planning Laura Shinn met with Chairwoman Erica Pinto, Secretary Carlene Chamberlain, and Ms. Cumper of Jamul Indian Village on SDSU campus on May 27, 2019. Also in attendance were Dudek deputy project manager Sean Kilkenny and project archaeologist Matthew DeCarlo. The meeting opened with a discussion of the proposed project and the future development of the area. Mr. DeCarlo then described this cultural study including its methods and the results of the records search, Native American outreach, and pedestrian survey. Jamul then expressed their concerns about the project area. Jamul’s representatives described the cultural sensitivity of Mission Valley, stating that the valley was a major thoroughfare of prehistoric activity and noting the trail system that connected the ocean and the desert. Jamul’s representatives also mentioned funerary practices that further attributed to the cultural sensitivity of Mission Valley. They further requested that any Native American materials identified during construction be treated with respect, specifically mentioning human remains and cremation urns. The group then discussed the proposed mitigation measures and how SDSU plans to manage

unanticipated finds (See Section 6). The meeting concluded with SDSU including Jamul on its distribution list for this cultural report and the EIR, which will give Jamul the opportunity to comment on the documents. On June 5, 2019, Ms. Cumper emailed Ms. Shinn and notified her that the Jamul Indian Village wished to close consultation at this time but asked to be updated of any changes to the project.

Ralph Goff, Chairman with Campo Band of Mission Indians, requested consultation with SDSU on January 3, 2019. SDSU emailed Campo Band contact person Marcus Cuero on January 28, 2019 with dates for consultation. Upon not receiving a response, SDSU left a voicemail for Campo on January 31, 2019. Having not received a response from Campo Band, SDSU sent a follow up email to Mr. Goff and Mr. Cuero on April 11, 2019 asking for an in-person meeting. The email also stated that if there was no response by April 26, 2019, SDSU would assume Campo no longer wished to consult on the proposed project.

Clint Linton, Director of Cultural Resources for the Iipay Nation of Santa Ysabel and representative of the Kumeyaay Cultural Repatriation Committee (KCRC) sent an AB 52 letter to SDSU via email. Mr. Linton's email stated that he "remove(d) opposition from me, Santa Ysabel, and KCRC." He then stated that the proposed project "likely overlays a Kumeyaay TCP, the Kumeyaay trail system (Kumeyaay Highway)." He requested that Dudek, to the extent possible, document the resource. In response to this, Dudek conducted extra research on the Kumeyaay trail system and included it in this report (Section 3.3.4). Mr. Linton also stated that the "vital route" needs to be commemorated. Mr. Linton stated that Kumeyaay villages were often established where trails met waterways. Mr. Linton suggested that due to the proposed project's geographic placement, there is a heightened potential that buried village context may be encountered and, because human remains are "always" identified at village sites, that there is a higher probability of encountering buried human remains. Mr. Linton recommended that Campo, Viejas, Sycuan, and Jamul participate in the proposed project as tribal monitors, on a rotating basis. Mr. Linton offered Red Tail Environmental's services to coordinate Tribal monitoring. Lastly, Mr. Linton advised SDSU of the kindness of Jack Murphy towards the Kumeyaay and recommended that the final proposed project plan commemorate him.

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# 4 Thresholds of Significance

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The following significance criteria included in Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) assist in determining the significance of a cultural resource impact. According to Appendix G, a significant impact related to cultural resources would occur if the project would:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.
3. Disturb any human remains, including those interred outside of dedicated cemeteries.
4. Result in a cumulative impact when considered with other present and probable future projects in the region.

Likewise, the significance of impacts to tribal cultural resources must also be determined. California Public Resources Code Section 21074(a) defines tribal cultural resources as one of the following:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
  - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources.
  - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

The following significance criteria included in Appendix G of the CEQA Guidelines (14 CCR 15000 et seq.) assist in determining the significance of a tribal cultural resource impact. According to Appendix G of the CEQA Guidelines, a significant impact related to tribal cultural resources would cause a substantial adverse change in the significance of a tribal cultural resource, defined in California Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

As described in Section 3.3, Regulatory Setting, the treatment of historic resources, if found, is governed by federal and state laws and regulations, and there are specific criteria for determining whether or not a historic resource is

significant and/or protected by law. 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 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.

Likewise, the Historical Resources Guidelines of the City of San Diego Land Development Manual identify the criteria under which a resource may be historically designated. The guidelines state that any improvement, building, structure, sign, interior element and fixture, site, place, district, area, or object may be designated a historical resource by the City Historical Resources Board if it meets one or more of the following designation criteria:

- a. Exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping or architectural development;
- b. Identified with persons or events significant in local, state or national history;
- c. Embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of indigenous materials or craftsmanship;
- d. Is representative of the notable work of a master builder, designer, architect, engineer, landscape architect, interior designer, artist or craftsman;
- e. Is listed or has been determined eligible by National Park Service for listing on the National Register of Historic Places or is listed or has been determined eligible by the State Historical Preservation Office for listing on the State Register of Historical Resources; or
- f. Is a finite group of resources related to one another in a clearly distinguishable way or is a geographically definable area or neighborhood containing improvements which have a special character, historical interest or aesthetic value or which represent one or more architectural periods or styles in the history and development of the City.

Although SDSU, as a state agency (California State University), is not required to follow the City's historical resources evaluation guidelines, this guidance may be helpful in reaching a significance determination given its applicability to the San Diego built environment.

# 5 Impact Analysis

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## 5.1 Project Impacts

*Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?*

### Construction/Temporary Impacts

#### *Direct Impacts*

No archaeological resources were identified through the SCIC records search or through intensive pedestrian survey of the area. The area has been substantially disturbed, and is unlikely to contain intact archaeological deposits. However, due to the proximity of the proposed project to the San Diego River, the Kumeyaay trail system, and the prehistoric village of *Nipawai*, there is an increased potential that buried cultural deposits, though disturbed, are located within the proposed project area. Likewise, through NAHC outreach letters and AB 52 consultation, Kumeyaay tribal representatives expressed concern for possible buried TCRs within the proposed project area. Not only did they cite the proximity of *Nipawai*, they identified the Kumeyaay trail system within Mission Valley and expressed concern that the proposed project area likely overlays portions of the TCR. Construction related to the proposed project may have a direct impact to previously unidentified cultural resources. As such, Dudek recommends archaeological and Native American monitoring during initial ground-disturbing activities. Should construction or other personnel encounter any historical, archaeological or Native American cultural material within the proposed project area, the proposed project would result in **potentially significant** impacts; therefore, mitigation is provided (see **MM-CUL-1** in Section 6, Mitigation Measures).

#### *Indirect Impacts*

No archaeological resources were identified through the SCIC records search, NAHC and tribal correspondence, or through the intensive pedestrian survey of the area. NAHC and AB 52 consultation did identify the possibility that the proposed project APE overlays a TCR, the Kumeyaay trail system. However, there are no known surface manifestations of this resource adjacent to the APE. The surrounding area has been substantially developed and increased pedestrian traffic and use by construction personnel would pose little risk to previously recorded archaeological resources in the vicinity. However, should personnel encounter any previously undocumented cultural resources during construction activities, the proposed project would result in a **potentially significant** impact; therefore, mitigation is provided (see **MM-CUL-1** in Section 6, Mitigation Measures).

### Operational/Permanent Impacts

#### *Direct Impacts*

No archaeological resources were identified through the SCIC records search or through intensive pedestrian survey of the area. However, due to the immediate proximity of the proposed project to the San Diego River, the Kumeyaay trail system, and the prehistoric village of *Nipawai*, there is an increase probability that buried cultural deposits are located within the proposed project area. Operational/permanent activities related to the proposed project will not have a direct impact to previously identified archaeological resources since they would have been handled during initial discovery (during construction). After construction is finished, operational/permanent activities will **not result in significant impacts** to cultural resources.

### ***Indirect Impacts***

No archaeological resources were identified through the SCIC records search, NAHC and tribal correspondence, or through the intensive pedestrian survey of the area. NAHC and AB 52 consultation did identify the possibility that the proposed project APE overlays the Kumeyaay trail system. However, there are no known surface manifestations of this resource adjacent to the APE. The surrounding area has been substantially developed, and increased pedestrian traffic would pose little risk to previously recorded archaeological resources in the vicinity. After construction is finished, operational/permanent activities will **not result in significant impacts** to cultural resources.

***Would the project disturb any human remains, including those interred outside of dedicated cemeteries?***

### **Construction/Temporary Impacts**

#### ***Direct Impacts***

No human remains localities were identified through the SCIC records search, NAHC and tribal correspondence, or through intensive pedestrian survey of the area. However, through AB 52 consultation, Clint Linton of Santa Ysabel and KCRC stated that Kumeyaay villages were often found where prehistoric trails met waterways. Due to the proposed project's geographic placement, buried village context, including human remains, may be encountered during project-related ground disturbance. Dudek recommends archaeological and Native American monitoring during initial ground-disturbing activities. Should construction or other personnel encounter any previously undocumented human remains, the proposed project would result in a **potentially significant** impact; therefore, contingent mitigation is provided (see **MM-CUL-2** in Section 6, Mitigation Measures).

#### ***Indirect Impacts***

No known human remains localities were identified through the SCIC records search, NAHC and tribal correspondence, or through the intensive pedestrian survey of the area. NAHC and AB 52 consultation did warn that there is an increased possibility that the proposed project overlays buried human remains. However, there are no known surface manifestations of this resource adjacent to the proposed project. The surrounding area has been substantially developed and has defined routes for travel. However, should personnel encounter any previously undocumented human remains during construction activities, the proposed project would result in a **significant impact**; therefore, contingent mitigation is provided (see **MM-CUL-2** in Section 6, Mitigation Measures).

### **Operational/Permanent Impacts**

#### ***Direct Impacts***

No human remains were identified through the SCIC records search, NAHC, and tribal correspondence, or through intensive pedestrian survey of the area. Operational/permanent activities related to the proposed project will **not have a direct impact** to previously identified human remains since they would have been handled during initial discovery (during construction).

#### ***Indirect Impacts***

No human remains were identified through the SCIC records search, NAHC and tribal correspondence, or through intensive pedestrian survey of the area. The surrounding area has been substantially developed and has defined

routes of travel, none of which would be altered by the proposed project. Operational/permanent activities related to the proposed project will **not have an indirect impact** on previously recorded human remains.

***Would the project result in a cumulatively impact when considered with other present and probable future projects in the region?***

Future probable proposed projects within the City of San Diego (City) may potentially contribute to cumulative impacts on cultural resources. In many cases, site redesign or use of fill could minimize these adverse impacts. Total avoidance of the cultural resources is not a reasonable expectation. Additionally, the increased human activity near cultural resources would lead to greater exposure and potential for illicit artifact collection and inadvertent impacts during construction. The City and County of San Diego both maintain guidelines and protocols for addressing project impacts to cultural resources. These include both systematic surveys in areas of high site location potential to identify resources and monitoring programs to ensure that construction work is halted if significant resources are discovered. Since no archaeological resources have been identified through the records searches, NAHC and tribal correspondence, or through intensive pedestrian survey of the area and because the proposed project area has been substantially developed, the proposed project's contribution to cumulative impacts on archaeological resources would be **less than cumulatively significant**.

***Would the project affect a resource listed or eligible for listing in the California Register of Historical Resources (CRHR), or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?***

No CRHR listed or eligible cultural resources have been identified through the SCIC records search or through intensive pedestrian survey of the area. The area has been substantially disturbed, and is unlikely to contain intact archaeological deposits. However, due to the immediate proximity of the proposed project to the San Diego River, the Kumeyaay trail system, and the prehistoric village of *Nipawai*, there is an increase potential that buried cultural deposits are located within the proposed project area. Likewise, through NAHC outreach letters and AB 52 consultation, Kumeyaay tribal representatives expressed concern for the sensitivity of the proposed project area. Construction related to the proposed project may have a direct impact to previously unidentified CRHR eligible cultural resources. Dudek recommends archaeological and Native American monitoring during initial ground-disturbing activities. Should construction or other personnel encounter any CRHR eligible cultural resources within the proposed project area, the proposed project would result in **potentially significant** impacts; therefore, mitigation is provided (see **MM-CUL-1** in Section 6, Mitigation Measures).

***Would the project affect a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

### **Construction/Temporary Impacts**

Through NAHC outreach letters and AB 52 consultation, Kumeyaay tribal representatives expressed concern for the sensitivity of the proposed project area. Due to the immediate proximity of the proposed project to the San Diego River, the Kumeyaay trail system, and the prehistoric village of *Nipawai*, there is an increase potential that buried TCRs are located within the proposed project area. Clint Linton with the Iipay Nation of Santa Ysabel and KCRC identified Mission Valley as the location of the Kumeyaay trail system and expressed concern that the proposed project area likely overlays the trail system. Construction related to the proposed project may have a direct impact to previously unidentified TCRs. As such, Dudek recommends archaeological and Native American monitoring during initial ground-

disturbing activities. Should construction or other personnel encounter any historical, archaeological, or TCR material within the proposed project area, the proposed project would result in **potentially significant** impacts; therefore, mitigation is provided (see **MM-CUL-1** in Section 6, Mitigation Measures).

# 6 Mitigation Measures

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The following mitigation measures (MM) would reduce the potential for impacts on cultural resources.

**MM-CUL-1** In order to mitigate impacts to cultural resources to a level that is less than significant, procedures for proper treatment of unanticipated archaeological finds must comply with the California Environmental Quality Act (CEQA) Guidelines. Adherence to the following requirements during initial earth-disturbing activities will assure the proper treatment of unanticipated archaeological or Native American cultural material:

1. An archaeological monitor and a Kumeyaay Native American monitor shall be present full-time during all initial ground-disturbing activities. If proposed project excavation later present evidence suggesting a decrease in cultural sensitivity, the monitoring schedule can be reduced pending archaeological, Native American, and San Diego State University (SDSU) consultation.
2. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor, Native American monitor, construction or other personnel shall have the authority to divert or temporarily halt ground disturbance operations in the area of the find. The archaeological monitor shall evaluate and minimally document isolates and clearly non-significant deposits in the field. More significant deposits shall be evaluated by the cultural Primary Investigator in consultation the Native American monitor and SDSU staff. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the qualified archaeologist and approved by SDSU, then carried out using professional archaeological methods. The Research Design and Data Recovery Program shall include (1) reasonable efforts to preserve (avoidance) “unique” cultural resources or Sacred Sites pursuant to CEQA Section 21083.2(g) as the preferred option; (2) the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap, if avoidance is infeasible; and (3) data recovery for non-unique cultural resources. Construction activities will be allowed to resume in the affected area only after proper evaluation.

**MM-CUL-2** In order to mitigate impacts to human remains to a level that is less than significant, procedures for proper treatment of unanticipated finds must comply with the California Environmental Quality Act (CEQA) Guidelines. In the event of discovery of unanticipated human remains, personnel shall comply with Public Resources Code Section 5097.98, CEQA Section 15064.5, and Health and Safety Code Section 7050.5 during earth-disturbing activities:

- a. If any human remains are discovered, the construction personnel or the appropriate representative shall contact the County Coroner and SDSU. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted by the property owner or their representative in order to determine proper treatment and disposition of the remains. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the Most Likely Descendant regarding their recommendations as required by California Public Resources Code Section 5097.98 has been

conducted. California Public Resources Code Section 5097.98, CEQA Section 15064.5 and Health & Safety Code Section 7050.5 shall be followed.

# 7 Level of Significance After Mitigation

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Implementation of the mitigation measures identified above would mitigate any potential direct or indirect impacts caused by construction or operation of the proposed project to unique cultural resources or TCRs to **less than significant**. Therefore, implementation of the proposed project would result in no significant impacts to these types of resources.

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# Appendix A

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## SCIC Records Search Results (Confidential)



# Appendix B

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NAHC Sacred Lands File Search and AB 52 Consultation



## 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](mailto:nahc@nahc.ca.gov)

*Information Below is Required for a Sacred Lands File Search*

Project: SDSU Mission Valley Campus - Dudek No. 11555

County: San Diego

USGS Quadrangle

Name: La Jolla, La Mesa

Township: 16 South Range: 2 West Section(s): Unsectioned

Company/Firm/Agency:

Dudek

Contact Person: Matthew DeCarlo

Street Address: 605 Third Street

City: Encinitas, CA Zip: 92024

Phone: (760) 815-7067 Extension: \_\_\_\_\_

Fax: (760) 632-0164

Email: mdecarlo@dudek.com

Project Description:

The proposed project consists of redeveloping the Qualcomm Stadium complex including the construction of a new stadium, residential and commercial buildings, and parks.

Project Location Map is attached



**Native American Heritage Commission  
Native American Contact List  
San Diego County  
1/3/2019**

**Barona Group of the Capitan Grande**

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

**Campo Band of Mission Indians**

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

**Ewiiaapaayp Tribe**

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

**Ewiiaapaayp Tribe**

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

**Iipay Nation of Santa Ysabel**

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

**Iipay Nation of Santa Ysabel**

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

**Inaja-Cosmit Band of Indians**

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

**Jamul Indian Village**

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

**Kwaaymii Laguna Band of Mission Indians**

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

**La Posta Band of Diegueno Mission Indians**

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

**La Posta Band of Diegueno Mission Indians**

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

**Manzanita Band of Kumeyaay Nation**

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

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 SDSU Mission Valley Campus Project, San Diego County.

**Native American Heritage Commission  
Native American Contact List  
San Diego County  
1/3/2019**

**Mesa Grande Band of Diegueno  
Mission Indians**

Mario Morales, Cultural  
Resources Representative  
PMB 366 35008 Pala Temecula Kumeyaay  
Rd.  
Pala, CA, 92059  
Phone: (760) 622 - 1336

**Mesa Grande Band of Diegueno  
Mission Indians**

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

**San Pasqual Band of Diegueno  
Mission Indians**

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

**San Pasqual Band of Diegueno  
Mission Indians**

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

**Sycuan Band of the Kumeyaay  
Nation**

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

**Sycuan Band of the Kumeyaay  
Nation**

Lisa Haws, Cultural Resources  
Manager  
1 Kwaaypaay Court Kumeyaay  
El Cajon, CA, 92019  
Phone: (619) 312 - 1935  
lhaws@sycuan-nsn.gov

**Viejas Band of Kumeyaay  
Indians**

Robert Welch, Chairperson  
1 Viejas Grade Road Kumeyaay  
Alpine, CA, 91901  
Phone: (619) 445 - 3810  
Fax: (619) 445-5337  
jhagen@viejas-nsn.gov

**Viejas Band of Kumeyaay  
Indians**

Julie Hagen,  
1 Viejas Grade Road Kumeyaay  
Alpine, CA, 91901  
Phone: (619) 445 - 3810  
Fax: (619) 445-5337  
jhagen@viejas-nsn.gov

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This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed SDSU Mission Valley Campus Project, San Diego County.

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

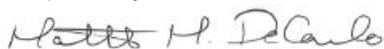
Dear Mr. Romero,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

The Native American Heritage Commission conducted a Sacred Lands file search. The results were positive but did not indicate whether Native American cultural resources were identified within or immediately 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,



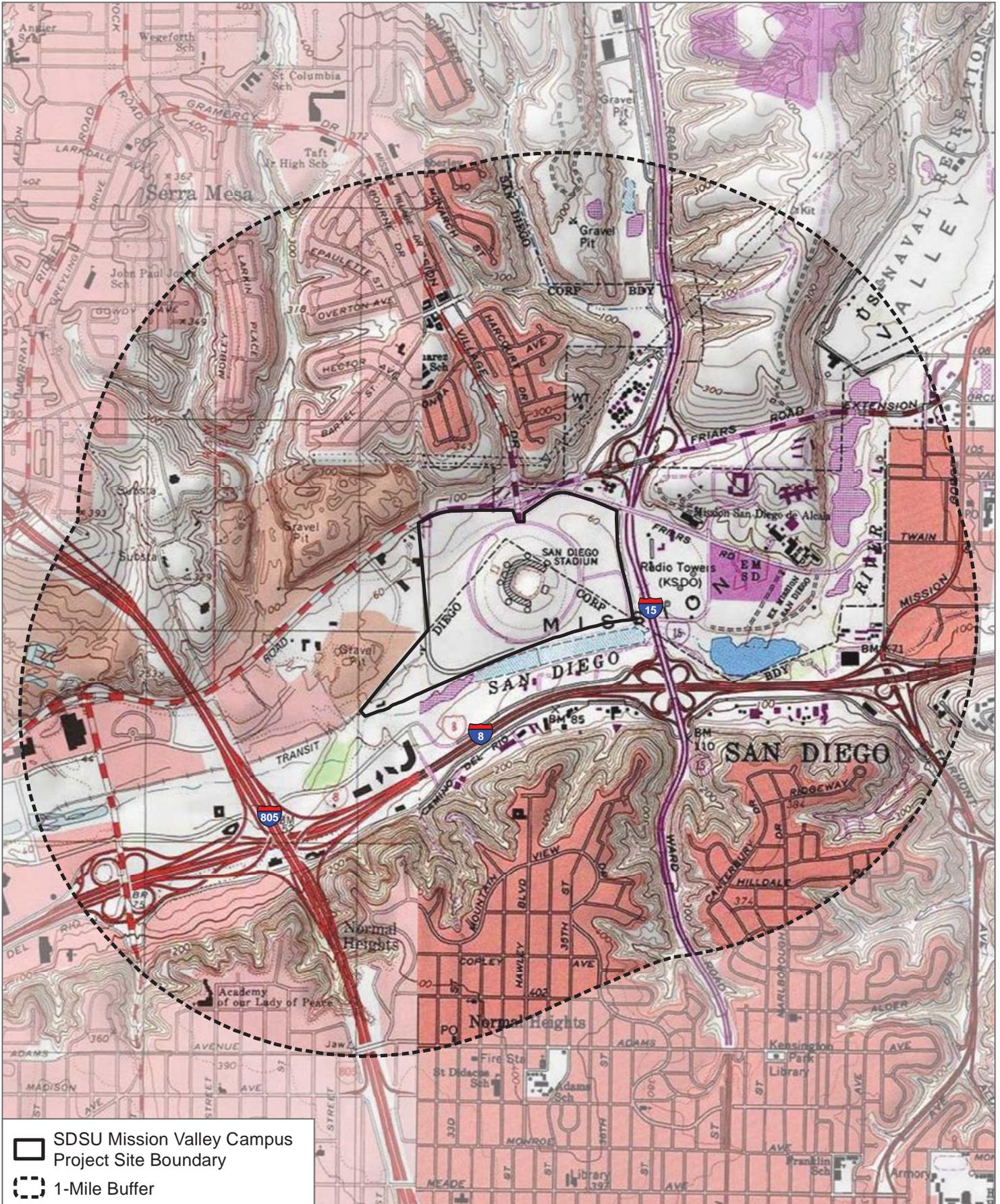
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Matthew DeCarlo, M.A.  
Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)



SOURCE: USGS 7.5-Minute Series La Jolla, La Mesa Quadrangles  
 Township 16S; Range 2W, 3W; Sections 17, 18



**DUDEK**

Records Search

SDSU Mission Valley Campus Master Plan EIR

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

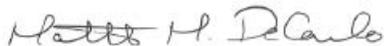
Dear Mr. Goff,

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Respectfully,



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Matthew DeCarlo, M.A.  
Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

Mr. Robert Pinto, Sr., Chairperson  
Ewiaapaayp Tribal Office  
4054 Willow Rd.  
Alpine, CA 91901

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

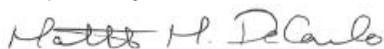
Dear Mr. Pinto, Sr.,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

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Respectfully,



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Matthew DeCarlo, M.A.  
Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

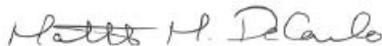
Dear Mr. Garcia,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

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Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

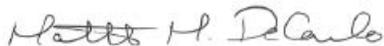
Dear Mr. Perez,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

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Matthew DeCarlo, M.A.  
Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

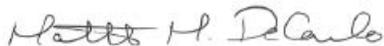
Dear Ms. Osuna,

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Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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 SDSU Mission Valley Campus Project in the City of San Diego, California***

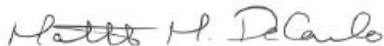
Dear Mr. Linton,

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---

Matthew DeCarlo, M.A.  
Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

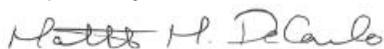
Dear Ms. Pinto,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

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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](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

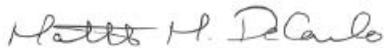
Dear Ms. Lucas,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

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Archaeologist

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Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

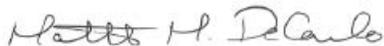
Dear Ms. Miller,

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Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

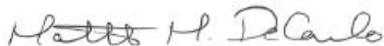
Dear Ms. Parada,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

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Archaeologist

**DUDEK**

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Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

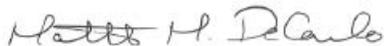
Dear Ms. Santos,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

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Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

Mr. Mario Morales, Cultural Resources Rep  
Mesa Grande Band of Mission Indians  
35008 Pala Temecula Rd. #366  
Pala, CA 92059

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

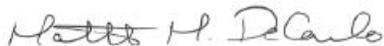
Dear Mr. Morales,

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Archaeologist

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Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

Mr. Virgil Oyos, Chairperson  
Mesa Grande Band of Mission Indians  
P.O. Box 270  
Santa Ysabel, CA 92070

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

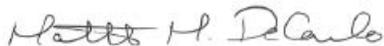
Dear Mr. Oyos,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

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Archaeologist

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Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

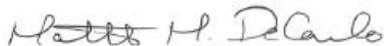
Dear Mr. Lawson,

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Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

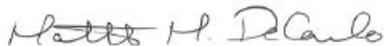
Dear Mr. Flores,

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Archaeologist

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Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

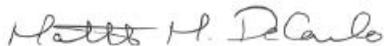
Dear Mr. Martinez,

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Matthew DeCarlo, M.A.  
Archaeologist

**DUDEK**

Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

Ms. Lisa Haws, Cultural Resource Manager  
Sycuan Band of the Kumeyaay Nation  
1 Kwaaypaay Court  
El Cajon, CA 92019

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

Dear Ms. Haws,

SDSU is proposing a new project that would include the construction of a new, multi-purpose stadium; the demolition of the existing SDCCU Stadium; development of a western campus for SDSU, including facilities for educational, research, entrepreneurial, and technology programs within a mixed-use campus village and research campus; and student, faculty, and staff housing, along with market-rate and affordable housing. The proposed project also would include creation of the San Diego River Park. The area falls within an unsectioned area of Township 16 South, Range 2 West within the USGS La Mesa and La Jolla 7.5-minute quadrangles (Figure 1).

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Archaeologist

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Phone: (760) 479-4831

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# DUDEK

Mr. Robert J. Welch, Jr., Chairperson  
Viejas Band of Kumeyaay Indians  
1 Viejas Grade Rd.  
Alpine, CA 91901

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

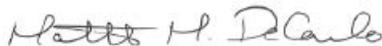
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Phone: (760) 479-4831

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# DUDEK

Ms. Julie Hagen, Cultural Resources  
Viejas Band of Kumeyaay Indians  
1 Viejas Grade Rd.  
Alpine, CA 91901

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

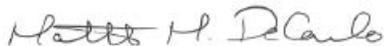
Dear Ms. Hagen,

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Mr. Robert Welch, Sr., Chairperson  
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1 Viejas Grade Rd.  
Alpine, CA 91901

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

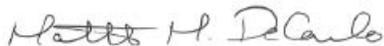
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Archaeologist

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Phone: (760) 479-4831

Email: [mdecarlo@dudek.com](mailto:mdecarlo@dudek.com)

# DUDEK

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

***Subject: Information Request for the SDSU Mission Valley Campus Project in the City of San Diego, California***

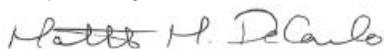
Dear Mr. Linton,

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# VIEJAS

TRIBAL GOVERNMENT

P.O. Box 908  
Alpine, CA 91903  
#1 Viejas Grade Road  
Alpine, CA 91901

Phone: 6194453810  
Fax: 6194455337  
viejas.com

March 7, 2019

Mathew DeCarlo  
Archaeologist  
Dudek  
605 Third Street  
Encinitas, CA 92024

**RE: SDSU Mission Valley Campus Project**

Dear Mr. DeCarlo,

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.

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

Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314 or email, [rteran@viejas-nsn.gov](mailto:rteran@viejas-nsn.gov) or [epingleton@viejas-nsn.gov](mailto:epingleton@viejas-nsn.gov), for scheduling. Thank you.

Sincerely,



Ray Teran, Resource Management  
VIEJAS BAND OF KUMEYAAY INDIANS



Laura Shinn <lshinn@sdsu.edu>

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## AB-52 SDSU Mission Valley

1 message

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**Marcus Cuero** <marcuscuero@campo-nsn.gov>  
To: "lshinn@sdsu.edu" <lshinn@sdsu.edu>

Thu, Jan 10, 2019 at 3:44 PM

Good afternoon,

Here is Campo Band of Mission Indians letter regarding the SDSU Mission Valley project.

Marcus Cuero

Treasurer

Campo Band of Mission Indians

36190 Church Road

Campo, CA 91906

Phone: (619) 478-9046

Fax: (619) 478-5818

[marcuscuero@campo-nsn.gov](mailto:marcuscuero@campo-nsn.gov)

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 **SDSU Mission Valley Project AB-5220190108\_11021987.pdf**  
198K



## Campo Band of Mission Indians

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Chairman Ralph Goff  
Vice-Chairman Harry P. Cuero Jr.  
Secretary Kerm Shipp  
Treasurer Marcus Cuero  
Committee Brian Connolly Sr.  
Committee Steven M. Cuero  
Committee Benjamin Dyche

January 3, 2018

Laura Shin

San Diego State University

Director

Planning, Design & Construction

5500 Campanile Drive

San Diego, CA 92182

Dear Ms. Shin

Subject: SDSU Mission Valley Project AB-52

After review of SDSU Mission Valley Project, Campo Band of Mission Indians concludes these areas have a rich history for the Kumeyaay people. There were many villages throughout the Kumeyaay territory. Much of that history was lost when the Kumeyaay people were relocated to other areas. Campo Band of Mission Indians requests to have a meeting to discuss Kumeyaay Cultural Resources and AB-52, to ensure Kumeyaay Cultural Resources are not overlooked. If you have questions or concerns, please feel free to contact Marcus Cuero at [marcuscuero@campo-nsn.gov](mailto:marcuscuero@campo-nsn.gov) or by phone (619) 478-9046.

Sincerely,

Ralph Goff

Chairman

Campo Band of Mission Indians

From: Laura Shinn <lshinn@sdsu.edu>  
Sent: Tuesday, June 4, 2019 10:15 AM  
To: Marcus Cuero  
Subject: AB-52 Consultation for SDSU Mission Valley

Hello Mr. Goff and Mr. Cuero,

SDSU mailed an Assembly Bill 52 (AB 52) notification letter to Campo Band of Mission Indians in December of 2018 concerning the SDSU Mission Valley Campus Project. In response, Mr. Cuero emailed a response letter on January 3, 2019 requesting to have a meeting to discuss "Kumeyaay Cultural Resources and AB-52." SDSU replied to the email on January 28, 2019 with dates for consultation. Upon not receiving a response, SDSU left a voicemail for Campo Band on January 31, 2019. Having not received a response from the phone call, SDSU then sent a follow up email to Mr. Goff and Mr. Cuero on April 11, 2019 asking for an in-person meeting. The email also stated that if there was no response by April 26, 2019, SDSU would assume Campo Band no longer wished to consult on the proposed project.

As Campo Band has not responded to any of SDSU attempts to schedule a meeting, SDSU understands that Campo Band is no longer seeking a meeting to discuss the SDSU Mission Valley Campus Project. As such, SDSU considers AB 52 consultation closed with Campo Band of Mission Indians for this project. Please let me know if you would like to be added to the distribution list for the cultural resources report or the Environmental Impact Report for the project.

Laura  
Laura V. Shinn, AIA, AICP  
Director of Planning  
Planning, Design & Construction  
San Diego State University  
5500 Campanile Drive  
San Diego, CA 92182-1624  
619-594-6619  
lshinn@sdsu.edu

April 12, 2019

Laura V. Shinn, RA, ACP  
Director of Planning - Planning, Design & Construction  
San Diego State University  
5500 Campanile Drive  
San Diego, CA 92182  
[lshinn@sdhu.edu](mailto:lshinn@sdhu.edu)  
via email

**Re: Formal Request for Tribal Consultation for SDSU Mission Valley Campus Project, San Diego.**

Dear Laura Shinn:

The Jamul Indian Village of California, a Kumeyaay Nation and a federally recognized Tribal Government ("Tribe") is in receipt of the San Diego State University ("Agency") notice regarding the above stated project in San Diego ("Project"). The Tribe has reviewed the information provided and has determined that the Project falls within the boundaries of the Tribe's area of traditional and cultural affiliation. In addition, there is the potential for the Project to impact Tribal Cultural Resources, as defined by Public Resources Code §21074. Tribal records search confirm that Kumeyaay families lived in and around the Mission Valley area. Therefore, the Tribe hereby requests consultation on the proposed Project, as described below.

The Tribe is part of the Kumeyaay Nation, which lived in present day San Diego County, parts of Imperial County and northern Mexico for thousands of years. Although much of the Tribe's traditional use area is no longer under the jurisdiction of the Tribe, the Tribe's connection to the Tribal Cultural Resources outside of the reservation boundaries remains. Tribal Cultural Resources not only provide a connection to our past, but also serve an important role in our culture today. Therefore, the protection of Tribal Cultural Resources, on and off the reservation is of utmost importance to the Tribe and its citizens. To that end, the Tribe appreciates your compliance with the California Environmental Quality Act and its guidelines and is hopeful that meaningful consultation, as defined by Government Code §65352.4, will result.

The Tribe requests for consultation under the provisions of the California Environmental Quality Act (Public Resources Code §21060.3.1) for the mitigation of potential Project impacts to Tribal Cultural Resources for the

Project. The Tribe requests consultation on the following topics, which shall be included in consultation: (1) alternatives to the project; (2) recommended mitigation measures; and (3) significant effects of the Project.

The Tribe also requests consultation on the following discretionary topics checked below:

- Type of environmental review necessary
- Significance of Tribal Cultural Resources, including any guidelines, regulations, policies or standards used by your Agency to determine the presence of Tribal Cultural Resources and their significance
- The Project's potential impacts on Tribal Cultural Resources
- Project alternatives and/or appropriate measures for preservation and/or mitigation that the Tribe may recommend, including, but not limited to:
  - (1) Avoidance and preservation of the resources in place, pursuant to Public Resources Code §21064.3, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenpatch, parks or other open space, to incorporate the resources with culturally appropriate protection and management criteria;
  - (2) Treating the resources with culturally appropriate dignity taking into account the Tribal cultural values and meaning of the resources, including but not limited to the following:
    - (a) Protecting the cultural character and integrity of the resource;
    - (b) Protection the traditional use of the resource; and
    - (c) Protecting the confidentiality of the resource;
  - (3) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places;
  - (4) Protecting the Tribal Cultural Resources in place.

Additionally, the Tribe would like to receive any cultural resources assessments or other assessments that have been completed on all or part of the Project's potential "area of Project effect" ("APE"), including, but not limited to:

- (1) The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System ("CHRIS"), including, but not limited to:
  - (a) A listing of any and all known cultural resources have already been recorded on or adjacent to the APE;
  - (b) Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
  - (c) If the probability is low, moderate, or high that cultural resources are located in the APE;
  - (d) Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE; and
  - (e) If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

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- (2) The results of any archeological inventory survey that was conducted, including:
  - (a) Any report that may contain site forms, site significance, and suggested mitigation measures;
  - (b) All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
- (3) The results of any Sacred Lands File ("SLF") check conducted through Native American Heritage Commission. The request form can be found at [http://www.nahc.ca.gov/slf\\_request.html](http://www.nahc.ca.gov/slf_request.html). United States Geological Survey 7.5-minute quadrangle name, township, range, and section required for the search.
- (4) Any ethnographic studies conducted for any area including all or part of the potential APE; and
- (5) Any geotechnical reports regarding all or part of the potential APE.

The Tribe would like to remind your agency that CEQA Guidelines section 15126.4(h)(3) states that preservation in place is the preferred manner of mitigating impacts to archaeological sites. Section 15126.4(h)(3) of the CEQA Guidelines has been interpreted by the California Court of Appeal to mean that "feasible preservation in place must be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of impacts." *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal.App.4th 48, disapproved on other grounds; *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439.

The Tribe is requesting a face-to-face meeting between the Agency and the Tribe's representatives to initiate the consultation. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,



Lisa K. Campbell  
THPO - Tribal Historic Preservation Officer  
The Jamul Indian Village of California

cc: Native American Heritage Commission

-3-



February 26, 2019

**Cody J. Martinez**  
*Chairman*

**Joshua Muse**  
*Vice Chairman*

**Pilar T.A. Pettiford**  
*Secretary*

**LaShunna Davidson**  
*Treasurer*

**Shu Brown**  
*Council Member*

**Alanna Sandoval**  
*Councilwoman*

**Brianna Sandoval**  
*Councilwoman*

Planning, Design and Construction  
San Diego State University  
5500 Campanile Drive  
San Diego, CA 92182-1624

Re: Consultation for San Diego State University Mission Valley Project

Dear Ms. Marian:

Thank you for your letter inviting the Sycuan Band of Kumeyaay Nation to participate in consultation regarding the Mission Valley Project. This letter constitutes our response requesting consultation on this project, as Kumeyaay Nation is most likely descendant according to Federal and State Law, for all projects of this area, so all said Cultural Affiliations are on record to proceed with Kumeyaay Consultation.

We look forward to consulting with you on this important effort, and anticipate that our participation will result in the necessary and appropriate protection of Tribal cultural resources throughout the entirety of your project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cody J. Martinez", is written over a large, light blue oval scribble.

Cody J. Martinez  
Chairman

RECEIVED

MAR - 4 2019

Facilities Planning, Design  
and Construction



SAN DIEGO STATE  
UNIVERSITY

**Planning, Design & Construction**  
*Business and Financial Affairs*  
5500 Campanile Drive  
San Diego CA 92182 · 1624  
Tel: 619 · 594 · 5224  
Fax: 619 · 594 · 4500

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

April 10, 2019

Re: Consultation for San Diego State University Mission Valley Project

Dear Mr. Martinez,

Thank you for responding to San Diego State University's (SDSU) request for Tribal consultation regarding the Mission Valley Campus project. This letter is to formally establish Tribal consultation between SDSU and the Sycuan Band of the Kumeyaay Nation pursuant to Assembly Bill 52.

We would also like to inquire how the Sycuan Band would like to proceed with consultation for the project. Consultation can vary from the sharing of environmental documents, maps, telephone conversations, and, of course, an in-person meeting between SDSU representatives and the Sycuan Band. Please feel free to email or call me and let me know Sycuan's preferred method of consultation. SDSU is happy to host an in-person meeting at our campus or we can meet at another location. SDSU and our consultants are available for meetings on the following dates and times:

April 12: 8 AM to 12 PM  
April 16: 8 AM to 1 PM  
April 19: 8 AM to 1 PM  
April 22: 8 to 10 AM 12:30 to 2:00 PM  
April 24: 8 AM to 11:30 AM  
April 25: 11 AM to 2 PM  
April 29: 8 to 10 AM; 12:30 to 2:00 PM  
April 30: 8 AM to 2 PM

We look forward to consulting with the Sycuan Band and using your cultural knowledge to inform our environmental analysis of the propose project.

Sincerely,

Laura V. Shinn, AIA, AICP

Director of Planning

From: Matthew DeCarlo  
Sent: Thursday, June 20, 2019 3:25 PM  
To: ssilva@sycuan-nsn.gov  
Subject: SDSU Mission Valley Project Consultation  
Attachments: SDSU MV - AB 52 Comments - Sycuan Band Kumeyaay (2-26-19).pdf;  
Sycuanconsultresp.pdf

Hello Chairman Martinez,

I am an archaeologist working with San Diego State University on their Mission Valley Campus Project. SDSU sent a notification letter to Sycuan Band in December 2018 asking if you would like to consult on the Project under Assembly Bill 52. SDSU received your response letter dated February 26, 2019 stating that Sycuan Band would like to consult (attached). SDSU responded with a letter suggesting dates and times for possible meetings but never received a response (attached).

I'm contacting you to determine how Sycuan Band would like to proceed with consultation. Please feel free to call or email me and we can discuss the Project or set up a meeting with SDSU.

Thank you for your time.

Matthew M. DeCarlo  
Dudek  
Archaeologist  
760-479-4831 (office)  
760-815-7067 (cell)  
mdecarlo@dudek.com



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

July 17, 2019

Re: Consultation for San Diego State University Mission Valley Project

Dear Mr. Martinez,

SDSU Mailed an Assembly Bill 52 (AB 52) notification letter to the Sycuan Band of the Kumeyaay Nation in December 2018 concerning the SDSU Mission Valley Campus Project. In response, we received a letter dated February 26, 2019 from you stating that the Sycuan Band would like to consult. SDSU responded with a letter suggesting dates and times for possible meetings (attached) but never received a response. We also emailed this letter to [ssilva@sycuan-nsn.gov](mailto:ssilva@sycuan-nsn.gov) on but did not receive a response.

Since we did not receive a response from either of those contacts, Matt DeCarlo followed up on our behalf with an email and phone call to the email and phone number provided on the NAHC contact list on June 20, 2019.

As the Sycuan Band has not responded to any of SDSU's attempts to schedule a meeting, SDSU understands that Sycuan Band is no longer seeking a meeting to discuss the SDSU Mission Valley Campus Project. As such, SDSU considers AB 52 consultation closed with the Sycuan Band of Kumeyaay Nation for this project.

Please let me know if you would like to be added to the distribution list for the cultural resources report or the Environmental Impact Report for the project.

Sincerely,

Laura V. Shinn, AIA, AICP

Director of Planning

KUMEYAAY CULTURAL REPATRIATION COMMITTEE  
910 WILLOW GLEN DRIVE  
EL CAJON, CA 92019

Planning, Design and Construction  
San Diego State University  
5500 Campanile Drive  
San Diego, CA 92182-1624

February 1, 2019

Re: Consultation for San Diego State University Mission Valley Project

Dear Ms. Marian:

Thank you for your letter inviting the Kumeyaay Nation to participate in consultation regarding the Mission Valley Project. This letter constitutes our response requesting consultation on this project, as Kumeyaay Nation is Most Likely Descendant according to Federal and State Law, for all projects of this area, so all said Cultural Affiliations are on record to proceed with Kumeyaay Consultation.

This was commemorated at a meeting with your staff on the Jamul Indian Reservation in 2019.

We look forward to continuing our consulting with you, and anticipate that our participation will result in the appropriate protection of Kumeyaay Resources throughout the project.

Sincerely,



Steve Banegas, Spokesman  
Kumeyaay Cultural Repatriation Committee  
NAGPRA MLD for San Diego

On Tue, Apr 30, 2019 at 8:16 AM <cjlinton73@aol.com> wrote:

Good morning Laura,

Apologies but an emergency has come up and I cannot attend the call today. But I do have good news in that I have had a long conversation about this project with Dudek. As you may know I trust Dudek and when it comes to Archaeology they are my single 1st and best firm to work with. They have explained to me the details of how extensive the consultation has been so far with KHPC and the individual tribal bands. I am used to SDSU conducting the poorest job with regard to tribes and consultation. But it seem in this case and possibly going forward that SDSU wishes to conduct meaningful consultation and actually hear the tribes out. So thank you for that and I remove opposition from me, Santa Ysabel, and KCRC.

I do have recommendations going forward as your project likely overlays a Kumeyaay TCP, the Kumeyaay trail system (Kumeyaay Highway). I request Dudek document the Kumeyaay Highway trail system to what extent possible so we can have the best idea of the true route and confirm that this project doesn't impact it. We need to commemorate this trail please as the vital route from the sea to the desert for all Kumeyaay people.

Where ever a trail meets a waterway we find a Kumeyaay village. In this case we need to do our due diligence and monitor ground disturbance for trail remnants and village context. I know the KHPC and other Kumeyaay Bands want monitoring for this project but likely they haven't given good reason why. Potential for village context is why and always when we find a Kumeyaay village, we find human remains too. The challenge here will be whom would do the monitoring. The bands may tell you that you need a NAM from every interested Band, you don't. But so many people want to be involved with this project on the monitoring level that I recommend this as an option: You have at least Campo, Viejas, Sycuan, and Jamul that want to monitor it. I recommend having a rotation of these 4 monitoring groups. Coordinating them will be like herding cats so I further recommend you retain Red Tail to manage the rotation and also handle recommendations for discovery etc. Red Tail would not provide a daily NAM but rather make spot checks and keep things moving as well schedule the NAMs on a daily level. This method could appease the bands and all get to be involved.

It needs to be noted that Mt. Murphy, "Old Man Murphy" as we called him among the tribes, had a certain soft spot for Indians. He used to provide my Rez with thousands of tickets every year so we could see games. He even paid for the transportation and fed us all as kids. He should be remembered for this as SDSU destroys his legacy. He was good to us and it is a shame that this property and SDSU won't be commemorating him for this. Please consider doing so.

If you would like to reschedule our call that is fine and I am happy to. But this letter can serve as my consultation informative letter. Feel free to follow up with questions or concerns or let Dudek do it and I will be ready for their call. I did not copy your attorneys on this as, well, they are attorneys (barf).

Thank you,

Clint