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Report for the Archaeological Test Program for the Lake Wohlford Resort Water Line Project San Diego County, California

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NATIONAL ARCHAEOLOGICAL DATABASE INFORMATION

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Acronyms and Abbreviations

AB 52	Assembly Bill 52
ADI	Area of Direct Impacts
BGS	Below ground surface
BP	before present
CEQA	California Environmental Quality Act
cm	Centimeter
CRHR	California Register of Historical Resources
DPR	Department of Parks and Recreation
GIS	geographic Information System
GPS	global positioning system
project	Lake Wohlford Resort Water Line Project
RECON	RECON Environmental, Inc.
SCIC	South Coastal Information Center
SDG&E	San Diego Gas & Electric
SWRCB	State Water Resources Control Board
TCP	Traditional cultural property
THPO	Tribal Historic Preservation Officer
USDA	U.S. Department of Agriculture

Summary

This report details the background, methods, and results of the archaeological test program to determine the presence or absence of subsurface archaeological material in support of the Lake Wohlford Resort Water Line Project (project). The project is located within the County of San Diego right-of-way for Lake Wohlford Road which crosses through the San Pasqual Indian Reservation. The Lake Wohlford Resort is proposing the extension of a new water line from an existing Valley Center Municipal Water District connection to a new meter located in proximity to the resort entrance. The State Water Resources Control Board (SWRCB) is funding the project with State money and is the California Environmental Quality Act (CEQA) Lead Agency; therefore, the project is subject to the CEQA statutes and guidelines.

As part of the environmental review process, the SWRCB initiated Assembly Bill 52 consultation with Native American tribes on their Assembly Bill 52 list and as a result, the San Pasqual Band of Mission Indians and the Rincon Band of Luiseño Indians identified the project as being within a tribal cultural landscape. Both bands requested a formal archaeological investigation of the Area of Direct Impacts (ADI) in Lake Wohlford Road to determine the presence or absence of cultural material in the vicinity of three previously recorded archaeological site locations.

RECON Environmental, Inc. (RECON) was contracted by Dexter Wilson Engineering to complete the archaeological testing to determine the presence or absence of archaeological materials in the ADI pursuant to CEQA. The ADI is equal to 9,000 linear feet by 2 feet wide by 4 to 5 feet deep. Prior to the testing excavation, RECON reviewed the survey report prepared by Anza Resource Consultants and the scope of work prepared by the SWRCB in consultation with the tribes. After review, RECON requested site forms from the South Coastal Information Center for the four previously recorded cultural resources, P-37-000758, P-37-013415, P-37-013421 and P-37-013422 mapped within the ADI.

Site P-37-013415 is a site that consists of two bedrock milling features, one on either side of the road with no artifacts. It is considered to have a low potential for buried archaeological resources since there were no artifacts recorded on the surface and there is little soil in that area. The other three archaeological sites consist of bedrock milling features and sparse artifacts on the surface, except for P-37-000758 which is a village site with its core to the south of the ADI near the water. Subsurface testing of those sites during a San Diego Gas & Electric pole replacement project determined there was no subsurface depth to any of the sites in the pole replacement locations. Even though there is no evidence of buried archaeology in the sites or in the road, the tribes still wanted confirmation that no archaeology was present in the ADI.

RECON excavated six 50-by-100-centimeter units; two at each of the three sites (P-37-000758, P-37-013421, and P-37-013422) to test for the presence or absence of archaeological materials. The results of the excavation at P-37-000758, P-37-013421, and P-37-013422 showed a lack of archaeological material and exhibited ground disturbance consistent with the north side of the roadway having been cut during construction as noted in the background information provided by SWRCB. The portions of the archaeological sites in the ADI (P-37-000758, P-37-013421, and P-37-013422) are within the area cut during initial road construction and there is a demonstrated lack of archaeological material within the tested portions of the sites directly adjacent to the ADI; therefore, the portions of P-37-000758, P-37-013421, and P-37-013422 do not contribute to the eligibility of these sites for

inclusion on the California Register of Historical Resources under criterion 4. The project will not significantly affect the characteristics that make these sites important tribal cultural resources to the local tribes. RECON recommends no further cultural resources work for this project.

1.0 Introduction

This document summarizes the results of the archaeological presence/absence test program for the Lake Wohlford Resort Water Line Project (project) and is organized based on guidelines of the California Office of Historic Preservation Department of Parks and Recreation (DPR) publication, *Archaeological Resource Management Reports* (ARMR)*: Recommended Contents and Formats* (California Office of Historic Preservation 1990) and SWRCB's (2020) *Guidelines for Applicants and their Consultants on Preparing Historic Property Identification Reports for the Clean and Drinking Water State Revolving Fund Programs*. The project proposes a new approximately 9,000-foot-long water line along the north side of Lake Wohlford Road within the city of Escondido's sphere of influence and adjacent to the San Pasqual Indian Reservation (Figure 1). The project area is in Sections 32, 33, and 34 of Township 11 South, Range 1 West as depicted on the U.S. Geological Survey 7.5-minute topographic map, Rodriguez Mountain quadrangle (Figure 2).

2.0 Project Description

Lake Wohlford Resort has a small community water system serving a population of approximately 250 people with 140 connections. The existing well is currently in violation of the U.S. Environmental Protection Agency Surface Water Treatment Rule. The purpose of this rule is to reduce illnesses caused by pathogens in drinking water. The rule requires water systems to filter and disinfect surface water sources. In order to address the violation, the Lake Wohlford Resort is proposing the extension of a new water line from an existing Valley Center Municipal Water District connection to a new meter located in proximity to the resort entrance.

The proposed water line would be a 2.5-inch diameter polypropylene line installed in a trench along the north side of Lake Wohlford Road from the resort entrance to Guejito Road located approximately 9,000 linear feet to the northeast. The trench would be 4 to 5 feet deep and constructed within the County of San Diego right-of-way along Lake Wohlford Road. The ADI is equal to 9,000 linear feet by 2 feet wide by 4 to 5 feet deep. The State Water Resources Control Board (SWRCB) is funding the project with State money and is the California Environmental Quality Act (CEQA) Lead Agency; therefore, the project is subject to the CEQA statues and guidelines. The SWRCB as CEQA lead agency, initiated Assembly Bill 52 (AB 52) consultation with requesting Native American tribes. In response to the AB 52 project notification letter, the San Pasqual Band of Mission Indians and the Rincon Band of Luiseño Indians requested formal consultation. During consultation, both bands indicated that the project is within a traditional cultural property (TCP), also a tribal cultural landscape under CEQA. There are three recorded archaeological sites (P-37-000758, P-37-013421, and P-37-013422) within the larger tribal cultural landscape. The SWRCB acknowledges that each of the three resources contribute to the TCR landscape, which is eligible for listing in the California Register of Historical Resources (CRHR). Both bands requested a formal archaeological investigation of the ADI in Lake Wohlford Road in the north lane to determine the presence or absence of archaeological material at the three known sites.

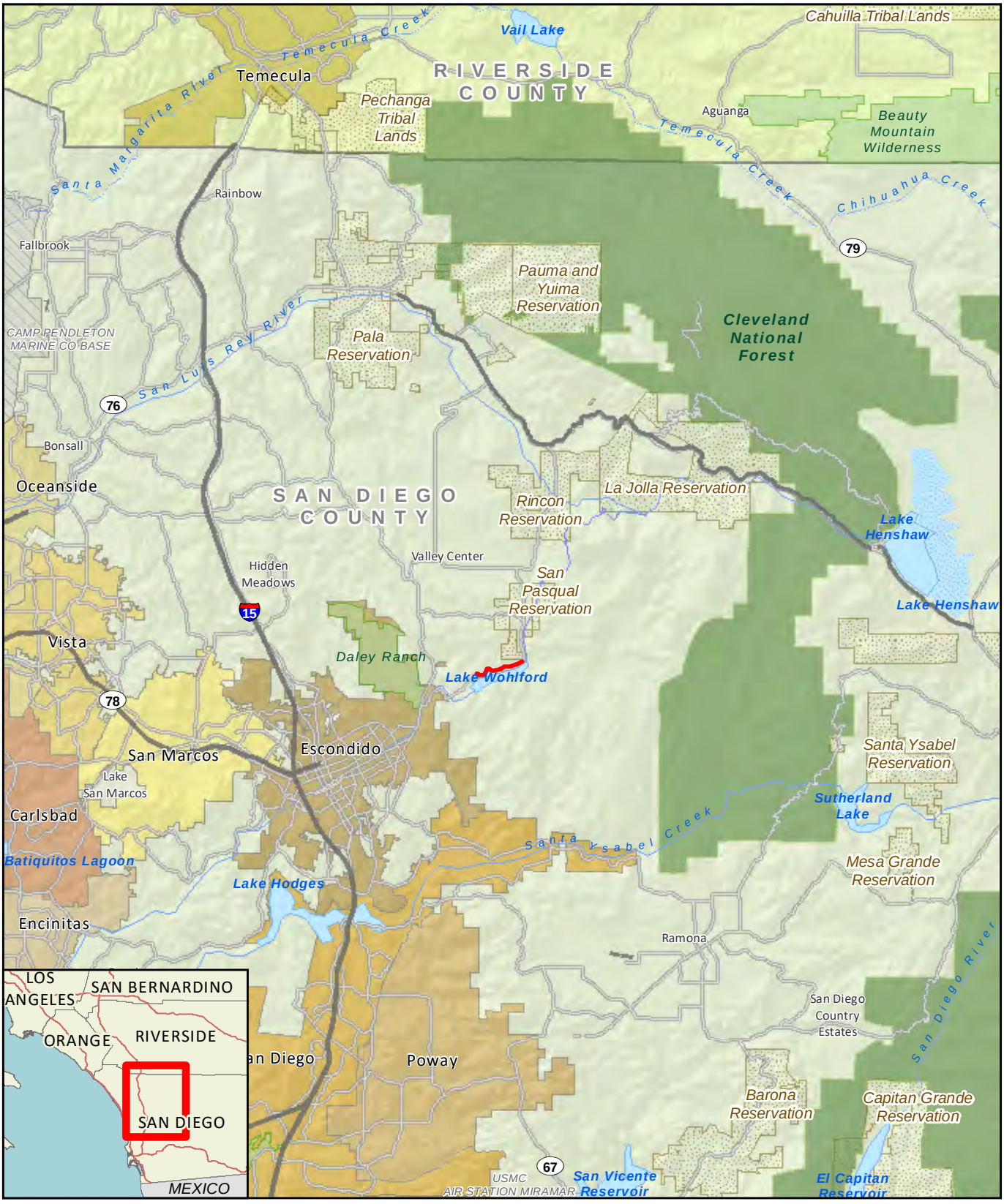

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FIGURE 1
Regional Location

Map Source: USGS 7.5 minute topographic map series, Rodriguez Mtn. quadrangle, 1997, T11S R01W

Area of Direct Impact

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FIGURE 2
Area of Direct Impact on USGS Map

RECON Environmental, Inc. (RECON) was contracted by Dexter Wilson Engineering, Inc. to test the ADI for the presence/absence of archaeological resources at P-37-000758, P-37-013421 and P-37-013422 pursuant to CEQA (Attachment 1). Therefore, RECON completed archaeological testing at the three site locations within the shoulder of the north lane or as near as possible. P-37-000758 is located west of the intersection of Lake Wohlford Road and Duro Road and P-37-013421 and P-37-013422 are west of the intersection of Lake Wohlford Road and Gueijto Road (Confidential Attachment 1).

3.0 Project Personnel

Carmen Zepeda-Herman, M.A. served as principal investigator and field crewmember. Ms. Zepeda-Herman meets the Secretary of the Interior Standards for Archaeology and Historic Preservation with over 23 years of experience in San Diego County. With over 21 years of San Diego County experience, archaeologist Nathanial Yerka served as the field director during the excavation; Charles Musser served as a field archaeologist. Evette Peart, Darrius Ochoa-Williams, and Jay Morales of the San Pasqual Band of Mission Indians participated as Native American observers. The text of the document was written by Ms. Zepeda-Herman. Stacey Higgins was in charge of copyediting. Benjamin Arp managed the geographic information system (GIS) data and performed the GIS data analysis. Photographic figures were prepared by Jennifer Gutierrez and Carmen Zepeda-Herman.

4.0 Setting

4.1 Environmental Setting

The ADI is located west of Bear Valley and north of Lake Wohlford. The lake was formed when the original Lake Wohlford dam and Escondido Canal were constructed in 1895 to bring water from the San Luis Rey River basin. The Lake Wohlford Resort is situated west of the three resources that were evaluated. The San Pasqual Reservation Cultural Center is to the north, the Lake Wohlford Park and the Escondido Fish and Game Association Shooting Range are to the south, and a rural residential area is to the east. Project elevation is approximately 1,520 above mean sea level.

Three soil types as mapped by the U.S. Department of Agriculture (USDA) occur within the three project areas. The soil types include Las Posas fine sandy loam, 9 to 15 percent slope (LpD2); Las Posas fine sandy loam, 15 to 30 percent slope (LpE2); and Vista coarse sandy loam, 15 to 30 percent slope (VsE). The Las Posas soil series consists of well-drained moderately deep stony fine sandy loams with clay subsoil. Las Posas soils occur in uplands and formed from material weathered from igneous rock. The Vista soil series consists of well-drained, moderately deep and deep coarse sandy loams made from granodiorite or quartz diorite. Vista soils occur on uplands (USDA 1973).

5.0 Previous Research

5.1 Records Search

Prior to the testing excavation, RECON reviewed a survey report titled Historic Property Identification Report for the Lake Wohlford Resort Water Line Project, San Diego County, California dated May 2021 (Anza Resource Consultants 2021) and requested DPR forms for two the resources (P-37-013421 and 37-013422) identified in the survey report (Confidential Attachment 2). The third site (P-37-000758) is located within the San Pasqual Reservation. This site form was provided by the SWRCB.

The above survey report identified four archaeological sites bisected by the ADI: P-37-000758, P-37-013415, P-37-013421, and P-37-013422. Site P-37-013415 consists of two bedrock milling features, one on either side of the road with no artifacts. It is considered to have a low probability for intact buried archaeological resources. The other three sites also appear to have no subsurface archaeological deposits on the north side of Lake Wohlford Road based on excavations that were monitored for a pole replacement project (Cox 2017). During the project located adjacent to the ADI, several San Diego Gas & Electric (SDG&E) power poles were replaced in the three sites while the work was monitored by tribal representatives and archaeologists.

While there is some evidence from the pole replacement work that the sites have no subsurface archaeological presence, the consulting tribes (the San Pasqual Band of Mission Indians and the Rincon Band of Luiseño Indians) requested excavation to confirm this was true for the ADI.

P-37-013415 was recorded in 1993 as a bedrock milling site with three bedrock milling features. No artifacts were recorded associated with the features. Disturbances to the site include Lake Wohlford Road and the Lake Wohlford Café (Ogden Environmental 1993a). Testing was not recommended because of the high level of disturbance due to the paved nature of the northern road shoulder and shallow soil depth within the site area (see Attachment 1). The excavation of two SDG&E poles on the north side of Lake Wohlford Road within 30 meters of P-37-013415 were monitored with negative results for archaeological material (Cox 2017).

P-37-000758 was recorded as a large prehistoric village site in 1960. Later, a historic component including a well, trash scatter, possible foundation, and water storage container have been added to the site. The prehistoric component includes bedrock milling features, rock rings, fire-affected rock, marine shell, lithic artifacts, and ceramic sherds. A mano was found during the 2021 survey. Disturbances include Lake Wohlford Road (Anza Resource Consultants 2021). The main part of the site is located south of the road, closer to the water. The excavation of six SDG&E poles on the north side of Lake Wohlford Road and five poles on the south side within P-37-000758 were monitored as well as the stringing of two poles. Monitoring resulted in no subsurface archaeological recovery (Cox 2017).

P-37-013421 was recorded in 1993 as a bedrock milling site with a lithic scatter. Two Tizon brownware ceramic sherds were observed during update surveys (Ogden Environmental 1993b). The excavation of three SDG&E poles on the north side of Lake Wohlford Road and one on the south side within P-

37-013421 were monitored. Six flakes were observed on the surface in the vicinity of two of the poles. No subsurface archaeological material was recovered during monitoring activities (Cox 2017).

P-37-013422 was recorded in 1993 as a bedrock milling site with a historic well, cistern, and trash deposit (Ogden Environmental 1993c). During update surveys, no additional features or artifacts were identified. Disturbances include Lake Wohlford Road, an enhanced drainage system east of the cistern, a city facility located south of the road, and a northeast-heading access road located north of the road (ICF International 2016). The excavation of one SDG&E pole on the north side of Lake Wohlford Road and one pole on the south side within 30 meters of P-37-013422 were monitored. Additional historic trash items were identified on the surface 20 meters west of one of the poles. No subsurface archaeological material was noted during pole excavations (Cox 2017).

5.2 Previous Excavations in the ADI

Based on background information provided by SWRCB (see Figure 2 in Attachment 1), Lake Wohlford Road was constructed using a cut and fill method, in which the upper slope is excavated into and the cut material is used to fill the downslope side of the hill to form a level road surface (see Attachment 1). Specifically, the north side of Lake Wohlford Road was cut and the material was used to fill the south side. Based on this, trenching for a new water line on the north side of the road would have the least amount of impact to potential archaeological deposits. SWRCB anticipates that there is no archaeological material remaining on the north side of the roadway because any potential archaeological deposits have been cut and removed and ultimately used to fill the south side of the road or low spots elsewhere (see Attachment 1).

6.0 Methods

6.1 Excavation Methods

Prior to the excavation phase, RECON participated in a pedestrian survey of the three resource locations along with representatives from the San Pasqual and Rincon bands and the client on September 7, 2023. Representatives from San Pasqual included Desiree Morales-Whitman, Deputy Tribal Historic Preservation Officer (THPO), John Flores, the Environmental Coordinator, and Angelina Gutierrez, THPO monitor supervisor, and representatives from Rincon included Cheryl Madrigal, the THPO, and Shuuluk Linton, the Tribal Historic Preservation Coordinator. The purpose of the survey was to identify six agreed-upon locations for excavation units to be placed. The representatives directed the placement of these locations and RECON recorded the locations with an Apple iPad running ESRI's ArcGIS Collector application paired with a Trimble R1 sub-meter global positioning system (GPS) unit.

Prior to excavation, a traffic control permit was obtained from the County. The Public Works Department of the San Pasqual Band of Mission Indians implemented the traffic control permit and laid out road work signs and cones per the permit at the beginning of the day. The signs and cones were removed at the end of the day.

The test excavation phase was conducted on January 25, 26, and 29, 2024 by RECON archaeologists Nathanial Yerka, Charles Musser, and Carmen Zepeda-Herman. Darrius Ochoa-Williams, Jay Morales, and Evette Peart from the San Pasqual Band of Mission Indians participated as the Native American monitors. The Rincon Band deferred to the San Pasqual Band since the work was within the San Pasqual Reservation. The purpose of the excavation program was to assess presence or absence of archaeological materials. The work plan prepared by SWRCB required six to eight 0.50-by-0.50 meter shovel test pits to be excavated in the ADI to bedrock or four feet deep, whichever came first (see Attachment 1). All soils were to be dry-screened through a one-eighth-inch mesh.

RECON excavated six 50-by-100 centimeter (cm) units; two at each of the three sites; however, they were not excavated in the ADI, but were placed as close as possible without cutting through any pavement. The units were hand-excavated in 10 cm levels with shovels, trowels, and heavier tools as soil conditions dictated. Units were excavated until a minimum of two sterile soil levels were reached (sterile soil is excavated soil that is devoid of archaeological materials). This change from the work plan was agreed upon by the participating Native American monitors due to the lack of cultural material in the upper level and the evidence of disturbance. Excavated soils were dry-screened through a one-eighth-inch mesh where artifacts and ecofacts would be removed and placed in appropriately labeled bags if present. Observations concerning soil characteristics, cultural material content, disturbance, and depth were recorded on field forms for each 10 cm level. Photographs were taken of each unit. Units were backfilled with the removed soils at completion of the individual excavation.

California DPR site form updates were completed for P-33-000758, P-37-013421 and P-37-013422 and will be filed with the SCIC (see Confidential Attachment 2). A copy of this report will also be filed with the SCIC.

7.0 Results

7.1 Excavation

The results of the excavation indicated that there are no archaeological deposits either within the north lane shoulder portions of P-37-000758, P-37-013421 and P-37-013422 adjacent to the ADI or in the sites themselves above the ADI. All six units were negative for archaeological material.

P-37-000758 Unit 1 on the east side of the site was excavated to 30 cm below ground surface (BGS) in the road shoulder approximately three feet below the natural surface of the slope. The map with unit locations at P-37-000758 is found in Confidential Attachment 3. Unit 1 consisted of uniform soil of dark-brown sandy clayey loam that appears to be the natural landform (Photographs 1 and 2). Unit 2 on the west side of the site was excavated to 40 cm BGS (Table 1). The top approximate 28 to 32 cm BGS was composed of fill of decomposed granite (Photograph 3). The soil changed at 32 cm BGS from fill to the natural soil of the cut slope. The natural soil of the cut slope consisted of dark-brown clayey sand like Unit 1. Both units were located within the road cut in a disturbed context. All levels of both units showed evidence of disturbance as noted by the presence of modern consumer bottle glass fragments and asphalt pieces. This is consistent with the north side of the road having

been cut during construction of the road as noted in the background information provided by SWRCB. No archaeological material was found in either unit.

Table 1 P-37-000758 Unit Depths, Soils, and Conditions				
Unit	level	Artifacts	Soil Description	Disturbance
1	0-10	None	Dark brown (7.5 YR 3/3) sandy, clayey loam	Consumer bottle glass fragments, plastics
1	10-20	None	Same as above	Consumer bottle glass fragments, asphalt pieces
1	20-30	None	Same as above with an increase in sand content, subangular pebbles	Consumer bottle glass fragments, asphalt pieces
2	0-10	None	Dark reddish brown (5 YR 3/3) loamy sand, with pea gravel (fill soil)	Consumer bottle glass fragments, asphalt pieces, plastics, rubber pieces
2	10-20	None	Same as above, with subangular rocks and no pea gravel	Consumer bottle glass fragments, mirror fragments
2	20-30	None	Same as above with slight increase in rock; soil change between 28 and 32 cm	Consumer bottle glass fragments
2	30-40	None	Dark brown (10 YR 3/3) clayey sand; large rock in the west half	Consumer bottle glass fragments, asphalt pieces

P-37-013421 Units 1 and 2 were both located above the level of the road on the natural site surface. The north road shoulder at this site is paved to the base of the cut slope so there is no room to place a unit at road level (Photograph 4). Both units were excavated to 30 cm BGS (Photograph 5 and 6). The map with unit locations at P-37-013421 is found in Confidential Attachment 4. Only one soil horizon was exposed: the A Horizon consisted of dark to very dark-brown clayey loam (Table 2). The upper 20 cm showed evidence of disturbance due to the presence of intrusive items including modern consumer bottle glass fragments, metal fragments, paper, and plastics. The 30 cm level was sterile. No archaeological material was found in either unit.

Table 2 P-37-013421 Unit Depths, Soils, and Conditions				
Unit	level	Artifacts	Soil Description	Disturbance
1	0-10	None	Very dark brown (10 YR 2/2) clayey loam	Metal fragment, Styrofoam, paper
1	10-20	None	Same as above; large rock in the middle	Consumer bottle glass fragments, paper, plastics,
1	20-30	None	Same as above, with small boulder in the east half, increase in rock	n/a
2	0-10	None	Dark brown (7.5 3/2) clayey loam; some grasses	Consumer bottle glass fragments
2	10-20	None	Same as above	Consumer bottle glass fragments
2	20-30	None	Same as above	n/a

P-37-013422 north of the road is a historic component consisting of a cistern and historic-era trash (cans, bottle glass, ceramic fragments). Two units were placed near each other in the northeast area of the site above the road cut on the natural slope. The map with unit locations at P-37-013422 is found in Confidential Attachment 5. The site in this area has been disturbed by the installation of an electrical pole, an access road, and a gate. Both units were placed above the road level, but the Unit 1

location is not much higher than the road (Photograph 7). Unit 1 was excavated to 40 cm BGS while Unit 2 was excavated to 30 cm BGS (Photographs 8 and 9). Unit 1 was excavated to 40 cm BGS due to a soil change from dark brown loam to a dark reddish-brown loam at 30 cm BGS (Table 3). This appears to be a transition from the more organic upper levels to a more mineral stratum. This unit was located under an oak tree so there is more organic decomposition here, compared to Unit 2. Oak tree roots are also apparent in Unit 1 (see Photograph 5). In contrast, Unit 2 is in an area with much less organic content in the upper level and the presence of shallow decomposing granitic parent rock (see Photograph 6). Intrusive modern materials were noted in all levels of each unit with the exception of the 30-40 cm level of Unit 1; this level was sterile of both modern and archaeological material. Intrusive materials included plastics, consumer bottle glass fragments, a nail, and asphalt in the upper levels. The nail was highly corroded but it has a square top and could be a historic square nail. No prehistoric archaeological material was found in either unit.

Table 3
P-37-013422 Unit Depths, Soils, and Conditions

Unit	level	Artifacts	Soil Description	Disturbance
1	0-10	None	Dark brown (7.5 YR 3/2) loam with some decomposing granite; leaf duff	Plastic bottle cap, consumer bottle glass fragments, asphalt
1	10-20	None	Same as above with some clay chunks	Consumer bottle glass fragments, asphalt
1	20-30	None	Soil changes to dark reddish brown (5 YR 3/2) loam; large rocks at west end	Consumer bottle glass fragments
1	30-40	None	Same as above ; 2 large roots at west end	n/a
2	0-10	None	Dark brown (7.5 YR 3/2) loam with some reddish brown clayey loam	Consumer bottle glass fragments
2	10-20	None	Dark reddish brown (5 YR 3/3) loamy sand with some decomposing granite	Consumer bottle glass fragments, nail

PHOTOGRAPH 1
Overview of Unit 1 Location at P-37-000758

PHOTOGRAPH 2
Plan View of the 30 cm Level of Unit 1 at P-37-000758.

PHOTOGRAPH 3
East Wall of the 40 cm Level of Unit 2 at P-37-000758.

PHOTOGRAPH 4
Overview of Unit 1 Location at P-37-013421

PHOTOGRAPH 5
East Wall of the 30 cm Level of Unit 1 at P-37-013421.

PHOTOGRAPH 6
North Wall of the 30 cm Level of Unit 2 at P-37-013421.

PHOTOGRAPH 7
Overview of Unit 1 Location at P-37-013422 with Red Flag for Unit 2 in the Background

PHOTOGRAPH 8
Plan View of the 40 cm Level of Unit 1 at P-37-013422

PHOTOGRAPH 9
East Wall of the 30 cm Level of Unit 2 at P-37-013422.

8.0 Regulatory Background and Management Recommendations

8.1 Regulatory Background

The regulatory framework and methods for determining impacts on cultural resources include compliance with the requirements for CEQA. CEQA criteria are used to determine if a cultural resource qualifies for the CRHR and, therefore, would be a significant resource.

Cultural resources that have been evaluated and determined to be eligible for listing in the CRHR are considered historical resources under the provisions of Public Resources Code Sections 5020.1 and 5024.1. Section 5024.1(c) of the Public Resources Code addresses CEQA significance criteria as follows:

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

In addition to meeting one of the above criteria, a resource must have integrity; that is, it must evoke the resource's period of significance or, in the case of criterion 4, it must retain reliable research data (California Code of Regulations Title 14, Chapter 11.5 Section 4852(c)). Most archaeological sites that qualify for listing do so under criterion 4.

If a project will cause a substantial adverse change in the significance of a historical resource, mitigation is required under CEQA. A substantial adverse change is defined as the physical demolition, destruction, relocation, or alteration of the resource of its immediate surroundings such that the significance of a historical resource would be materially impaired. Avoidance of a historical resource through project redesign is the preferred mitigation measure. If redesign is not feasible, minimizing impacts by limiting the degree of impacts or reducing the impact through construction monitoring are mitigation options.

8.2 Management Recommendations

The results of the excavation at P-37-000758, P-37-013421, and P-37-013422 demonstrated a lack of archaeological material in the recorded sites and in the road shoulder consistent with the north side of the roadway having been cut away during construction as noted in the background information provided by SWRCB (see Figure 2). Because portions of sites P-37-000758, P-37-013421, and P-37-013422 in the ADI were removed during road construction it can be reasonably inferred that no archaeological deposits are present in the ADI. Therefore, the portions of P-37-000758, P-37-013421, and P-37-013422 in the ADI are recommended as not contributing to the CRHR eligibility of the sites. The project will not adversely affect the archaeological sites or the tribal cultural landscape identified by the tribes. RECON recommends no further cultural resources work for this project.

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ATTACHMENT 1

Lake Wohlford Private Water Line Project: Proposed Scope of Work Absence/Presence Archaeological Survey and Testing

Lake Wohlford Private Water Line Project: Proposed Scope of Work (SOW)
Absence/Presence Archaeological Survey and Testing

Background

The State Water Resources Control Board (SWRCB) is responsible for formal consultation with interested Native American tribes under the California Environmental Quality Act (CEQA) and its Assembly Bill 52 (AB52) additions. The purpose of consultation is to identify potential Tribal Cultural Resources (TCRs) that may be within, intersecting, and/or impacted by a proposed project and assess whether that project will have a significant impact to identified TCRs, which are defined in Public Resources Code (PRC) section 21074, subdivision (a). In response to the AB52 request from the SWRCB for the Lake Wohlford Water Line Project (Project), the San Pasqual Band of Mission Indians (SPBMI) and the Rincon Band of Luiseño Indians (RBLI) both requested formal consultations to discuss the Project and the known and identified cultural sites that are within the Project area.

An initial consultation meeting occurred between the SWRCB, SPBMI, and RBLI on December 1, 2021. During the meeting, both Tribes identified that the Project is located within a traditional cultural landscape that contains recorded and known TCRs, including ancestral places and material designated and recorded as "archaeological" (e.g., P-37-013415; Site P-37-000798; P-37-013422; P-37-013421). No prior assessment or eligibility studies for the California Register of Historic Resources (CRHR) have been conducted for these cultural resources or site locations to date. However, during the field visit, the Rincon THPO disclosed that the entire area of the Project is within a Traditional Cultural Property (TCP) which is a National Historic Protection Act (NHPA) historic property type. According to Title 36 Code of Federal Regulations Part 800,

> "A historic property means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places (NRHP) maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria."

Historic properties are also eligible for the CRHR and any property that has been determined eligible for the NRHP through a consensus determination is automatically listed on the CRHR (Public Resources Code.

Following this logic, the State Water Board acknowledges that the entire Project falls within a TCR landscape, the CEQA equivalent of a TCP, and that each archaeological site within the larger regional TCR landscape is also an individual TCR. Additionally, each of the TCRs is significant and eligible for listing in the California Register of Historical Resources. The individual "archaeological" TCRs are the subject of this scope of work.

The proposed Project will excavate a trench, approximately four feet deep and two feet wide, for installation of a private water line. Construction of Lake Wohlford Road in the Project area has previously cut through ancestral places designated and recorded as four "archaeological sites" (Figure 1). Additionally, ancestral and heritage material archaeologically designated as "scatter" or "isolates" was previously identified in the Project area, and the potential significance of this material to and for SPBMI and/or RBLI, respectively, must be considered as part of CEQA review.

AB52 requires that TCRs must be clearly delineated in order to assess proposed Project impacts. As part of this process, SPBMI and RBLI have requested formal archaeological investigations and a cultural eligibility assessment of resources within the purview of archaeology known to exist on the Lake Wohlford Road shoulder near the north lane, in proximity to, and/or within the Project area. It must be underscored that while for SPBMI and RBLI information potential from respective Ipai-Kumeyaay and Luiseño traditional knowledge systems may align with Western scientific criteria, such as that pursued by archaeology, Western scientific analyses alone are fundamentally insufficient to account for both SPBMI and RBLI concerns and insights that must be afforded adequate and appropriate attention and consideration under CEQA (PRC 21080.3.1-21080.3.2). This proposed scope of work (SOW) thus only accounts for archaeological perspectives and that ancestral and heritage material that is, or can be, designated "archaeological", and does address wider spectrums of significance, integrity, or environmental impacts to cultural resources that must be accounted for under CEQA.

The following discusses the cut and fill construction process used to create Lake Wohlford Road, an archaeological site description for each known site, including internal constituents, the physical road conditions, and monitoring log information. Also outlined are sequential recommendations for an intensive pedestrian survey for cultural resources, broadly understood, that may be of concern to SPBMI and/or RBLI, an archaeological testing program, proposed test excavation procedure questions, and the state process for appropriate management of human remains should they be identified during any ground disturbing work associated with the testing program.

REDACTED Figure 1. Previously recorded cultural sites within the Project area

Previous Excavations and SWRCB Recommendations

Cut and Fill roads, like Lake Wohlford Road, were constructed by excavating into the upper slope and using the cut material to fill the downslope side of the hill to form a flat road surface (see Figure 2). In the case of Lake Wohlford Road, the north side of the road is the cut side and the south is the fill side.

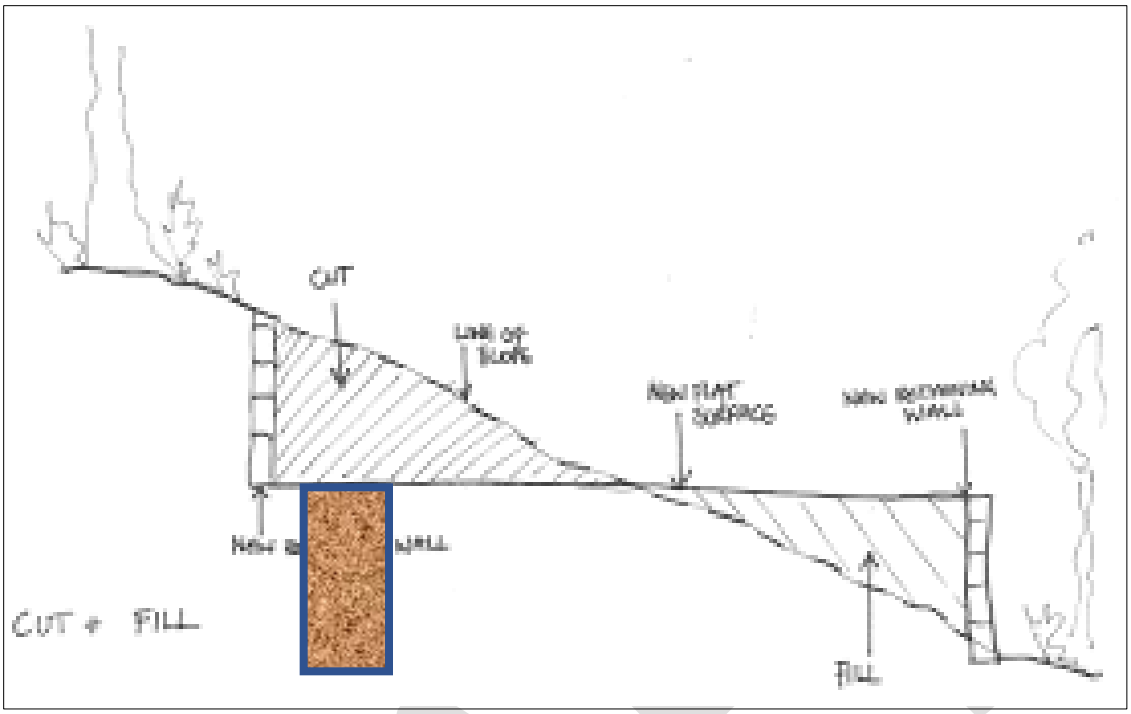

Figure 2. Diagram of a cut and fill road with proposed Project trench shown in brown/blue.

The ancestral places and material designated and recorded as four archaeological sites were all situated on the undeveloped ground surface. When the road was constructed, the portion of a site that existed on the surface was cut out of the north side and deposited on the south side. The roadway was then smoothed, compacted, and paved.

The State Water Board believes this roadway is the least impactful place to put the water pipe, as routing the pipe through the surrounding, undeveloped, area is far more likely to have significant impacts to TCRs, biological resources, and aesthetics. It is also the shortest route, which would result in fewer impacts to air, energy, and greenhouse gasses.

2017 Pole Replacement Project: There were 17 power poles replaced on the north side of Lake Wohlford Road in a 2017 study. Two of the sites—P-000798 and P-013421—were directly monitored by an archaeologist and a tribal representative and the monitors observed replacement activities directly adjacent to a third site, P-13422/H. Of the 17 poles replaced, heritage material in the form of artifacts were found on the surface near three pole locations; however no cultural materials considered archaeological were observed below surface during the excavations. The three poles where these cultural materials were found are all elevated above the level of the road.

The SWRCB anticipates that there will be no culturally-bearing site deposits remaining on the north side of the road below prior cuts, and that any cultural materials of concern or interest to archaeology that had once been on the cut surface would have been deposited on the south fill side of the road during construction. The Project's water line trench (represented by the brown rectangle in Figure 2) is proposed to be excavated into the north lane of the road, below the original site's surfaces. Additionally, the majority of the poles that were replaced in the surface of the sites were at a higher elevation than the current road shoulder. Results of the monitoring were archaeologically deemed negative. Therefore, the SWRCB believes that there is a low chance of encountering any archaeologically defined "intact sites" in

the waterline trench. This, however, neither means that cultural resource concerns for SPBMI and RBLI are absent, nor that archaeological values for, or definitions of, "intact sites" can account for the full spectrum of ancestral place historical significance and traditional religious and cultural importance for SPBMI and/or RBLI.

Sites

Prior to the test, an intensive pedestrian survey be conducted by appropriate SPBMI and RBLI subject matter experts and the archaeological consultant to inform, implementation of SWRCB's proposed archaeological testing program and test excavation procedures. Depending on the findings of this intensive pedestrian survey, SPBMI and/or RBLI will direct the placement of the required shovel test pits (STP) to be conducted below the pavement off Lake Wohlford Road to determine the presence or absence and integrity of cultural material and sites occurring below the pavement.

The ancestral places recorded as 'archaeological sites" are discussed from the west to the east

Site P-37-013415 is two bedrock milling features (BRMs), one on either side of the road well outside the Project area (Figure 3). No artifacts have been recorded at the site. The southern BRM is south of the fence and the northern one is north of the road [redacted] The SWRCB anticipates that the potential for a subsurface deposit at this location is low due to the disturbance and shallow soil depth. As the northern shoulder is paved, we would be unable to test this site in the shoulder. The only non-paved areas are well outside the Project area. No testing of this site is recommended by the SWRCB.

Figure 3. Site P-37-013415 with BRMs outlined. REDACTED

Site P-37-000798 is a recorded village site whose northern boundary is just north of Lake Wohlford Road (Figure 1). Midden and rock rings are recorded south of the road near the water, and several artifact types and BRMs are also recorded at this site. The north shoulder of the road is very narrow along most of the site boundary, limiting excavation space. See the screen shot below for the road facing west at the bend through P-37-000798 (Figure 4). The road is cut down through the slope which rises to the north and the south in the middle of the bend.

Figure 4. Site P-37-000798 showing power poles above road elevation. REDACTED

Six power poles were replaced north of the road above the cut within the site, and five were replaced south of the road within the site (Figure 5). Figure 4 shows that the poles on either side of the road are above the current road elevation, which is on the known site surface; no archaeological materials were found subsurface at these locations. The yellow dots on the photo below are the power poles that were monitored with negative results (green dots are BRMs). The red arrows point to the two areas where a small excavation unit might fit.

Figure 5. Pole locations and possible excavation locations at P-37-000798.

Site P-37-013422 is a historic-era archaeological site with a cistern and historic-era trash scatter north of the road (Figure 6). South of the road there are historic-era landscaping remnants (palm and walnut trees), more historic-era trash, and two BRM outcrops. Two power poles were replaced adjacent to the east

boundary of the site. The poles seen in the photo are both fairly close to the road elevation and neither had any sub-surface artifacts or deposits. The only place to park and excavate is on the edge of this gated road. While this area has very limited space on the north, it is sufficient for excavation, which will be conducted to identify whether there are subsurface resources present.

Figure 6. Site P-37-013422 view to east showing poles and potential excavation spot. REDACTED

Site P-37-013421 is a large, sparse pre-colonial site with artifacts and BRMs (Figure 7). All the BRMs are north of the road in the northernmost tip of the polygon. Five pole locations were excavated in the site. The two central pole locations north of the road had artifacts on the surface of the site above the road, but none subsurface.

Figure 7. Site P-37-013421 showing pole replaecments. Red arrow is a potential unit location. REDACTED

This site has a long strip of open ground along the left side of the pavement where an excavation unit may be placed on the shoulder off the pavement (Figure 8).

Figure 8. Only spot maybe wide enough for excavation on far left of picture. REDACTED

Shovel Test Pits

Following the findings of the intensive pedestrian survey, it may be necessary in order to determine the presence or absence and integrity of cultural deposits below the pavement, to conduct no less than four and no more than eight shovel test pits (STP) along Lake Wohlford Road. Pavement will be cut and road base materials will be removed by mechanical shovel to expose native soils prior to start of the STP excavations by approved archaeologists and SPBMI and RBLI monitors. STPs measuring 0.25-x-0.50 meters (or 0.5 x 0.5 if needed) will be used to explore the areas under the road that have the highest potential to contain deposits and to identify and characterize subsurface deposits that may be present. The intensive pedestrian survey and/or subsequent input of SPBMI and/or RBLI monitors and the probability of encountering deposits may shift proposed locations of STPs in order to increase the potential to identify subsurface deposits. All soils in the excavation units will be screened through 1/8" mesh.

All STPs identified will be completed to bedrock or four feet deep, whichever comes first, unless an STP is within the one area where the trench will be around 10 feet below grade as shown on the 90% submittal between stations 30+ and 40+. The STP in that area will go the maximum depth of the trench as shown on the plans. and the results of these STPs will be reported immediately to the SPBMI and RBLI. If the STPs are negative for subsurface cultural material considered archaeological deposits, then the testing effort will be considered complete and construction will be allowed to proceed with archaeological and SPBMI and RBLI monitoring following the monitoring and discovery plan that would include further protective avoidance, minimization, and/or mitigation measures as determined through consultation with the Tribes. Determination of integrity will be made by the Principal Investigator in collaboration with the Tribal cultural representatives.

If artifacts, features, or midden are discovered below the pavement and this material is determined to be have integrity, further treatment measures will likely be required. The targeted approach shall include, but not be limited to, the excavation of up to three control units, measuring 1-x-1 meter, adjacent to STPs which contain cultural deposits that retain integrity. All soils in the excavation units will be screened through 1/8" mesh. The level of effort will be dictated by the nature and extent of the discovery and be

based on the results of the initial evaluation effort. The focus will be on recovering a sufficiently large sample from within the boundaries of the proposed trenching, to characterize the discovery, and to address regional research questions.

All recovered materials will be processed and analyzed on site using *both* standard archaeological and Tribally-approved methods to obtain the necessary information. No invasive testing is permitted without written permission by the consulting Tribes. Any recovered cultural artifacts and heritage material from the testing phase would be repatriated to the consulting Tribes for reburial on project site or reburial on the San Pasqual Indian Reservation.

Management and Treatment of Human Remains

The presence of any bone will be recorded by the project archaeologist in consultation with Tribal monitors and make a tentative, unofficial assessment of the likelihood of it being human. If the bone is determined to be human by the Principal Investigator, in coordination with the Tribal monitors and representatives of the consulting Tribes, the remains will be left in place, when possible, and protected until they can be examined respectfully keeping to both Ipai-Kumeyaay and Luiseño cultural and religious protocols. Absolutely no photographs or testing are permitted on human remains or funerary objects. If human remains, sacred objects, and/or items of Native American cultural patrimony are encountered, treatment will follow the stipulations and guidance of CalNAGPRA.

Immediately upon identification, section 7050.5 of the California Health and Safety Code must be followed. The law requires that the San Diego County Coroner (Coroner) shall be immediately notified of the discovery and no further excavation or disturbance of the site or any nearby area may continue until the Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the Coroner determines that the remains are, or are believed to be, Native American, he or she is required to notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains. Immediate telephone notification will also be made to the State Water Resources Control Board, followed by written confirmation.

Reporting

Upon completion of fieldwork by SWRCB, the Principal Investigator will prepare a report summarizing the results of the archaeological presence/absence test. This report will be prepared and provided to the consulting Tribes and the SWRCB to assist with CEQA compliance. The San Pasqual Band of Mission Indians and Rincon Band of Luiseño Indians will then have 30 days to review the summary report and provide comments. Based on report findings, the Tribes and the SWRCB would consult on the level of impacts and if still potentially significant, the appropriate mitigation measures to be included in the CEQA document that would reduce the impacts to less than significant levels and determine what types of mitigation measures, if any, would need to be in the CEQA document.

CONFIDENTIAL ATTACHMENTS

(Not for Public Review)